



## **City Council Regular Called Meeting Agenda**

**COUNCIL CHAMBERS - 1209 FIORELLA STREET**

**Tuesday, May 13, 2025**

**5:30 PM**

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**The City Council of the City of Castroville will meet in the Regular Called Meeting beginning at 5:30 p.m. in the Council Chambers at City Hall on the following items listed on the agenda.**

**I. Call to Order**

**II. Roll Call**

**III. Pledge of Allegiance**

**IV. Invocation**

**V. Citizen Comments**

The City Council will hear comments from any citizen or visitor. Speakers must address their comments to the presiding officer rather than individual council members or staff; stand at the podium, speak clearly into the microphone and state your name residential address before speaking. Speakers will be allowed a maximum of 3 minutes for testimony. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

**VI. Consent Agenda:**

[a.](#) Minutes for April 22, 2025 Regular Called Meeting

**VII. Presentations**

**a.** The Castroville Area Economic Development Council will present the winning poster for their annual Poppy Poster contest.

**VIII. Discussion and Action Items**

**a.** Recognition of outgoing Councilmember, Paul Carey, District 2.

**b.** Public comments by out-going Mayor, Darrin Schroeder.

**c.** Canvassing the May 03, 2025 General Election Results for Mayor.

**d.** Swearing-In of Sheena Martinez, District 1 Councilmember, Houston Marchman, District 2 Councilmember, and Robert 'Bob' Lee, District 5 Councilmember.

**e.** Administration of the Oath of Office and Swearing-In of Bruce Alexander, Mayor.

- f. Passing of Gavel by Mayor Darrin Schroeder to Mayor Bruce Alexander followed by brief recess and refreshments.
- g. Discussion and take appropriate action to appoint applicants for open positions on the City's Boards & Commissions.
- h. Discussion and take appropriate action on acceptance of Texas Department of Emergency Management (TDEM) grant HMGP4798 for the purchase and installation of a 60 KW Diesel Generator at the Castroville Police Building and authorizing the expenditure of a 25% City Match of \$15,051.21 from the City's General Fund.
- i. Discussion and possible action regarding the contract for planning services with Simple City Design.
- j. Discussion and appropriate action to award a contract for solid waste (inclusive of recycling, bulk, and hazardous waste) services.
- k. Discussion and appropriate action to award a contract for service for the design, and construction of the city hall remodel and potential future library expansion.
- l. Discussion and take appropriate action to establish dates, times, and locations for all open meetings conducted by the City of Castroville.
- m. Discussion and possible updates or changes to the, "Council policy and rules of procedure" found in Chapter 2, Article 1, Section 2-4 of the City's Code of Ordinances.
- n. Discussion and take appropriate action regarding the provision of cell phones for the mayor, city council, and senior city staff.
- o. Discussion on the review of city ordinances as required under Article 1, Chapter 2, Section 2-11 of the City's Code of Ordinances.

## **IX. City Council Liaison Report**

**Airport Advisory Board - May 5, 2025**

**Library Advisory Board - May 1, 2025**

**Planning and Zoning Commission - April 9, 2025**

**Historic Landmark Commission - April 15, 2025**

**Parks and Recreation Advisory Board - April 16, 2025**

## **X. Discussion on Future Agenda Items**

## **XI. Adjourn**

### **Accessibility Statement**

The City Hall is wheelchair accessible. The exit and parking ramps are located at the rear of the building.

### **Non-Discrimination Statement**

The City of Castroville does not discriminate on the basis of race, color, national origin, sex, religion, or disability in the employment or the provision of services.

The City Council of the City of Castroville reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act.

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, Castroville, Texas on Month May 9, 2025 before 6:00 p.m.

/s/ Debra Howe

City Secretary

**CITY OF CASTROVILLE CITY COUNCIL  
REGULAR CALLED COUNCIL MEETING  
1209 Fiorella  
City Council Chambers  
April 22, 2025  
Tuesday  
5:30 P.M.  
MINUTES**

**I. CALL TO ORDER**

Mayor Darrin Schroeder called the meeting to order at 5:30 p.m.

**II. ROLL CALL**

Present:

Mayor Darrin Schroeder	Scott Dixon, City Administrator
Councilmember Houston Marchman	Debra Howe, City Secretary
Councilmember Phil King	
Councilmember David Merz	
Councilmember Robert Lee	

Absent:

Mayor Pro Tem Sheena Martinez

Others in Attendance:

Daniel Santee, Attorney, DNRBS&Z

**III. PLEDGE OF ALLEIGENCE**

**IV. INVOCATION**

Mayor Schroeder gave the invocation.

**V. CITIZENS COMMENTS**

*The City Council will hear comments from any citizen or visitor. Speakers must address their comments to the presiding officer rather than individual council members or staff; stand at the podium, speak clearly into the microphone, and state your name and residential address before speaking. Speakers will be allowed a maximum of 3 minutes for testimony. Speakers making personal, impertinent, profane, or slanderous remarks will be given one warning before losing the privilege to speak or may be removed from the room. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.*

Elanor Elder, 374 PR 4731, Castroville, spoke on a ticket she received from a city police officer for making an illegal turn off at Hwy 90 onto Hwy 471N using an improved shoulder. Ms. Elder admitted guilt, but wanted improvements to the traffic flow, signage/markings saying not be used as a turning lane and noted other locals did the same thing as she. Mayor Schroeder said Hwy 90 was regulated by TxDOT and she should reach out to that entity with her concerns. Mayor Schroeder also said to look online at the northern route the county and the city was working on to help with the influx of traffic down Hwy 90 with the growth.



Council Meeting  
 Minutes April 22, 2025  
 Page 2  
 (Cont.)

Corrie Mitchell, 230 CR 4703, Castroville, Executive Director of Petunia's Rescue, spoke to the possibility of a private – city partnering with her organization to provide an animal shelter for the city. Ms. Mitchell said her rescue had worked with the city and helped with over 280 animals to date. Ms. Mitchell said there was a property located on 471N that would work well with buildings in place and wanted to see if the city would consider purchasing or making a one-time expenditure to partner with the 501C organization. Ms. Mitchell said they would continue to work with the city animal control to assist in adoptions and would like to work with the city for a new facility. Mayor Schroeder thanked her for the organization's work and asked that she work with the city administrator on details to be placed on possibly the next agenda.

## **VI. CONSENT AGENDA**

- a. Minutes for March 25, 2025 Regular Called Meeting
- b. Minutes for April 8, 2025 Regular Called Meeting

A motion was made by Councilmember King and duly seconded by Councilmember Merz to approve the consent agenda. A vote was made (4:0 all ayes) the motion carried by all present.

## **VII. CITY ADMINISTRATOR'S REPORT**

- a. City Administrator Report Topics:

Gas Operations Update, CPS Wholesale Electric Negotiations, Regional Park Community Center Project, WWTP Dams & Ponds, Regional Park Irrigation, Solid Waste RFP, UDO Progress, New Developments - Water Demand, Budget Workshops, Bluebonnet Child Advocacy Center, 345 KV Transmission Line, City Hall Remodel RFQ, CDBG Waterline Project, Council Chamber Audio/Video, Athens Area Drainage Project

City Administrator Scott Dixon briefed the city council on the CA's report highlighting the Athens area drainage project with notification of street closures that day. Councilmember Lee asked about the information provided in his report on water demand. Mr. Lee clarified the city could not support new developments until the elevated storage tank was constructed. Mr. Dixon said that was correct and staff was looking at possible options. Councilmember Merz clarified it was pumping capacity, not amount of water rights. Mr. Dixon said that was correct. Mr. Dixon said he was looking at dates of May 6<sup>th</sup>, 12<sup>th</sup> or 19<sup>th</sup> for the budget presentations by department heads. Mayor Schroeder clarified only streets closed at this time were Gentilz and Geneva.

Mayor Schroeder moved Item 10a. Board openings up in the agenda due to the possible length of meeting.

## **IX. DISCUSSION AND ACTION ITEMS**

- a. Consider and take appropriate action on applications submitted for open positions on City Boards and Commissions

City Secretary Debra Howe briefed the city council on the applications received for open positions and requests from current members to be moved to different positions. Ms. Howe said the city council had

reviewed at the previous meeting an application from Mary King for an open position on the HLC, reviewed request from Library full board member Kelly Hoog to be moved to an alternate position, reviewed a request former ZBOA member Brian Griffin to be appointed to an open position on P & Z, and heard from one new applicant, Julieanna Renner-Ramierz, to be considered for an open position on the Library Advisory Board. Ms. Renner-Ramierz was present for any additional questions. Ms. Howe explained three of the positions shown had terms ending in 2025 and if the city council wished, they could appoint the applicants to a term ending in 2027. Ms. Howe said Ms. King was unable to attend due to a family conflict and Ms. Estrada Alternate #1(2026 term) had said she would like to be considered for the full board position held by Ms. Hoog.

**A motion was made by Councilmember Lee and duly seconded by Councilmember Merz to appoint Mary King to Historic Landmark Commission full board position #5 with a term ending October 2027. A vote was taken (3ayes:0:1abstain (King)) the motion carried by a majority vote.**

**A motion was made by Councilmember King and duly seconded by Councilmember Marchman to appoint Brian Griffin to the Planning and Zoning Commission open alternate position #1.**

Councilmember Lee asked for discussion and said he felt Mr. Griffin should stay on the ZBOA as he was one of three members and there were still not enough members on the board to hold a meeting. Mr. Lee said he was not ready to appoint him to the P & Z.

**A vote was taken (2ayes:2nays (Lee, Merz)) Mayor Schroeder broke the tie with an aye. Mr. Griffin was appointed to the Planning and Zoning Commission. It was determined the term of office was not stated in the motion.**

**A motion was made by Councilmember King and duly seconded by Councilmember Marchman to reopen the item. A vote was taken (4:0 all aye) to reopen discussion.**

**A motion was made by Councilmember King and duly seconded by Councilmember Marchman to appoint Brian Griffin to Planning and Zoning Commission open Alternate #1 with a term ending June 2027. A vote was taken (2 ayes: 2 nays (Lee, Merz) Mayor Schroeder broke the tie with an aye - motion carried.**

**A motion was made by Councilmember Marchman and duly seconded by Councilmember King to move Library Advisory full board member Kelly Hoog (position#1) to alternate position#1 with a term ending June 2026, moving Michelle Estrada(alternate#1) to full board position#1 with a term ending June 2026, and appointing Julieanna Renner-Rameriz to alternate position#2 with a term ending June 2027. A vote was taken (4:0 all ayes) the motion carried by all present.**

## **VIII. PUBLIC HEARINGS**

### **a. Public Hearing for Alsatian Oaks Planned Unit Development Amendment**

Opened: 6:51 p.m.

Community Development Director Breana Soto provided a presentation on the request for an amendment from Alsatian Oaks Development to the development agreement. Ms. Soto said there was a change to the agreement regarding the property set aside for a school. Ms. Soto said the school district had chosen not to accept due to location so the property would revert back and greenbelt/open space would be removed, only depicted. City Administrator Dixon said 20% would be recalculated into open space showing 62.24 as proposed compared to previous 60.01. The chart showed more at 69.91 acres.

Ms. Soto said street sections had been added, sidewalks would stay at 4 ft., same as existing. Ms. Soto said the one thing the P & Z did not support was changing the lots from 100 to 125 to provide at least two points of vehicular access. This was primarily for emergency vehicles. Ms. Soto said P & Z felt the 100 lots should stay the same and did not approve. City Administrator Dixon said the actual count was 101 lots with additional streets taken off. The P & Z did approve the amendment with the exception of the request for the additional lots.

Closed: 6:31 p.m.

**b. Public Hearing on the adoption of the Comprehensive Plan**

Opened: 6:32 p.m.

Community Development Director Breana Soto briefed the city council on the changes to the Comprehensive Plan. Ms. Soto said the language on update/review every five years had been retained; changed the areas of stability; all residential areas were now P2.5; added an engagement table; and an updated map.

Closed: 6:36 p.m.

**c. Public hearing on the adoption of the Unified Development Ordinance**

Opened: 6:36 p.m.

Community Development Director Breana Soto briefed the city council on the past and up to the present steps taken to get to this point in the UDO process. Ms. Soto reviewed the recommendations from the last meeting on who would serve on the Design Review Committee including City Administrator, Community Development, Building Permitting, Public Works and include others as needed. Ms. Soto said they added a preapplication meeting with staff, design charette was optional, and neighborhood plans were now three acres instead of two. Ms. Soto said they included language from the current subdivision ordinance on water rights requirements, would allow model homes to be constructed before plat was finalized. Allow work trailers to get construction permits; included definition of Castro Street; types of mobility, removed warrants due to being too messy legally as per the city attorney; incorporated TIA threshold worksheet to show the triggers for applicant to improve perimeter streets surrounding subdivisions that did not meet city standards; included adequate lighting; sidewalk widths; ADU's chart allowing in P2 and P2.5 with a Special Use Permits; RV Parks were allowed with Special Use Permit in P2 but not in P1, P2.5, P3, P3M, P4 or P5; Recreational Vehicle Parking was allowed in layers two and three; P2 zones changed to P2.5, P3 changed to P2.5, and P5 changed to P4; setbacks were 80ft. in P2.5 with 12,000 ft. lots, 40% lot coverage, build-to-line range 10ft-80ft, 40% façade buildout minimum; Block lengths P2 720ft., P2.5 330ft., P3 & P3M 660ft, P4 & P5 330 ft. with block breaks in P3 & P3M. Bicycle parking was identified at civic buildings and Place Types P4, P5 and EC with one space per 5 parking lots; a parking plan to be included with Site Development Plan; and the definition of a Home Occupation would be included. Ms. Soto said P & Z had not taken any action at the last meeting.

Council Meeting  
Minutes April 22, 2025  
Page 5  
(Cont.)

Joe Holzhaus 602 Berlin, had questions about pocket parks in P2.5 and what was the meaning of commercial, Pg. 159 transitional zones the red outline and civic space.

Closed: 6:52 p.m.

## IX. DISCUSSION AND ACTION ITEMS

### b. Consider and take appropriate action on adopting a Resolution for a 90-day free trial for Automatic License Plate Reader (ALPR)/ Flock Cameras

Police Chief James Kohler and Officer John Sapper briefed the city council on submitting a grant application for the use of automatic license plate reader Flock cameras. Officer Sapper said the devices would be a big help with keeping the community safe and strategically placed the cameras would help with identifying stolen vehicles, vehicles break-ins, along with other criminal activities. City Administrator Dixon asked how the program worked. Officer Sapper said all the agencies in the state using the program could get alerts. Officer Sapper said it was very manageable and the city would receive alerts for crimes within the area. Councilmember Lee asked if all the different programs worked together. Officer Sapper said they were not intergraded, but the information would be in the data system just would not receive alerts unless in the Flock system. Councilmember King asked the cost after the trial period. Officer Sapper said this was a 90-day free trial and they were looking at 4 cameras at a cost of \$3,000 per camera annually. Councilmember Marchman asked if citizens could call in license plates if they thought there was suspicious activity. Officer Sapper said they were in the process of drafting a policy on the uses and that would be a policy call. City Administrator Dixon felt they would get a good return on the investment. Police Chief Kohler said it was a game changer on being able to be alerted to potential crimes. Councilmember Merz asked if there was software setup and training involved. Officer Sapper said it was a standalone program with no integration and a small amount of training for a select few. Councilmember Lee asked how the information was captured and sent. Officer Sapper said the cameras were mounted on TxDOT poles through an agreement with power or solar. The cameras took pictures and upload within 24hrs to the DPS site. The alert system used a cellular service to push the alerts. Councilmember Marchman asked what would happen if the cellular tower went down. Officer Sapper said he would check on what the backup plan was if this happened. Council asked if the department had looked at any other systems and was told the other popular program was Motorola with a setup cost of \$50,000 including a mobile trailer and higher annual costs for that system.

**A motion was made by Councilmember King and duly seconded by Councilmember Marchman to adopt a Resolution for a 90-day free trial for Automatic License Plate Reader (ALPR)/Flock Cameras. A vote was taken (4:0 all ayes) the motion carried by all present.**

Mayor Schroeder recessed the meeting for a short break at 7:19 p.m.  
Mayor Schroeder reconvened in open session at 7:24 p.m.

### c. Discussion and appropriate action on Alsatian Oaks Planned Unit Development Amendment request

Councilmember Marchman verified the P & Z approved with the exception of keeping the number of lots to 100. Councilmember Merz said the school space had already been agreed to just moving

boundaries some. Mr. Merz felt the property should be left in the agreement, agreed on keeping 100 lots and streets were subject to subdivision ordinance. Councilmember Marchman said the school property could be used for open space. Councilmember Lee clarified the street cross sections were identified in the subdivision, an open space table was required, and felt the city was trading off good useable space for flood plane identified on the map with the amendment presented. Councilmember Merz said comparing current and proposed there were smaller areas not large continuous amounts. Mr. Merz said if allowed to take off the map the portions of land could be small and unusable. Councilmember King thought the developer had to bring plats to the city and the city council could decide then if the open space shown would be acceptable. Ms. Soto said they did not come before the city council if there was a development plan in place but could come back for preapproval. City Administrator Dixon said if the open space was taken out the city could lose but also said the developer could only use 50% of flood plane for open space. Mr. Dixon said the city would receive useable land. Brittany Christy with Merit and Engineer Jim Welch with Pape Dawson spoke on the amendment. Ms. Christy said they had changed engineering firms and Merit was trying to be thoughtful of how the land was developed for each Unit. Mr. Welch said his firm was trying to bring something more accountable by adding the cross-street sections not shown on the previous PUD Plan, call out collector streets, parks (no acreage shown) and would show a percentage and design when they brought to the city. Mayor Schroeder was in agreement with Councilmember Lee on map changes and loss of open space. Ms. Christy said there was not a loss of space, they were trying to clarify better and actually more was shown. Councilmember Merz verified the street sections added would be the same as currently in the built-out units. Mr. Welch said they were being mimicked. Councilmember King asked about northern corner of development being designed as a flood plane. Mr. Welch said it was a natural drainage area and better for them. Mr. King wanted the city to have final review before construction. Ms. Soto said it was in the requirements that staff had the right to review before the construction began. City Administrator Dixon asked how the open space was calculated. Mr. Welch said they had looked at units 1 and 2 that have pocket parks and they would be looking to do the same design. Mayor Schroeder reiterated the designated space to be usable space, and taking out the depiction could be a problem. Mr. Welch said the changes came with his firm taking over the project and finding incorrect calculations on acreages for right-of-way and discrepancy in open space. Councilmember Lee asked if the document had to come back with changes if the city council did not approve the change to the lots from 100 to 125 as they had submitted. Ms. Soto said the city council could approve the P & Z recommendations to approve with keeping the 100 lots. Councilmember King asked why the amenity center shown was downsized. Ms. Soto said they had found it was in part of a flood plane so they to downsize to meet that criteria. It was noted the amenity center on Lot 18 was considered open space.

**A motion was made by Councilmember Merz and duly seconded by Councilmember Marchman to approve the amendment request with the exception of keeping the 100 lots as shown in the original and keeping the designated open spaces on the map. A vote was taken (4:0 all ayes) the motion carried by all present.**

**d. Discussion on the adoption of the Comprehensive Plan**

Mayor Schroeder asked if there were any more comments from the citizens to the P & Z Board on the Comprehensive Plan. Community Development Director Soto said there had not been any additional

comments received and the P & Z Board felt the plan was tied to the UDO ordinance and did not take any action. Ms. Soto said the only updates were an engagement table and the numbers updated.

**e. Discussion on the adoption of the Unified Development Ordinance**

Community Development Director Soto asked for more comments on the revisions to the UDO document. Councilmember Lee said he did support having two separate ordinances. Councilmember King agreed. Councilmember Marchman said the goal was for any changes not affect the Old Castroville area. Ms. Soto went through in depth all of the changes made to the document. Changes shown – 1.11, 1.14.3.2, 1.14.3.3 City Administrator or their designee identified throughout document as city representative for matters related to the UDO (example written interpretations, stop work orders); 2.2.7 and 2.2.8 change 2.5 acres to 3 acres which was greater than a city block. Ms. Soto was to verify 3 acres equaled a city block. 2.2.11 Special Use Permit language would stay the same with a public process staying the same; 2.2.11 Final Plat include “shall not”; 2.2.23 Amending Plats would go to P & Z board for review - keep the same.

Mayor Schroeder called a brief recessed at 9:30 p.m.

Mayor Schroeder reconvened in open session at 9:35 p.m.

Mayor Schroeder continued with the amending plats approval process. City Staff would review, refer to the P & Z Board then sent to the city council for final approval. Councilmember Lee said he was good with the technical details of the Subdivision Improvement Plans with city council approval. 2.3.1 Appeals of Administration would go to the Zoning Board of Adjustment; 3.6.4.1 New Neighborhoods or Employment Center Plan would stay the same with P & Z Board and city council approval; 3.7 Infill Plans language to be kept as written; 3.8.6.5 Cost of Utilities Extensions language was kept as written; 4.3 Place Type Zoning leave as is; 3.8.7.5 and 4.3.1.9 Civic Space/Building language needed to be cleaned up and clarification on meeting the criteria to operate as a civic space. Religious dwelling was to be added to civic spaces. 5.9.6 Variances to be removed; 5.10.3 Signs in the Historic District information was provided by the city’s HPO Selina Angel on historic signage saying only the movie theater was legible under this section. City Council asked for language to include allowing with historic approval. 5.10.3.1 Illuminating Signs – did the city council want these types of signage. Staff was to bring back different language. On 6.1.5. Designation Process for local Historic District Councilmember King asked about properties outside of the designation and the process. Ms. Soto said there had to be a super majority vote to designate. Under definitions: Home Occupation keep definition and enforcement; Recreational vehicles would be allowed but was restricted to one boat and 1 RV not over 48ft. and not to be lived in. The changes would be made and sent back to the P & Z Board for consideration at an upcoming meeting.

**f. Discussion and appropriate action on survey for historic bridges created by TxDOT**

HPO Selina Angel briefed the city council on a survey being conducted by TxDOT on historic bridges. Ms. Angel found two bridges, the Hwy 90 bridge over the Medina River and the BMA Irrigation Canal, that met the criteria and asked that the citizens partake in the survey, information provided. The survey would close May 31<sup>st</sup>.

Councilmember Lee stepped out of the meeting at 11:17 p.m.

**g. Discussion and appropriate action on recording historic district with Medina County**

HPO Selina Angel briefed the city council on meeting with the city attorney to get guidance on ways to provide information on designated historic properties in the city. Ms. Angel said she had created a website link to provide information on each historic property and the process associated with owning a historic property in Castroville for realtors. Ms. Angel said deed restrictions were not a good idea and all property owners would have to be contacted in the whole historic district if initiated. A suggestion was to change street signage to one color as a designation of the historic district.

Councilmember Lee returned to the meeting at 11:25 p.m.

**h. Discuss and take appropriate action to replace the city council audio and video equipment**

City Administrator Scott Dixon briefed the city council on receiving two bids for the replacement of the audio and video equipment. Mr. Dixon said the current system had been having technical and audio issues for the last several months and staff was directed to look at replacement options. Mr. Dixon said both quotes were in the packets for consideration – one from San Antonio Sound at \$32,170.00 and one from NBCP Communications System of San Antonio at \$49,981.94. Councilmember Lee recommended getting the internet issues fixed first, then look at upgrading. Councilmember Merz was in favor of replacing the current system. Councilmember King said many people watched/listened online and needed to have a good system. Councilmember Marchman felt a comparison of the two was necessary to make a good decision.

**A motion was made by Councilmember King and duly seconded by Councilmember Merz to approve the proposal of \$32,170.00 submitted by San Antonio Sound for the replacement of the audio/video system. A vote was taken (2ayes: 2nays (Marchman, Lee) the vote was a tie. Mayor Schroeder voted nay. The motion failed.**

Councilmember Marchman suggested some of the current equipment could be used and should have companies come before city council to give presentations. City Council members asked that since Councilmember Marchman had a background in sound systems to inspect the system, possibly met with the companies and report back.

**X. STAFF REPORTS**

City Council members may request a separate discussion or action on items contained within the submitted reports.

- a. Airport – Gas sales and Operations including revenues.
- b. City Secretary Monthly Report
- c. Community Development – UDO Timeline, March Permits, Board meetings, steps completed on Thoroughfare Plan, and Active Transportation Grant.
- d. Finance Report – General, Enterprise, Airport Funds and Municipal Court Report.
- e. Library – Member Statistics, Circulation Statistics, Summer Camps. - No monthly report.
- f. Parks & Rec – reservation report, maintenance work orders, Survey results, Pool Schedule, Memorial Tree & bench application, Park Rules update, and new grant opportunities Facilities.

- h. Police Department – updates on department including hiring, training, and grants. Animal Control and Code Compliance Activity Reports including open and closed cases.
- k. Public Works – work orders – electric, water, wastewater and gas, updates on AMI Meter Project, River Bluff Project and Country Village Lift Station.
- l. Tourism/Business Development – National Recognition of Walking Tour Campaign, City Communications, Event Promotion, Tourism promotions, Economic Development opportunities - No monthly report.

City Administrator Dixon briefed the city council on the staff reports speaking on the temporary closure of the city pool being for safety reasons and would be sending out a schedule.

Mayor Schroeder recessed the meeting to go into 11:51 p.m. to go into executive session.

## **XI. EXECUTIVE SESSION**

- (1) Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, Section 551.071 (entitled “Consultation with Attorney) and Texas Government Code Section 551.085 (entitled “Deliberation regarding Economic Development Negotiations”) the City Council may convene in executive session to receive advice from the City Attorney regarding the following:
  - a. **Approximately 6.5 acres in Medina County for future Right-of-Way**
- (2) Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Local Government Code, Texas Government Code, Section 551.086, (entitled "Competitive Utility Matters") as the governing body of a public power utility, the city council will meet in closed session to discuss competitive matters:
  - a. **CPSE Disputed Charges and Fees**

Opened: 11:56 p.m.

Closed: 12:11 a.m.

## **XII. RECONVENE IN OPEN SESSION**

Mayor Schroeder reconvened in open session at 12:14 a.m.

Mayor Schroeder noted Councilmember Lee left the meeting at 11:51p.m.

## **XIII. Consider possible action(s) resulting from items posted and legally discussed in Executive Session**

No action was taken.

## **XIV. Discussion on Future Agenda Items**

No items were discussed.



**XV. ADJOURN**

Mayor Schroeder adjourned the meeting at 12:15 a.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary



# CITY COUNCIL AGENDA REPORT

**DATE:** April 3, 2025

**AGENDA OF:** April 08, 2025

**DEPARTMENT:** City Secretary

**SUBJECT:** Appointments for City Boards and Commissions

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## RECOMMENDATION:

Consider and take appropriate action on appointing Wayne D. Whitaker to an open position on the Zoning Board of Adjustments.

Consider and appropriate action on appointing Joe Holzhaus to an open position on the Zoning Board of Adjustment.

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## BACKGROUND:

The Board of Adjustments is made up of a five member board with two alternate positons with staged terms. The board currently has two full board positions (terms ending in 2026) and two alternate positions (terms 2026 and 2025) open.

Mayor Alexander expressed he would like to move/appoint Alternate #2 P & Z member Eduardo Esquivel Jr. to open position #5 term ending in 2026.

This is a notice that the Economic Development Corporation Board has three opening due to residency changes and change in council. This board is made of seven members of the community and business members with two year staggered terms ending in November.

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## FISCAL IMPACT/SOURCE OF FUNDING:

None.

Submitted by:

City Secretary

## ATTACHMENTS/ADDITIONAL INFORMATION:

Zoning Board of Adjustments Roster

Planning and Zoning Commission Roster

Economic Development Corporation Roster

Applications submitted for the Zoning Board of Adjustments

# ZONING BOARD OF ADJUSTMENTS

Section VIII, Item g.

**July 2025-2026**

Position #	Member/Address	Appointed	Phone #	Email Address	Term Expiration
1.	OPEN				2026
2.	OPEN				2026
3.	Robbie Klekar 114 Country Lane Castroville, Texas 78009	June 2024	(h) 210-872-4884 (c) 210-349-7300	<a href="mailto:robbie@ericstad.com">robbie@ericstad.com</a>	2026
4.	Milton Theis Jr. 115 Madrid Castroville, Texas 78009	June 2023	(c) 210-422-7495	<a href="mailto:miltonthies@gmail.com">miltonthies@gmail.com</a>	2025
5.	OPEN				2025
Alternates:					
1.	OPEN				2026
2.	OPEN				2025

Council Liaison:

Updates 05-08-2025



## PUBLIC SERVICE APPLICATION FORM

City government depends on residents who volunteer their time and expertise to participate as members of boards, commissions and committees. The citizen involvement is important in setting the direction for Castroville's future.

In compliance with the Open Records Act information provided on this form may be available to the public. Public Service opportunities are offered by the City of Castroville without regard to race, color, national origin, religion, sex, or disability.

Name: Wayne D. Whitaker Email: Cowboy.Doug@yahoo.com

Home Address: 1406 Gentil/2 Mailing Address: 1406 Gentil/2

City: Castroville Zip: 78009 City: Castroville Zip: 78009

Home Telephone: 830-534-7673 Cell/Business Telephone: same

Resident of Castroville for 10 years Voter District: 5 Resident of Texas for 65 years

Reside within the city limits of City of Castroville: Yes ☒ No ☐

Reside in Medina County: Yes ☒ No ☐ Other:

**\*Please note some boards and commissions require the members to reside in the corporate city limits.**

Please indicate Board, Commission or Committee preference:

1<sup>st</sup> Choice: Zoning board of adjustment 2<sup>nd</sup> Choice:

If you have prior service on a board, please provide the name of the board and the date of service.

Are you currently holding any public office or board appointment? no If so, what?

Please list any special knowledge, education or experience that you feel qualifies you to serve in the areas you have indicated as a preference. Also, list any business or personal relationship with the City of Castroville that might create a conflict of interest or that would affect your ability to serve.

31 years Supervising Construction related To Fire Apparals  
10 years commercial construction exp



## PUBLIC SERVICE APPLICATION FORM

City government depends on residents who volunteer their time and expertise to participate as members of boards, commissions and committees. The citizen involvement is important in setting the direction for Castroville's future.

In compliance with the Open Records Act information provided on this form may be available to the public. Public Service opportunities are offered by the City of Castroville without regard to race, color, national origin, religion, sex, or disability.

Name: Joe Holzhaus Email: JoeH40287@gmail.com

Home Address: 602 Berlin Street Mailing Address: SAME

City: Castroville Zip: 78009 City: SAME Zip: SAME

Home Telephone: 830-538-9262 Cell/Business Telephone: \_\_\_\_\_

Resident of Castroville for 59 years Voter District: 2 Resident of Texas for 59 years

Reside within the city limits of City of Castroville: Yes ☒ No ☐

Reside in Medina County: Yes ☒ No ☐ Other: \_\_\_\_\_

**\*Please note some boards and commissions require the members to reside in the corporate city limits.**

Please indicate Board, Commission or Committee preference:

1<sup>st</sup> Choice: Zoning board of adjustment 2<sup>nd</sup> Choice: \_\_\_\_\_

If you have prior service on a board, please provide the name of the board and the date of service.

Past city council member

Are you currently holding any public office or board appointment? NO If so, what? \_\_\_\_\_

Please list any special knowledge, education or experience that you feel qualifies you to serve in the areas you have indicated as a preference. Also, list any business or personal relationship with the City of Castroville that might create a conflict of interest or that would affect your ability to serve.

I am familiar with the zoning ordinances as a past city council member.

I am the brother-in-law to the newly elected mayor.

## PLANNING AND ZONING COMMISSION

Section VIII, Item g.

### July 2025 - 2026

Position #	Member/Address	Appointed	Phone #	Email Address	Term Expiration
1.	Priscilla Garrett 702 Florence Castroville, Texas 78009	July 2022	(h) 830-931-2262	<a href="mailto:prismon@aol.com">prismon@aol.com</a>	2026
2.	Melanie Knous 2202 Geneva Street Castroville, Texas 78009	March 2025	(c) 541-207-6077	<a href="mailto:melknous@gmail.com">melknous@gmail.com</a>	2026
3.	Jim Welch 704 Lisbon Street Castroville, Texas 78009	June 2023	(c) 210-260-2844	<a href="mailto:jimcodywelch@gmail.com">jimcodywelch@gmail.com</a>	2025
4.	Kyle McVay 307 Madrid Castroville, Texas 78009	June 2023	(h) 830-538-2630 (c) 830-931-2525	<a href="mailto:klmcvay@hotmail.com">klmcvay@hotmail.com</a>	2025
5.	<b>OPEN</b>				2026

#### Alternates:

1.	Brian Griffin 716 Lafayette Castroville, Texas 78009	April 2025	(c) 210-422-1452	<a href="mailto:pd185@sbcglobal.net">pd185@sbcglobal.net</a>	2027
2.	Eduardo Esquivel Jr. 201 Paris Castroville, Texas 78009	April 2024	(c) 210-983-3885	<a href="mailto:sector40@protonmail.com">sector40@protonmail.com</a>	2026

Council Liaison: Councilmember Marchman

Updated 05-08-2025

# ECONOMIC DEVELOPMENT CORPORATION BOARD

Section VIII, Item g.

(EDC)

## August and November 2021 (Established)

Member/Address	Appointed	Phone #	Email Address	Term Expiration Date
OPEN				2026
OPEN				2025
Arnold (Arnie) Dollase 109 River Bluff Castroville, Texas 78009	Nov. 2024	(h) 830-538-9048 (c) 970-309-3079	<a href="mailto:adollase@att.net">adollase@att.net</a>	2026
Scott Tschirhart 1001 CR 562 Devine, Texas 78019	Nov. 2024 (Mailing Address)	(c) 830-931-5373 P.O. Box 797 (off.) 830-931-2201 LaCoste, Texas 78039	<a href="mailto:scott@castrovillestatebank.com">scott@castrovillestatebank.com</a>	2026
OPEN				2025
Sheena Martinez 113 River Trail Castroville, Texas 78009	March 2024	(h) 830-931-1328	<a href="mailto:district1@castrovilletx.gov">district1@castrovilletx.gov</a>	2025
Phil King 502 Florence Street Castroville, Texas 78009	Nov. 2024	(c) 210-355-6546	<a href="mailto:district3@castrovilletx.gov">district3@castrovilletx.gov</a>	2026

Board Secretary: Debra Howe, City Secretary  
Ex Officio: Scott Dixon, City Administrator





# Agenda Report

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**Agenda of:** May 13, 2025

**Department:** Police Department

**Subject:** Generator Grant: Texas Department of Emergency Management

**Recommended Motion: Approve matching 25% of Funds.**

**Background: Update on TDEM HMGP4798 Hurricane Beryl Generator Grant**

On **March 11, 2025**, the Police Department presented information to the City Council regarding a generator grant opportunity through the **Texas Department of Emergency Management (TDEM)**. Following the presentation, the City Council adopted **Resolution No. R2025-011**, authorizing the pursuit of the grant titled **TDEM HMGP4798 Hurricane Beryl Grant**.

The grant amount totaled **\$60,204.87**, covering:

- Purchase and installation of a **Generac 60KW Diesel Generator (200A)**
- **Removal of the existing generator**

At the time of the resolution, the grant documentation did **not specify any matching fund requirement** from the City.

On **May 7, 2025**, the City received notice that the grant is approved **pending a 25% cost share** obligation from the City of Castroville, amounting to **\$15,051.21**.

Per the resolution, **Scott Dixon, City Administrator**, is designated as the authorized official empowered to apply for, accept, reject, alter, or terminate the grant on behalf of the city.

**Fiscal Impact:**

☐ Budgeted ☒ Requires Budget Amendment

**Source of Funding:** Account Code:

**Attachments:**

**Urgency (0-5 = Low Urgency to High Urgency):**

**Impact (0-5 = Low Impact to High Impact):**

**Submitted by: Chief Jim Kohler**





*City of Castroville*  
*Little Alsace of Texas*



1209 Fiorella Street  
Castroville, TX 78009  
(830) 931-4070

**Scott Dixon, City Administrator**  
City of Castroville  
1209 Fiorella  
830-931-4070  
[Scott.dixon@castrovilletx.gov](mailto:Scott.dixon@castrovilletx.gov)

**Date:** May 13, 2025

**To:**  
Texas Department of Emergency Management

**Subject:** Cost Share Commitment Letter for TDEM HMGP4798 Hurricane Beryl Grant

To Whom It May Concern,

This letter serves as the City of Castroville's formal commitment to provide the required **25% local cost share** in the amount of **\$15,051.21** for the **TDEM HMGP4798 Hurricane Beryl Grant**, totaling **\$60,204.87**.

This funding will support the installation of a **Generac 60KW Diesel Generator (200A)** and the removal of the current generator at [insert location or facility if applicable].

As the **Authorized Official** designated by **Resolution No. R2025-011**, I confirm that the City will allocate the necessary funds and comply with all applicable grant requirements.

Please let us know if any additional documentation is needed to move forward with the grant award.

Sincerely,

**Scott Dixon**  
City Administrator  
City of Castroville



# Agenda Report

**Agenda of:** May 13, 2025

**Department:** Administration

**Subject:** Discussion and possible action regarding the contract for planning services with Simple City Design.

**Recommended Motion:** I move to authorize the final payment to Simple City in the amount of \$30,323.44 and direct staff to \_\_\_\_\_.

**Background:** In September 2023, the City Council unanimously approved a professional services contract with Simplecity Design in the amount of \$500,000 for the development of a Unified Development Ordinance (UDO), Comprehensive Plan, and Downtown Master Plan. The approved scope of work included extensive community engagement, policy drafting, and implementation strategies intended to modernize and streamline Castroville’s development regulations.

The project progressed with robust public engagement and extensive feedback from residents, Planning & Zoning (P&Z), and the City Council. A formal nine-week public comment period was held, but additional comments—particularly legal and policy revisions—were submitted after the public engagement window had closed, resulting in substantial additional work.

**Contractual Obligations:**

- Original agreement: not-to-exceed \$500,000 with phased deliverables.
- A 10% contingency was noted internally but not included in the not-to-exceed amount.
- All deliverables (Comprehensive Plan, Downtown Master Plan, UDO) have been submitted and deemed complete.
- An On-Call Services Contract was offered for future hourly support.

**Fiscal Summary:**

- Original Contract: \$500,000
- Prior Expenditures: \$520,374
- Additional Invoice Submitted (April 2, 2025): \$30,323.44
- Total Project Cost to Date: \$550,697.44
- Current outstanding invoice covers tasks such as additional public engagement, UDO drafting, GIS updates, design work, council workshops, and a late fee.

**Negotiation and Close-Out:**

On April 8, 2025, Council directed the City Administrator to negotiate a final payment and project closeout with Simplecity Design rather than extend the contract. Simplecity has asserted that the additional invoice reflects time and materials directly resulting from continued direction by the Council and P&Z. Work was completed in good faith at reduced billing rates as illustrated, and services were provided even after the formal engagement period. The On-Call contract remains an option for continued limited support.

**Next Steps:**

- Review and determine whether to authorize payment of the \$30,323.44 outstanding invoice.
- Consider use of the On-Call contract for any additional needs related to UDO adoption or revisions.

**Fiscal Impact: N/A**

☐ **Budgeted**   ☐ **Requires Budget Amendment**

**Source of Funding:**

**Attachments:** Simple City Contract, Minutes from September 2023 and April 08, 2025 CC meetings, Close-Out Letter, Project Contract Letter, Invoice 1159, On-Call Contract

**Urgency (0-5 = Low Urgency to High Urgency): 5**

**Impact (0-5 = Low Impact to High Impact): 3**

**Submitted by: R. Scott Dixon**

simple**city** design



**SCOPE AND FEE PROPOSAL FOR PROFESSIONAL SERVICES FOR A COMPREHENSIVE PLAN CODED UNIFIED DEVELOPMENT ORDINANCE, INCLUDING THE ZONING, SUBDIVISION, AND SIGN ORDINANCES, DOWNTOWN MASTER PLAN & A STREAMLINE DEVELOPMENT PROCESS FOR THE CITY OF CASTROVILLE, TX.**

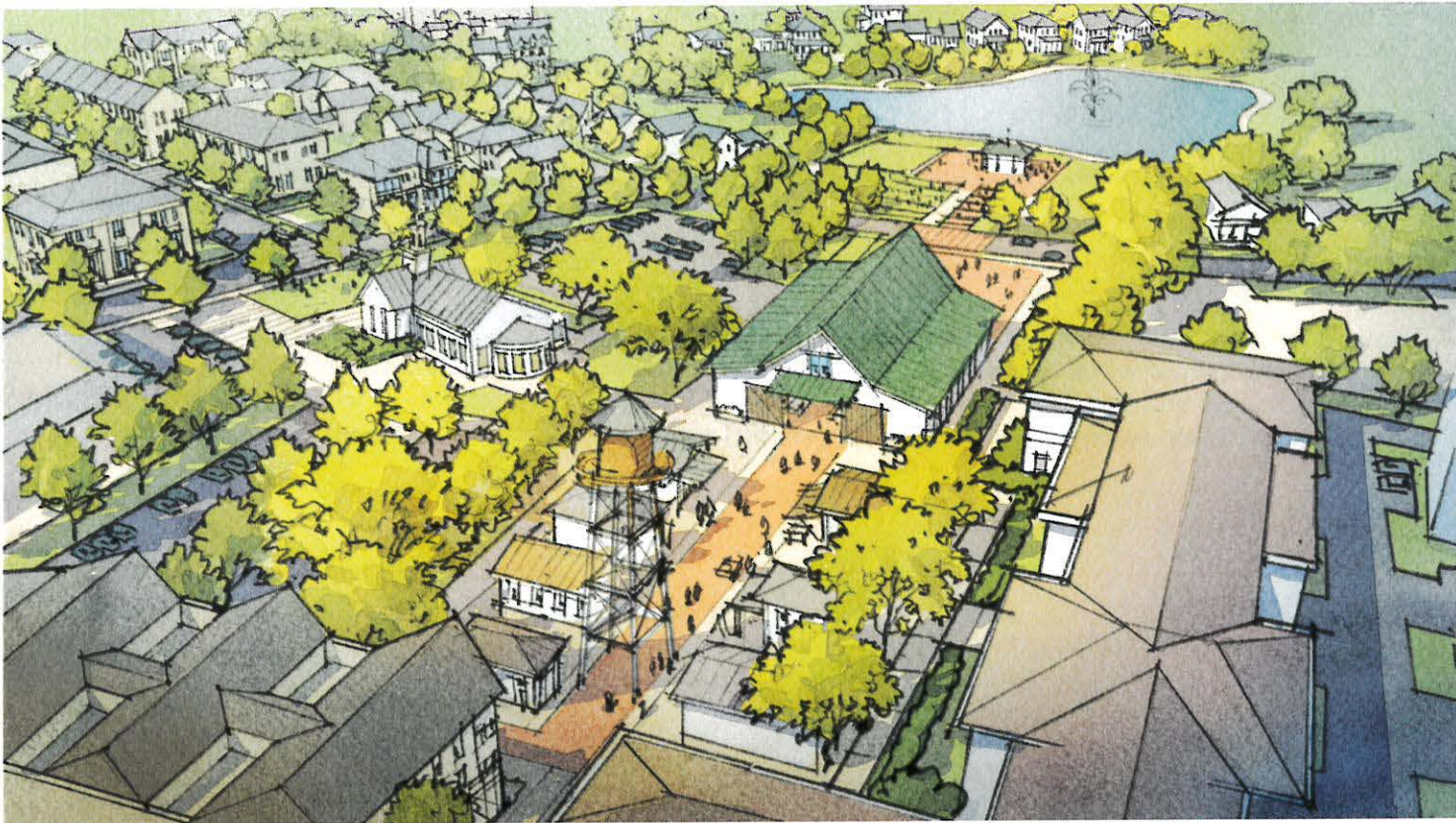
Simplecity.Design is pleased to submit this proposal to provide professional consulting services to the City of Castroville, Texas, for the rewrite of its key development standards into policies that support Castroville’s goals.

**PROJECT BACKGROUND AND PURPOSE**

Zoning and subdivision ordinances are the primary City regulations governing the community’s look, feel, and functions. Outdated and arbitrary rules create development patterns not conducive to the City’s long-term goals and often conflict with past patterns. This proposal includes a substantial public engagement process to facilitate the creation of the Castroville Building Block Project.

**SCOPE OF SERVICES- APPENDIX “A”**

The following tasks will be completed as part of the contract, with the costs per Phase as defined in Appendix “B” being provided in Appendix “A”. This proposal includes a substantial public engagement process to facilitate the creation of the Castroville Building Block Project.



#### 4.4 FINAL UDO PRODUCTION

The UDO in final form is produced. This will require formatting and integration of all graphics.

#### 4.5 FINAL UDO REVIEW

The City will conduct final review and issue final comments.

#### 4.6 FINAL UDO PUBLISHED

The final version of the UDO is completed and prepared for adoption.

### PHASE 5 DOWNTOWN MASTER PLAN

The Downtown Master Plan public engagement and design process will be integrated throughout the project timeline. Below are the deliverables of the Downtown Master Plan. Specific scheduling of this phase will be defined in the Project Management Plan. The Downtown Master Plan will encompass the geographic boundaries within the Downtown TIRZ.

#### 5.1 DOWNTOWN VISION AND GOALS

Building upon the DNA Analysis and workshop results. The Downtown Master Plan vision and goals will identify potential projects and opportunities for improving and enhancing public and private efforts to promote recreation, accessibility, tourism and a sense of community, character and identity through urban design, open space and public art. Prepare a character plan depicting categories of development intensities, buildings, general parking and building characteristics in an urban condition.

#### 5.2 DOWNTOWN ILLUSTRATIVE PLAN WITH DETAILED CALLOUTS

A detailed drawing of the existing and proposed built environment will be drawn. The plan provides the framework to determine key places, buildings and activities in Downtown.

#### 5.3 DOWNTOWN IMPLEMENTATION

Simplecity Design will develop an implementation plan with recommendations that identifies related actions to address policies, such as regulatory actions, programs, capital projects, and intergovernmental partnerships. The action plan will identify responsible parties, prioritization, and best-fit approaches. This action plan excludes drafting legal preliminary and project plans for financing districts as those efforts can vary and should be tailored to the specific approach.

Simplecity Design will also provide a strategy overview and key Steps Report for implementation of key area building/site scale plans.

Simplecity Design will draft a Final Downtown Plan Document, which will include Downtown Plan Deliverables, Implementation Recommendations, and Appendices of DNA Report, and stakeholder input (including one comprehensive revision).



## PHASE 6 STREAMLINE DEVELOPMENT PROCESS

### 6.1 DEVELOPMENT PROCESS AND APPLICATION CALIBRATION

The purpose of this phase is to gather a clear understanding of the City's development process, including the cost of services, role of the City Staff, timelines and outputs of the process. The results will streamline the new processes to the UDO.

### 6.2 ALIGNMENT OF PROCESS

The new codes allow for a new development process to be created, enabling the staff, the community, the development community, and elected and appointed officials to have clear and consistent development processes. The purpose of this task is to draft a new process matching the sequential flow of the new development code.

### 6.3 NEW DRAFT PROCESS

Now that a new process is drafted, using the baseline development process and staff roles, the Team can now compare the two to determine cost of service, timelines and any staffing gaps or overlaps that may be present.

### 6.4 FINAL DEVELOPMENT PROCESS AND APPLICATIONS

The intent is to provide the development community and staff with a streamlined process, resulting in an easy-to-administer development process built around the goals of the community, the staff, and the UDO. Updated checklists meeting the new State Law will be provided as a result of the effort.

## PHASE 7 ADOPTION

### 7.1 PLANNING & ZONING COMMISSION HEARING

Preparing for the adoption process requires standards of the Texas Local Government Code to be accomplished. Mail out notices, printed materials and all applicable standards will be provided by the City which fits within a timeline that fits citywide standards.

### 7.2 PLANNING & ZONING COMMISSION HEARING

Prepare a presentation and present the final UDO to the commission for adoption.

### 7.3 CITY COUNCIL PUBLIC HEARINGS AND READINGS

Prepare a presentation and present final P&Z recommendation on the UDO to the City Council for adoption. (Two Meetings).

### 7.4 FINAL READING & PARTY

A final City Council Meeting to present the final UDO for adoption. After the adoption, a party will be held to introduce and celebrate all the hard work with the community.



# SAMPLE OUTREACH TOOLBOX

We look forward to having the opportunity to work with Staff to develop a customized Project Management Plan with a community engagement strategy that fits the local preferences of the community, while meeting project goals and aspirations.

## ANALOG

Electronic communication is challenging for some people and becomes an easy excuse for not participating. Whether it is print formats, such as utility bill inserts and postcards, or one-on-one conversations around homemade pound cake and coffee, analog communication tools are still one of the most effective communication tools to ensure understanding of local preferences and a way to engage the most critical stakeholders.

## DIGITAL

### PROJECT BRANDING AND WEBSITE

Creating a name for the project can spark community interest and be used for marketing and branding. Whether creating a unique website or specific page on the City's existing website, it provides a one-stop location for project overview, schedules, and other interactive engagement features.

### SOCIAL PINPOINT ELECTRONIC ENGAGEMENT

Digital engagement platform makes it easy to engage your stakeholders with numerous customizable tools easily integrated with existing social media platforms on multiple devices. Tools include Interactive on-line maps with pin-drop style comment features, digital surveys, virtual townhall meetings, and forums.

### POLL EVERYWHERE

Effective tool to engage staff, advisory committees, and stakeholders for more productive remote and in-person meetings by allowing survey questions to be styled as yes/no, multiple choice, and open-ended. Participants can answer online or by text. Results are anonymous and can be shared immediately to audience by sharing screen.

### SOCIAL MEDIA STRATEGIES

Content will be prepared to engage social media on City's existing accounts, including community influencers. Strategies will be utilized to encourage participation, spark interest, and educate on key concepts and topics.

## CHARRETTES

### DESIGN RODEO - IN PERSON OR ELECTRONIC

The Design Rodeo provides the community an opportunity to visualize and design a future Copperas Cove. It is a place where nothing is off the table, big ideas are encouraged, and the community goes on a journey. The cool part about our approach is that we draw with the community as we design. This process allows for abstract conversations to be realized.

### CODE RODEO - IN PERSON OR ELECTRONIC

Building on the community's input from the Design Rodeo, the Code Rodeo is where the ideas and possibilities become viable or removed. Using the drawings on real developable properties, we draft development standards that emulate the vision desired by the community. This process allows us to create standards and illustrative drawings, which represent how the standards would apply in the community.

## COMMUNITY TOURS

### BUS TOUR - BASTROP & SAN MARCOS

Key stakeholders would be introduced to Downtown Bastrop and Downtown San Marcos to visually see and interact with the components of fiscal sustainability, which create lovely, timeless places. Having real examples helps ensure group understanding during discussions and provides common ground to design regulations that work for your community.

### COMMUNITY TOURS

Traveling by bus, bike, golf cart, wheelchair, or foot, allows you to absorb your community in an unconventional manner. Narrated by an urban naturalist, your environment will be beautifully unfolded to explain how the public and private realm is or is not working. The distinction is the difference between the places you linger and enjoy and those you cannot wait to escape.

## VISIONING

### FISCAL SUSTAINABILITY RETREAT WITH CITY COUNCIL

The decision to be fiscally responsible requires persistence, desire, and execution to escape status quo development that guarantees bankruptcy. Retreat covers building blocks of fiscal sustainability needed for a successful journey. Conversations include key policy decisions such as parking, gridded street network, and the Use Chart. A Purpose Statement will be created to guide the development of the Zoning Code.

### CITIZEN PRIMER FOR FISCAL SUSTAINABILITY EXERCISE

With quality data from the City, this exercise is a powerful way to visualize the relationship between the services citizens say they want and their willingness to pay based on growth patterns of sprawl versus density. Using population estimates for 2050, growth allocations, and specific revenue sources, citizens will be educated on costs and benefits of individual services, each explained on an individual visual board, such as response times, number of firefighters on an engine, and increasing neighborhood parks and trails.

### TACTICAL URBANISM

Effective way to validate street improvements, development code overhauls, and inspire support for capital investments. Using items, such as temporary chalk paint, moveable furniture, plywood sidewalks, and food trucks, let Simplicity. Design help your vision be observed in real life.

APPENDIX B

	CONTRACT BILLING RATES
PHASE 1: DISCOVERY	\$24,200
PHASE 2: CASTROVILLE DREAMIN'	\$110,839
PHASE 3: COMMUNITY CHECK IN	\$114,857
PHASE 4: CODE DRAFTING	\$157,085
PHASE 5: DOWNTOWN MASTER PLAN	\$74,269
PHASE 6: STREAMLINED DEVELOPMENT PROCESS	FREE
PHASE 7: ADOPTION	\$18,750
REIMBURSES: IE, PRINTING, TRAVEL, SOCIAL MEDIA	Pricing varies by selected options and contract terms
TOTAL:	\$500,000
*CONTINGENCY	10% of total projects cost: Reserved for unforeseen items, such as, additional meetings, trips or project cost. Minor scope adjustments would also file under contingency.

CASTROVILLE TEAM:

- SIMPLECITY DESIGN, LLC.
- JOHNSON PLANNING, LLC.
- MC/A ARCHITECTS, INC.
- ZANETTA ILLUSTRATION, LLC.
- CRABTREE GROUP, INC.
- POPKEN POPUPS, LLC.
- JASON KRELLENSTEIN, PLLC.



## MASTER SERVICES AGREEMENT

THIS Master Services Agreement (the "Agreement" or "MSA") is made as of the 26th day of September, 2023 by and between Simplecity Design, a Texas limited liability company whose address is 120 W Hopkins, #101, San Marcos, TX 78666 ("Simplecity"), and City of Castroville, TX "Client", a General Law Municipality in the State of Texas whose address is 1209 Fiorella St, City Of Castroville, TX 78009

Simplecity and Client are sometimes referred to herein individually as a "Party" and collectively as the "Parties."

1. **ENGAGEMENT.** Client hereby engages Simplecity to provide certain planning, policy review and recommendations related to professional services (the "Services"), as specifically set forth and on the terms and conditions, herein. The specific services, costs, deadlines, and other details are outlined in the attached Appendix "A" Statements of Work ("SOW"), executed and agreed upon between the Parties. Each duly executed and delivered SOW shall be on the terms and conditions of this MSA and deemed incorporated and merged herewith.

2. **BILLING AND PAYMENT.**

a. Client agrees to pay for Services at the rates and in accord with the payment terms set forth in Exhibit "A" SOW. Simplecity shall submit invoices on a monthly basis or upon completion of certain milestones. **Payment is due upon receipt, time being of the essence.** All payments of fees and expenses as stated in Appendix "B" cost of services are due and payable to Simplecity shall be paid by the Client electronically via direct transfer into our accounts using ACH, without any intermediary or payment services. Simplecity will provide ACH transfer information to the Client upon execution hereof. Unpaid sums shall accrue an additional charge of 0.75% of the invoiced amount per month. 25% of the fee is due before work begins.

b. If the Client objects to all or any portion of an invoice, it shall notify Simplecity in writing in reasonable detail within seven (7) calendar days of the invoice date, and such notice shall be accompanied by payment of all non-disputed amounts.

### 3. INFORMATION RECEIVED FROM CLIENT; OWNERSHIP/REUSE OF DOCUMENTS; CONFIDENTIALITY.

a. Client is solely responsible for information, data, and/or materials furnished to Simplecity for any purpose. Client represents and warrants that it has (a) all right, title, and interest in and to any and all information, data, and/or materials provided by or on behalf of Client to Simplecity; (b) all right and authority to provide same to Simplecity or to make same available to Simplecity; and (c) all right and authority to use or disseminate same in the manner intended by the Parties or as directed or approved by Client. Client hereby acknowledges that Simplecity relies upon the accuracy and completeness of all information, data, and materials provided by Client, and additionally upon Client's representation, explicit or implicit, that it has all right and authority to disclose or provide same to Simplecity for any purpose. Simplecity shall in no event have any responsibility for or liability in respect of any work, Services, deliverables, or content modified or disseminated by the Client without Simplecity's express written consent.

b. All documents and materials prepared or provided to the Client by Simplecity, including original drawings, models, schemata, matrices, surveys, renderings, designs, field notes, layouts, specifications, and data provided or furnished by Simplecity pursuant to this Agreement, are instruments of service with respect to the subject project. Simplecity shall retain ownership and all right, title and interests therein, whether or not the project is completed. Provided that Client pays for all Services in full, Simplecity hereby grants Client a license to make and retain copies of such documents and materials solely within the context of the subject project; however, such documents and materials are not intended or suitable for reuse by Client or others except within the context of the subject project, and may not be used on any adaptation or modification thereof, on any other project, or for any other purpose. Any use, reuse, or modification of any documents or material provided by Simplecity except as specifically set forth herein shall be at the Client's sole risk and without liability to Simplecity.

c. Simplecity represents that it will treat as confidential Client's nonpublic trade secret information identified in writing or verbally as such by the Client ("Client Confidential Information") or as would reasonably be determined to be Client Confidential Information. Simplecity hereby agrees to use Client Confidential Information solely for the purpose of rendering Services to Client. These restrictions shall not apply to any Confidential Information: (a) that becomes generally known to the public through no fault of Simplecity; (b) for which disclosure is required by applicable law, legal process, or any order or mandate of a court or other

governmental or competent authority to be disclosed; or (c) that is required to be disclosed in connection with a lawsuit or other legal or administrative action or proceeding or the equivalent, or to which legal compulsion is otherwise applicable provided, that in the case of clauses (b) or (c), Simplecity shall use reasonable commercial efforts to provide Client with the advance written notice of the Client Confidential Information intended to be disclosed and the circumstances surrounding such disclosure to permit the Client to seek a protective order or another appropriate request for confidential treatment of the applicable Client Confidential Information.

d. As between the Parties, all right, title and interest in and to Simplecity's processes, methods, forms, layouts, design techniques, web pages or web designs, contacts, vendors, databases; trade techniques, systems or processes, trademarks, trade names, service marks, logos, domain names, or other similar rights, to the extent proprietary, confidential, or protectable or protected as trade secrets or intellectual property under applicable law or regulation (collectively, the "Simplecity IP"), shall remain the sole and exclusive property of Simplecity. Client acknowledges and agrees that Simplecity retains sole and exclusive ownership of all techniques, copyrights, trademarks, trade dress, trade secrets, inventions, improvements, and specific processes and procedures of Simplecity applied to this engagement. Client further acknowledges and agrees that any new or useful technique, method, concept, process, art, discovery, contribution, finding, or improvement, whether or not patentable, and all related know-how, designs, discoveries, formulae, processes, manufacturing techniques, computer software, inventions, improvements, and ideas conceived or developed or reduced to practice by Simplecity prior to or independently of this engagement shall be the sole and exclusive property of Simplecity, and all rights to same shall inure to the benefit of Simplecity, whether or not same were developed solely or jointly with others, or during or out of the usual hours of work, or otherwise.

e. Client acknowledges and agrees that Simplecity's work and services are not exclusive to Client, and Simplecity may perform the same or similar services for others, advertise or market its competencies, services, and relationships, and engage in other business activities or in the solicitation of other business relationships.

#### 4. STANDARD OF CARE; REPRESENTATIONS.

a. The Services will be performed in a manner consistent with that level of care and skill ordinarily required of similarly credentialed professionals practicing in the locality in which the Services are provided. No other representation, expressed or

implied, and no warranty or guarantee is included or intended, expressed or implied, by this Agreement (including no guarantees of regulatory approvals), or in any report, opinion, document, or other writing prepared by Simplecity. Simplecity's review of other documents, reports, recommendations, items or submittals supplied by, prepared or originating with professionals or contractors not directly engaged by Simplecity shall not be conducted to determine the accuracy or completeness of such details as dimension or quantities, or for substantiating instructions for the development of property, installation or performance of equipment or systems, all of which remain the responsibility of other such professionals or contractors. No such review shall result in liability to Simplecity, including for any error, defect, or non-conformity contained in such document except to the extent resulting from Simplecity's failure to satisfy any applicable professional standard of care materially.

b. Neither the authority of Simplecity nor a decision made in good faith either to exercise or not exercise such authority shall give rise to a duty or responsibility of Simplecity to any other consultant or contractor, subcontractor, material or equipment suppliers, other professional, municipality, agency, or authority, or any of their respective employees or agents, or other persons or entities with respect to the subject project, even if Simplecity was or should have been aware of such other person's or entities' reliance upon same.

c. In no event will Simplecity be responsible for any change, error, modification, cost, liability, delay or expense resulting from, arising out of, or relating to (i) conditions encountered at the subject project or site thereof which are subsurface or otherwise concealed physical conditions which differ materially from those indicated in the applicable SOW or other documents or materials relating to the subject project; (ii) unknown physical conditions of an unusual nature, which differ materially from those ordinarily found to exist and generally recognized as inherent in planning, design, construction, or project management activities of the character provided for in the applicable SOW; (iii) changes, amendments, modifications, or extensions to applicable law or regulation, or permissions, permits, decrees, resolutions, or requirements of any public agency, quasi-public agency, regulatory agency, lender, or other party with jurisdiction over the subject project granted, promulgated, or occurring subsequent to execution of this MSA.

d. Client represents and warrants to Simplecity as follows: (i) that it shall comply with all applicable state and local laws, statutes, and ordinances relating to or implicated by performance of its obligations hereunder and otherwise with respect to the subject project; (ii) that its execution and delivery of this Agreement and its performance thereof and hereunder has been duly authorized by all requisite



corporate, municipal or other requisite authority; and (iii) this Agreement constitutes the valid and legally binding obligation of Client, enforceable in accord with its terms.

## 5. LIMITATION OF LIABILITY.

a. In recognition of the relative risks, rewards, and benefits of the project to both Client and Simplecity, the risks have been allocated such that Client agrees that, to the fullest extent permitted by law, Simplecity's total liability to Client for any and all claims, losses, damages, expenses, injuries, or any other cause or casualty, arising from Simplecity's performance of the Services or otherwise from this engagement or the Parties' relationship (including any claim for indemnification), shall not exceed Simplecity's fee or \$50,000.00, whichever is less. Such causes include, but are not limited to, Simplecity's negligence, errors, omissions, strict liability, breach of contract or breach of warranty, or any other claim, theory, or cause of action. Simplecity shall not be liable to the Client or any other party for any consequential, punitive, special, or indirect damages, including loss of use and loss of profit.

## 6. INDEMNIFICATION

a. Simplecity shall defend, indemnify and hold the Client harmless from any damage, liability, or cost (including reasonable attorney's fees and costs of defense) to the extent caused by Simplecity's negligence or misconduct in the performance of the Services.

b. Client shall defend, indemnify and hold harmless Simplecity and all its directors, owners, officers, agents, employees, contractors, representatives, and other affiliated entities ("Simplecity Indemnified Parties") from and against any and all damages, losses, claims, expenses, deficiencies or costs incurred as a result of (i) Client's negligence or misconduct, or the negligence or misconduct of Client's contractors, subcontractors, agents, employees, owners, or partners, or any other party, engaged, directly or indirectly by, or acting on behalf of, Client; (ii) Client's breach of any of its representations, covenants or warranties contained herein; or (iii) any demand, action, claim, suit or proceeding brought against any of the Simplecity Indemnified Parties, or in which any of the Simplecity Indemnified Parties are asked or compelled to participate, to the extent caused by, arising out of, or relating to any information, data, or materials provided or made available by Client.

7. TERMINATION. This Agreement may be terminated (i) without cause, at any time prior to completion of Simplecity's services either by the Client or by Simplecity, upon ten (10) days' written notice to the other; and/or (ii) upon ten days' written

notice and opportunity to cure, or, in an emergency, at any time upon written notice, for material breach. Upon termination for any reason, the Client shall be responsible for payment in full for all Services provided and costs incurred up to the date of termination in accordance with Simplecity's currently effective hourly rate schedule and direct expense reimbursement policy.

#### 8. SUCCESSORS AND ASSIGNS.

Neither Client nor Simplecity shall assign or transfer his interest in this Agreement without the other Party's written consent, and any purported assignment or transfer absent such notice shall be void. There are no third-party beneficiaries of this Agreement.

#### 9. SEVERABILITY.

Any provision or part of the Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon the Client and Simplecity, who agree that this Agreement, to the extent possible, shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

#### 10. OTHER TERMS.

a. This Agreement sets forth the entire agreement between the Parties, and no promise, representation, or inducement, except as herein set forth, has been made by either Party to this Agreement. No provision or term of this Agreement may be amended, modified, changed, altered, or waived except by written document executed by the Parties hereto; provided, however, that additions or changes to the Services, including engagement of Simplecity to provide additional or modified Services, may be set forth by exchange of executed Statements of Work. In the event that any provision of this Agreement is held by a court of competent jurisdiction to be unenforceable because it is invalid or in conflict with any law of any relevant jurisdiction, the validity of the remaining provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular provision(s) held to be unenforceable and the unenforceable provision(s) shall be replaced by mutually acceptable provision(s) which, being valid, legal and enforceable, come closest to the Parties' intention underlying the invalid or unenforceable provision. Client shall not assign this Agreement without written consent of Simplecity, and any purported assignment absent such consent shall be void. This Agreement, and the obligations set forth herein, shall be binding on any and all successors and assigns of the Parties,



including, without limitation, any corporation or other entity with or into which Simplicity or Client is merged or consolidated or any entity which acquires all or substantially all of the assets of Simplicity or Client.

b. This Agreement shall be interpreted and enforced in accordance with the laws of the State of Texas applicable to contracts made and to be performed entirely therein, without regard to the conflict of laws provisions thereof, and each Party shall be subject to the jurisdiction of the federal or state courts located Hays or Travis Counties if a suit is commenced in connection with this Agreement. The prevailing Party in any action for breach of this Agreement shall be entitled to recover its attorney's fees.

b. Any notice or communication required or permitted under this Agreement shall be in writing and shall be deemed received (i) on the date personally delivered; (ii) the day following sending, if sent by facsimile, Federal Express, or any other next-day carrier service, with appropriate proof of delivery, or (iii) the third day after mailing via first-class mail, return receipt requested, to a Party at the address specified above or such other address as the Parties may designate from time to time. Unless otherwise specified herein, notices shall be delivered to the names and addresses set forth in this Agreement.

e. Simplicity may place announcements, advertisements, or tombstones on its websites, its written promotional material, and in newspapers, journals, and publications at its own expense, which may include the Client's name, logo, and trademarks. Simplicity's contact information and/or logo shall be included on press and media releases and similar statements.

f. The waiver of any rights under this Agreement shall be in writing and signed by the Party granting the waiver. Failure by any Party to enforce any rights under this Agreement shall not be construed as a waiver of such rights. The waiver of any breach of this Agreement, regardless of the number or extent of same, shall not be construed as a modification of this Agreement or as a waiver of any other breach of this Agreement. In the event of any breach or violation of this Agreement, Simplicity shall be entitled to all remedies available at law or in equity, including injunctive relief, without the need for posting a bond or security. The remedies herein are cumulative, and the election or exercise of one remedy shall not preclude or waive the exercise of any other remedy; provided, however, in the event of any breach by the Simplicity, the Client's sole remedy shall be limited to an action to recover damages, if any, at law.

g. Neither Party will be responsible for any failure to perform (other than a failure to fulfill payment obligations hereunder) due to causes beyond its reasonable control (each a "Force Majeure Event"), including but not limited to acts of God, war, riot, embargoes, acts of civil or military authorities, fire, floods, catastrophic weather events, terrorist activity, an outbreak of disease, earthquakes, catastrophic accidents, failure of communications facilities, or strikes; *provided, however*, that the Party claiming such Force Majeure Event gives prompt written notice thereof to the other Party.

simple**city** design

Council Meeting  
Minutes September 26, 2023  
Page 7  
(Cont.)

Mr. Dyer said an example was on Lafayette, the street was widen 4 feet. He said with this example of the streets could change and citizens could have issues with landscaping or structures placed in the city right of ways and not what they thought was their property. Mr. Dyer said the fund could be used for incidents the City Administrator felt should be taken care of by the city. Mr. Dixon wanted to clarify that the street projects were contingent on funding, and he was not recommending issuing any debt this year on General Fund. Councilmember King felt this could cause problems if the city paid for damages related to things placed in the city right of ways. He felt it was the property owner's responsibility. Mr. Dixon said public funds were not used for individuals. Councilmember Carey said Castroville was unique in that before easement were granted, the city unlike a lot of towns, owned all of the streets. Councilmember Martinez said placing things in the right of way did cause drainage issues and some citizens thought the right of way areas were part of their yards. Mayor Schroeder said there were a few private issues in public areas but wanted to have this discussion for clarification.

Mayor Schroeder moved to Item 21 discussion on Solar buyback rates.

**XXI. Public comments and discussion on Solar buyback rates**

City Administrator Scott Dixon briefed the city council on the solar rates and provided the letter sent to the solar customers on rate changes. Mr. Dixon said originally the customers were receiving buyback rates that were incorrectly calculated. Customers received full credit, the adopted electric rate instead of the avoid cost which was much less. Mr. Dixon said with the new metering system staff found the mistake and solar rate buyback would be calculated correctly. Mr. Dixon said the letter sent out explained the change in rates and calculations. Two citizens who were solar customers were in attendance. Michelle Estrada, 2111 Geneva Court and David Brown, 109 River Trail, asked questions on the new billing and the reductions in reimbursement shown on the bills. Mayor Schroeder said the solar rates would be different and the customers should be paying as the regular customers for line maintenance. Mr. Brown was in agreement but felt the rate shown was incorrect. Mr. Brown said he just wanted everything to be fair. Mr. Dixon said he would reach out to city staff for clarification on the billing rates.

Mayor Schroeder moved back to Item 13. Contract for development of a UDO.

**XIII. Consider and take appropriate action on approving a contract for professional services with Simple City for the development of a Unified Development Ordinance**

City Administrator Scott Dixon briefed the city council on the contract for professional services with Simple City. Mr. Dixon said included in the contract was the Downtown Master Plan and updating the Comprehensive Plan as required by law. Mr. Dixon said Zach Lewis, with Simple City was in attendance for questions. Mayor Schroeder said the committee had looked for cost savings. Councilmember Martinez asked about the steering committee shown in Phase I. Mr. Lewis said it would consist of citizens and staff members and it will be to the city council. Councilmember Carey was in favor of the additional services and felt they should have had this done 7 years ago to keep up with development. Councilmember King was in favor. Mayor Schroeder felt this firm was the right team to work with the city.

Council Meeting  
 Minutes September 26, 2023  
 Page 8  
 (Cont.)

Councilmember Merz said he thought the city would also do the throughfare plan but was told there was TxDOT Grant. Mr. Dixon said the city was working with the county on the plan, but they were not moving forward at this time. Mr. Dixon said they were looking at grant funding for the Hwy 90 project but might add funding to include. Mr. Lewis was asked if they would be looking at the two subdivisions, River Bluff and Country Village this time. Mr. Lewis said they would be, the last time was focused on the historic areas. Councilmember Merz asked if this would be a form based ordinance to help regulate development. Mr. Lewis said their product was a form based code, but development agreements would be under comprehensive plan most likely. Mr. Merz asked about architectural guidelines and sample plans. Mr. Lewis said they could do a pattern book but not in the scope of work and too large. Mr. Lewis said this could be part of the Comprehensive Plan and/or an option in the Downtown Master Plan. Councilmember Dyer clarified the total cost of \$500,000 and if this was phase 1 only. He had thought this undertaking would cost closer to \$1.2 million once completed. Mr. Dixon said this was the complete package, including the updates of Comprehensive and Downtown Master Plans. Mr. Dixon said there was \$475,000 set aside in the budget and bond monies would be used for the difference.

**A motion was made by Councilmember Carey and duly seconded by Councilmember Merz to approve the contract for professional services with Simple City for the development of a Unified Development Ordinance (including Downtown Master Plan and Comprehensive Plan updates) not to exceed \$500,000. A vote was taken (5:0 all ayes)**

## **XX. STAFF REPORTS**

- a. Airport – Activity Report.
- b. Community Development – Activity Reports.
- c. Community Services – including Streets, Parks, Animal Services and Code Compliance Activity Reports.
- d. Finance – Sales Tax and Financial Activity Report.
- e. Library – Activity Report.
- f. Police Department – Activity Report.
- g. Public Works – Activity Report.
- h. Tourism/Business Development – Activity Report.
- i. ESD #1 Fire Report

City Administrator Scott Dixon reported on upcoming events: National Night Out – October 4<sup>th</sup> at Municipal Airport, Solar Eclipse – October 14<sup>th</sup>, Trunk or Treats – October 28<sup>th</sup> at Regional Park, Employee Conference in December, and TCMA meeting hosted by Castroville on September 29<sup>th</sup>. Councilmember King said the Castroville documentary showing at the Rainbow Theatre was very good and urged everyone to go see.

Mayor Schroeder spoke on a French Production Company coming into the city that week to film areas in town for part of a documentary on towns in the United States with French history.

Councilmember Martinez asked for update on street projects. Mr. Dixon said street work was still ongoing and staff was working on sealing issues with the company. Mr. Dixon said they had not been accepted any streets as complete yet. Ms. Martinez asked about bridge area on Geneva and Washington not being part of the project. Mr. Dixon said he would check on that section of the project. Ms. Martinez reminded everyone the Veterans Day Ceremony provided by the American Legion was on Saturday November 11<sup>th</sup>.

downtown business group's logo. Ms. Solis said it was very similar. Mayor Schroeder said they could look at something to be in-line with them. The recommendation was to go to HLC and P & Z for approval first. Councilmember Lee did not want to use the stork design, but to look at other images such as the St. Louis Church, Alsatian Dancers, or one of the other landmarks in town. Councilmember Merz liked the official city seal image, not the "challenge coin" design. Councilmember King disagreed with Councilmember Lee and said the stork was part of the Alsace culture but was not in favor of the stork drawing shown, but with a better image could go hand in hand with the current wayfinding signage. Mr. King thought it would be a good idea for the Historic Preservation Officer to review during the process. Mayor Schroeder felt the Castroville Conservation Society should be invited to review. Councilmember Martinez said she had also been confused about the bird and did like the idea of the Alsatian Dancers or another landmark. Ms. Martinez said the city could use the city seal and have the stork as a sub-sign. Councilmember Marchman suggested adding a QR Code to the new signs. No action was taken.

Mayor Schroeder reopened the citizens' comments to allow board application Julianna Renner-Ramirez to give a brief introduction of herself to be considered for a position on the Library Advisory Board. The agenda wording for discussion on her application for Library Advisory Board had inadvertently been left off. This allowed her to introduce herself, and be considered at the following meeting for a position. Ms. Renner-Ramirez introduced herself and gave a brief background on her education and love for the library.

**b. Discussion and appropriate action on continuing the Simple City contract for the Unified Development Ordinance (UDO)**

Mayor Schroeder briefed the city council on the hiring of Simplecity and the city working with them on the Comprehensive Plan, Downtown Master Plan, and the Unified Development Ordinance. City Administrator Scott Dixon said the contract with Simplecity was over budget and staff was trying to get a time line of when the UDO would be ready for adoption. Mr. Dixon said the city council and P & Z had met several times separate and together with multiple public hearings and community meetings. Mr. Dixon said the contract was for \$500,000 and expenditures had reached \$520,374.00 that was approximately 5% of the contracted amount. Mr. Dixon said the concerns was the city still needed to get the finished document and if the city council wished to cancel the contract staff would need to receive the hosted documents, and build a website for the public to review, but staff would need to still have a consultant for answers staff could not provide. Mr. Dixon said they could finish out on a task order basis with hourly rates or look at a limit with cost estimate. Councilmember Marchman felt some of the additional charges might be from time spent correcting Simplecity mistakes found by city council or members of the P & Z and should not be charged to the city. Mr. Marchman said he felt Mr. Lewis had been disrespectful to the citizens during the community meetings and the city should have a credit not owe anything. Mr. Dixon said he would go back and do the research and contact them. Councilmember Martinez asked why the contract and overages had not came back to city council before now. Mr. Dixon said the contract went out in December and that was when the overages occurred. Mr. Dixon said he could approve up to \$25,000 and was now bringing back for council direction since it did not look to be finalized and being more. Mayor Schroeder said the additional interactions had added to the cost. Councilmember King agreed with Councilmember Marchman on his observation and had spoken with

Mr. Lewis on his attitude in the past. Mr. King felt it would be a disaster if the city stopped the process now, it needed to be finished. Mr. King recommended going back to Simplecity and looking at the cost to finish. Councilmember Merz said the city council gave Mr. Dixon the authority to approve up to \$25,000 and the overages were caused by the city council, not Simplecity. Mr. Merz said the additional meetings and comment periods had contributed to the overages. Mr. Merz was in favor of paying the incurred costs and if not finishing soon, paying the supplied ‘a la carte’ rates. Councilmember Martinez said she just wanted information ahead of time. Councilmember Lee was not in favor of continuing the contract without more information.

**A motion was made by Councilmember Marchman and duly seconded by Councilmember Martinez to deny the contract extension.**

Councilmember Lee asked for more discussion before the vote was taken. Mr. Lee suggested getting more information on what was needed to complete the document. Councilmember Marchman recommended Mr. Dixon to go back and negotiate the fees and the final cost. Councilmember Merz agreed on finding out cost of close out and any additional cost for approved directives. The city council gave direction to Mr. Dixon to speak with Simplecity and negotiate the costs. Mr. Dixon asked if the city council wanted Simplecity to come to the P & Z meeting the next evening as first planned. Mr. Dixon’s concern was if they did not come there could be questions staff could not answer. City Council did not want Simplecity attending the next evening.

**Councilmember Marchman agreed to resend his motion to deny, instead to direct staff to negotiate the fees. Councilmember Martinez agreed to resend her second.** No other action was taken.

**c. Consider and take appropriate action on an application submitted for an open seat on the Historic Landmark Commission**

City Secretary Debra Howe briefed the city council on the application submitted by Mary King for the open position on the HLC Board. Ms. Howe said Ms. King had submitted her application back in September when a position was open and city council had chosen Lori Marchman and her application had been kept for a future opening. Ms. Howe said she was still interested in being on the board. Mayor Schroeder said this would be considered at the next meeting.

**X. Discussion on Future Agenda Items**

No items were discussed.

**XI. Adjourn**

Mayor Schroeder adjourned the meeting at 7:49 p.m.

Darrin Schroeder  
Mayor

ATTEST:

Debra Howe  
City Secretary

# simplicitydesign

February 10, 2025

**Scott Dixon, City Administrator**

City of Castroville

1209 Fiorella St. Castroville, TX

**Subject:** Project Completion & Contract Closeout

Mr. Dixon,

It is with great pleasure that Simplicity Design and our partners present the City of Castroville with its new course for Castroville. This comprehensive toolkit includes Castroville: Back to Our Future (Comprehensive Plan), the Downtown Master Plan, and the Unified Development Ordinance, updated development processes and applications all working together to ensure that both redevelopment and new development align with the city's character and long-term goals.

While legislative policies will inevitably shift over time, it is essential to take action now to shape the places that Castroville aspires to leave for future generations. The Unified Development Code, in conjunction with the plans, will create timeless neighborhoods. The community notably rejected sprawling rooftops with snout house fronts. Builders of this particular style are usually the first to arrive in fast-growing communities.

The purpose of the community process was to ensure the key elements of their voice were included in the outcomes. Throughout this process, an open and inclusive public engagement effort was prioritized, which extended over a year to ensure broad participation from the community. The formal public comment period remained open for nine weeks, allowing ample time for review and discussion. We recognize that meaningful change takes time for a community to absorb, and we appreciate the thoughtful discussions that emerged. While comments from the legal team were received after the public engagement period had closed, creating adjustments beyond the original scope, we understand that refining a vision is an



ongoing process. We hope that the work completed provides a strong foundation for future decision-making and implementation.

The scope of work will be fully complete following the upcoming City Council meeting and public hearing. As we formally close out our contract, we are pleased to confirm that all tasks and scope have been completed as outlined. In addition to the original deliverables, we have provided additional designs and renderings of Houston Square and the Public Works Yard that were rejected today but may, in the future, provide aspiration.

An On-Call proposal has been submitted to maintain expectations. Services outside of the scope are being billed hourly rates expressed in the on-call contract and will be invoiced with descriptions.

We are grateful for the trust the City of Castroville has placed in us and look forward to seeing the vision we have collectively crafted come to life. Please let us know if any final administrative steps are required to close out the contract officially.

Good Luck, Buddy!

M@ Lewis  
Simplecity Design

## simplecitydesign

April 11, 2025

Mr. Scott Dixon, City Administrator  
City of Castroville  
1209 Fiorella Street  
Castroville, TX 78009

Mr. Dixon,

We've had the privilege of working alongside the City of Castroville and its dedicated staff for quite some time, and we're grateful for the trust and collaboration we've built throughout this process. We've worked closely with staff to coordinate project progress, clarify scope, and validate policy direction at every stage.

The contingency funds included in the original contract were anticipated to support follow-up work beyond the defined scope, including revisions and direction provided later in the process. While we understand those funds were not reflected in the contract's approved not-to-exceed amount, they were clearly identified in the original budget. The two additional invoices submitted for work outside the scope fell fully within the amount allocated for contingencies and were consistent with the purpose and intent of those funds.

After completing the scope of work and understanding the contingency funds were not approved as outlined in the original contract, we shared an additional on-call contract to address any follow-up services being requested—our intent throughout was to remain aligned with the City's needs and maintain a clear and cooperative path forward.

This process has included extensive community engagement, with multiple public meetings, online feedback forums, draft policy recommendations shared with the public, the Project Advisory Committee (PAC), and elected and appointed officials for validation along the journey.

Throughout the project, we provided a clear structure for feedback and revision, with well-communicated timelines for public input and draft document review. Unfortunately, all formal comments were ultimately received outside of the

established timelines and after substantial work and been completed. In particular, comments from the legal team—which required significant document changes—were received late and led to additional work over the holidays in order to meet a newly established deadline for resubmitting the UDO to the City. In addition, the Planning and Zoning Commission and City Council continued to recommend changes which extended coordination well beyond what was originally anticipated.

We believe the resulting plans and policies reflect the values and direction expressed throughout that public process. We're proud of the work completed and remain available to support the City through adoption and implementation as needed.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Lewis'.

Matthew Lewis, CNUa  
Simplecity Design, llc

# INVOICE

**Simplecity Design**  
219 N. Comanche  
San Marcos, TX 78666

m@simplecity.design  
+1 (512) 214-2462

simplecity.design

Section VIII, Item i.

**Bill to**  
Scott Dixon  
City of Castroville  
1209 Fiorella St  
Castroville, TX 78009

**Ship to**  
Scott Dixon  
City of Castroville  
1209 Fiorella St  
Castroville, TX 78009

**Invoice details**  
Invoice no.: 1159  
Terms: Net 30  
Invoice date: 04/02/2025  
Due date: 05/02/2025

#	Date	Product or service	Description	Qty	Rate	Amount
1.		Public Engagement	Public Engagement included preparing flyers, website, and other media content. Content creation for the public workshops and coordination with various groups and the City.	7.5	\$200.00	\$1,500.00
2.		UDO Drafting	UDO Updates: drafting text revisions, updated graphics, changing zoning classifications, ADU updates, and design of the UDO. Submitted Final Draft UDO, Downtown Plan & Comp Plan	42	\$190.00	\$7,980.00
3.		GIS & Mapping	GIS, mapping, and spatial data analysis. GIS Placetype map modifications, update Online Interactive Updating maps, changing symbology, modify place types, change comp plan maps	21	\$190.00	\$3,990.00
4.		Design Work & Review	Design creation, design review or editing, UDO plans, or other project-related items.	26	\$300.00	\$7,800.00
5.		City Council Workshop	2 City Council Workshops	12	\$490.00	\$5,880.00
6.		P&Z Meeting & Presentation	Prepare presentation and attend the P&Z meeting	5	\$284.07	\$1,420.35
7.						

	<b>Travel</b>	147 Miles per trip @.70 per mile for 3 trips	3	\$103.04	\$309.12	<div>Section VIII, Item i.</div>
8.	<b>Late fee</b>	5% - Applied on May 3, 2025			\$1,443.97	

Note to customer

Castroville Building Block Project  
Total Contract: \$500,000  
Remaining Funds: \$1,420.35  
Current Invoice: \$1,420.35  
Remaining Funds: \$0.00  
  
Invoice Out of Scope: \$27,459.12

<b>Total</b>	<b>\$30,323.44</b>
<b>Overdue</b>	05/02/2025

February 10, 2025

Breana Soto  
City of Castroville, Texas  
1209 Fiorella St.  
Castroville, TX 78009

Dear Mrs. Soto,

This proposal for Simplecity Design to provide professional consulting services to the City of Castroville. The contract guarantees 10 hours a month with a fixed fee of \$3,000.00. Other staff support will be provided at the rates defined below. The 10 hours are dedicated direct access to the firm Principles. Services are defined in "Exhibit A" below with hourly service rates after the 10 hours are exhausted.

We look forward to continuing working with the staff, City Council, and community as the City implements the new code and comprehensive plan to better Castroville's future.

Sincerely,

**Matt Lewis**, CNUa  
CEO  
Simplecity Design

ON-CALL PROFESSIONAL PLANNING AND URBAN DESIGN SERVICES CONTRACT

SCOPE OF SERVICES- EXHIBIT “A”

TASKS:

1. Provide development review, assistance, recommendations, and revisions.
2. Attend meetings with City Staff for the Development Review Committee (DRC), development submittals, site visits, or other meetings as requested.
3. Maintain a GIS database for the City. This will include updating maps to reflect zoning changes, subdivision plats, building permits or other items requested by the City.
4. Assist in creating, reviewing, or modifying Regulating Plans, Neighborhood Plans or other plans as requested.
5. Attend meetings to provide City Council, and boards and commissions updates as requested.
6. Assist with urban design, architectural review, street design, building types, lot occupancy or configurations, and other design-related requests as needed.
7. Assist with plat review, place type change or designation requests, civic space determinations, building plans, site plans, or other plans as requested.
8. Assist in code, comprehensive plan, downtown master plan, or other document modifications, updates, or interpretations.
9. Assist in process updates, development application revisions, or other procedural assistance as requested.

Hourly Rate For Services

Project Lead & Urban Design Staff: \$300.00

Architecture & Illustrative Rendering Staff: \$220.00

Planning & Design Staff: \$190.00

GIS Staff: \$190.00

Administrative Staff: \$90.00

Other Fees

Travel, printing, material, and other cost associated with the provided services will be billed according to the cost of services.

**CITY OF CASTROVILLE, TEXAS ON CALL PROFESSIONAL PLANNING AND URBAN DESIGN SERVICES CONTRACT AGREEMENT**

THIS CONSULTING AGREEMENT (the "Agreement") dated this 10th day of February 2025

Between:

City of Castroville, Texas at 1209 Fiorella St, Castroville, TX 78009 (the "Client")

- AND -

Simplecity Design, llc. at 219 N Comanche St, San Marcos, TX 78666 (the "Contractor").

- A. The Client is of the opinion that the Contractor has the necessary qualifications, experience and abilities to provide services to the Client.
- B. The Contractor is agreeable to providing such services to the Client on the terms and conditions set out in this Agreement.

IN CONSIDERATION OF the matters described above and of the mutual benefits and obligations set forth in this Agreement, the receipt and sufficiency of which consideration is hereby acknowledged, the Client and the Contractor (individually the "Party" and collectively the "Parties" to this Agreement) agree as follows:

**Services Provided**

1. The Client hereby agrees to engage the Contractor to provide the Client with services (the "Services") consisting of:

Services Described in Exhibit "A".

2. The Services will also include any other tasks which the Parties may agree on. The Contractor hereby agrees to provide such Services to the Client.



### Term of Agreement

3. The term of this Agreement (the "Term") will begin on the date of this Agreement and will remain in full force and effect until the completion of the Services, subject to earlier termination as provided in this Agreement. The Term of this Agreement may be extended with the written consent of the Parties.
4. In the event that either Party wishes to terminate this Agreement prior to the completion of the Services, that Party will be required to provide 30 days' written notice to the other Party.

### Performance

5. The Parties agree to do everything necessary to ensure that the terms of this Agreement take effect.

### Currency

6. Except as otherwise provided in this Agreement, all monetary amounts referred to in this Agreement are in USD (US Dollars).

### Compensation

7. For the services rendered by the Contractor as required by this Agreement, the Client will provide compensation (the "Compensation") to the Contractor at the for work preformed in each Task as described in Appendix "A".
8. The Client will be invoiced monthly at rates as described in Exhibit "A".
9. Invoices submitted by the Contractor to the Client are due within 30 days of receipt.
10. The Compensation as stated in this Agreement does include sales tax, or other applicable duties as may be required by law.

## Reimbursement of Expenses

11. The Contractors expenses incurred in connection with providing the Services of this Agreement will be invoiced to the client with associated tasks.

## Ownership of Intellectual Property

12. All intellectual property and related material, including any trade secrets, moral rights, goodwill, relevant registrations or applications for registration, and rights in any patent, copyright, trademark, trade dress, industrial design and trade name (the "Intellectual Property") that is developed or produced under this Agreement, is a "work made for hire" and will be the property of the Client. The use of the Intellectual Property by the Client will not be restricted in any manner.
13. The Contractor may use the Intellectual Property for promotion of work and past examples of work performed.

## Return of Property

14. Upon the expiry or termination of this Agreement, the Contractor will return to the Client any property, documentation, records, or confidential information which is the property of the Client.

## Capacity/Independent Contractor

15. In providing the Services under this Agreement it is expressly agreed that the Contractor is acting as an independent contractor and not as an employee. The Contractor and the Client acknowledge that this Agreement does not create a partnership or joint venture between them, and is exclusively a contract for service. The Client is not required to pay, or make any contributions to, any social security, local, state or federal tax, unemployment compensation, workers' compensation, insurance premium, profit-sharing, pension or any other employee benefit for the Contractor during the Term. The Contractor is responsible for paying, and complying with reporting requirements for, all local, state and federal taxes related to payments made to the Contractor under this Agreement.

Notice

16. All written notices, requests, or other communications required or permitted by the terms of this Agreement will be given in writing and delivered to the Parties of this Agreement as follows:

- a. City of Castroville  
1209 Fiorella St, Castroville, TX 78009
- b. Simplecity Design, llc.  
219 N Comanche St, San Marcos, TX 78666

or to such other address as any Party may from time to time notify the other, and will be deemed to be properly delivered (a) immediately upon being served personally, (b) two days after being deposited with the postal service if served by registered mail, or (c) the following day after being deposited with an overnight courier.

Indemnification

17. Except to the extent paid in settlement from any applicable insurance policies, and to the extent permitted by applicable law, each Party agrees to indemnify and hold harmless the other Party, and its respective directors, stockholders, affiliates, officers, agents, employees, and permitted successors and assigns against any and all claims, losses, damages, liabilities, penalties, punitive damages, expenses, reasonable legal fees and costs of any kind or amount whatsoever, which result from or arise out of any act or omission of the indemnifying party, its respective directors, stockholders, affiliates, officers, agents, employees, and permitted successors and assigns that occurs in connection with this Agreement. This indemnification will survive the termination of this Agreement.

Modification of Agreement

18. Any amendment or modification of this Agreement or additional obligation assumed by either Party in connection with this Agreement will only be binding if evidenced in writing signed by each Party or an authorized representative of each Party.

### Time of the Essence

19. Time is of the essence in this Agreement. No extension or variation of this Agreement will operate as a waiver of this provision.

### Assignment

20. The Contractor will not voluntarily, or by operation of law, assign or otherwise transfer its obligations under this Agreement without the prior written consent of the Client, unless otherwise noted in "Exhibit A".

### Entire Agreement

21. It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement except as expressly provided in this Agreement.

### Enurement

22. This Agreement will enure to the benefit of and be binding on the Parties and their respective heirs, executors, administrators and permitted successors and assigns.

### Titles/Headings

23. Headings are inserted for the convenience of the Parties only and are not to be considered when interpreting this Agreement.

### Governing Law

24. It is the intention of the Parties to this Agreement that this Agreement and the performance under this Agreement, and all suits and special proceedings under this Agreement, be construed in accordance with and governed, to the exclusion of the law of any other forum, by the laws of the State of Texas, without regard to the jurisdiction in which any action or special proceeding may be instituted. Any disputes shall be resolved in Hays County.

Severability

25. In the event that any of the provisions of this Agreement are held to be invalid or unenforceable in whole or in part, all other provisions will nevertheless continue to be valid and enforceable with the invalid or unenforceable parts severed from the remainder of this Agreement.

Waiver

26. The waiver by either Party of a breach, default, delay or omission of any of the provisions of this Agreement by the other Party will not be construed as a waiver of any subsequent breach of the same or other provisions.

**IN WITNESS WHEREOF**, the Parties have duly affixed their signatures under hand and seal on this February 10, 2025.

\_\_\_\_\_  
Breana Soto, Community Development  
City of Castroville, Texas (Client)

\_\_\_\_\_  
Matthew Lewis, President  
Simplecity Design, Ilc (Contractor)



# CITY COUNCIL AGENDA REPORT

DATE: May 13, 2025

**AGENDA OF:** May 13, 2025

**DEPARTMENT:** Public Works

**SUBJECT:** Contract for Solid Waste Services

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**RECOMMENDATION:**

Recommend the City Council review and approve staff’s recommendation to enter a 5 year contract with South Texas Refuse Disposal, Inc. (STRD) for municipal solid waste collection, disposal, and recycling services.

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**BACKGROUND:** On April 3, 2025, a Request for Proposal (RFP) was published in the Hondo Anvil Herald newspaper, inviting solid waste service firms to submit proposals for municipal solid waste collection, disposal, and recycling services. The deadline for submissions was April 28, 2025, by which we received proposals from three firms. All submissions met the necessary requirements. The proposals were evaluated by staff using a weighted criteria scoring analysis.

**DISCUSSION:** Questions

**FISCAL IMPACT/SOURCE OF FUNDING:** Soild Waste Budget

Submitted by: Scott Dixon /John Gomez

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**ATTACHMENTS/ADDITIONAL INFORMATION:**

1. Soild Waste RFP
2. RFP Scoring Criteria
3. RFP\_Decision Matrix\_052025
4. Proposal submissions (3)



REQUEST FOR PROPOSALS (RFP) FOR MUNICIPAL SOLID  
WASTE COLLECTION, DISPOSAL, AND RECYCLING  
SERVICES FOR THE CITY OF CASTROVILLE

**Introduction and Instructions**

**municipal solid waste collection, disposal, and recycling services** Proposals must be **received by April 28, 2025 at 1:30 PM** at the following address:

ATTN: Debra Howe, City Secretary  
City of Castroville  
1209 Fiorella Street, Castroville, TX 78009

Proposals must be **submitted in a sealed envelope or package** marked "**Request for Proposal for Municipal Solid Waste Services for the City of Castroville.**"

Questions regarding this request must be submitted in writing to **John Gomez** at **John.Gomez@castrovilletx.gov** with "RFP Solid Waste Services" in the subject line. The City will issue responses and clarifications via addenda, which will be posted on the City's website.

Late submissions will **not** be considered. The City **reserves the right** to reject any or all proposals, waive informalities, and negotiate with the most qualified firm.

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## Scope of Work & Required Services

The selected contractor will be responsible for **comprehensive solid waste collection, disposal, and recycling services** in accordance with the requirements outlined below.

### 1. Residential Waste Collection

- **Curbside Collection:** Provide **once-per-week** collection of residential solid waste using **96-gallon carts**.
- **Bulk Waste & Brush Collection:** Provide **monthly collection** of up to **six (6) cubic yards** of bulk waste and brush per household.
- **Recycling Services:** Provide **weekly collection** of recyclables using a designated **96-gallon recycling cart** per household. Alternate recycling methods including community drop-off recycling centers may be considered.
- **Hazardous Waste Disposal:** Provide an **"At Your Door Special Collection"** service for household hazardous waste and electronic waste (if applicable).

### 2. Commercial & Industrial Waste Collection

- **Light Commercial Collection:** Provide **weekly collection** for businesses using **96-gallon carts**.
- **Commercial Dumpsters:** Offer collection services for businesses and institutions using **2, 3, 4, 6, and 8 cubic yard containers**. Frequency of collection will be **as agreed upon with each business**.
- **Roll-Off Services:** Provide **20, 30, and 40 cubic yard roll-off bins** for industrial and high-volume waste generators.

### 3. City Services

The selected provider must **provide the following services at no cost to the City:**

1. **Collection and disposal of solid waste at all municipal facilities**, including City Hall, parks, the library, and other City-owned properties.
2. **Provision of dumpsters at major City events** (minimum **four events per year**).
3. **Annual contribution of six (6) free roll-off containers** for City use two (2) at Public Works.
4. **Senior Citizen Billing Discount:** Offer reduced-rate services for eligible senior residents, including **door-to-door collection if required**.
5. **Emergency Services:** In the event of a **natural disaster or storm event**, the contractor must be prepared to assist with debris collection, same day but no later than next day.
6. **Customer Service & Complaint Resolution:** Maintain a **local or toll-free** customer service hotline with a response time of **no more than 24 hours** for complaints or missed collections.
7. **Community Support:** Provide evidence of financial or in-kind support for local community and/or non-profit organizations.



Proposal Submission Requirements

Proposals must include the following:

- 1. **Cover Letter:** Signed by an authorized representative, indicating the firm’s interest in providing the requested services.
- 2. **Company Background & Qualifications:** A description of the firm’s history, experience, and qualifications in solid waste management.
- 3. **Service Plan:** A detailed plan for providing the services outlined above, including:
  - o Methods for ensuring customer satisfaction and quality service.
  - o Contingency plans for equipment failures, severe weather, and increased service demands.
  - o Proposed collection schedules.
- 4. **Equipment & Facilities:** A list of all collection vehicles, containers, and disposal sites to be used in fulfilling the contract.
- 5. **Customer Service Plan:** Description of procedures for handling complaints, service requests, and public outreach.
- 6. **Pricing Structure:** Proposed rates for all services, including residential, commercial, and industrial collection. Pricing should include costs per **container type and collection frequency**.
- 7. **Insurance & Performance Bond:** Evidence of the proposer’s ability to meet the City’s **insurance and liability requirements**.

Type	Amounts
1. Workers' Compensation 2. Employers' Liability	Statutory \$1,000,000 / \$1,000,000 / \$1,000,000
3. Commercial General Liability Insurance to include coverage for the following: a. Premises/Operations b. Products/Completed Operations c. Personal/Advertising Injury	For Bodily Injury and Property Damage of: \$1,000,000 per occurrence. \$2,000,000 General Aggregate, or its equivalent in Umbrella or Excess Liability Coverage
4. Business Automobile Liability: a. Owned/leased vehicles b. Non-owned vehicles c. Hired Vehicles	Combined Single Limit for Bodily Injury and Property Damage of \$1,000,000 per occurrence

Proposal Evaluation & Selection Criteria

Proposals will be evaluated based on the following weighted criteria:

Evaluation Criteria	Weight (%)
Cost of Service	30%
Experience & Qualifications	20%
Quality of Service Plan	20%
Customer Service & Complaint Resolution	15%
Environmental & Recycling Programs	10%
Innovative Approaches & Added Value	5%

The City Council and/or its staff designee will review proposals and may conduct **interviews with the top-ranked firms** before awarding the contract.

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Contract Term & Conditions

- The initial contract term will be **five (5) years**, with the option for **one (1) additional five-year renewal** upon mutual agreement.
- Rate adjustments will be considered **annually** based on CPI (Consumer Price Index) and disposal cost changes.
- The contractor must comply with **all local, state, and federal** regulations.
- The City **reserves the right** to terminate the contract for non-performance with **30-day written notice**.

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Key Dates & Timeline

- **RFP Release Date:** April 3, 2025
- **Deadline for Questions:** April 18, 2025
- **Proposal Submission Deadline:** April 28, 2025
- **City Council Review & Selection:** May 13, 2025
- **Contract Start Date:** June 9, 2025

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The City of Castroville appreciates your interest and looks forward to receiving your proposal.

# Scoring Criteria

Evaluation Criteria	Weight (%)	Score Criteria
Cost of Service	30%	1. <b>(Poor):</b> Requirement is barely addressed or missing.
Experience & Qualifications	20%	2. <b>(Fair):</b> Requirement is partially addressed but lacks detail.
Quality of Service Plan	20%	3. <b>(Adequate):</b> Requirement is sufficiently addressed but could be improved.
Customer Service & Complaint Resolution	15%	4. <b>(Good):</b> Requirement well addresses with minor gaps.
Environmental & Recycling Programs	10%	5. <b>(Excellent):</b> Requirement is fully addressed with comprehensive detail.
Innovative Approaches & Added Value	5%	

City of Castroville-RFP Decision Matrix  
Vendor Name: Waste Management

Section VIII, Item j.

RFP Requirements	Team Member (1)	Team Member (2)	Team Member (3)	Team Member (4)	Team Member (5)	Total Score	Total Weighted Score
<b>Cost of Service:</b> Proposed rates for all services, including residential, commercial, and industrial collection. Pricing should include cost per container type and collection frequency.	3	3	4	4	3	17	5.1
<b>Experience and Qualification:</b> A description of the firm’s history, experience, and qualifications in solid waste management	4	5	5	5	5	24	4.8
<b>Quality of Service Plan:</b> A detailed plan for providing the services outlined above, including:  Methods for ensuring customer satisfaction and quality service  Contingency plans for equipment failures, severe weather, and increased service demands.  Proposed collection schedules	3	5	4	4	4	20	4.0
<b>Customer Service and Complaint Resolution:</b> Description of procedures for handling complaints, service requests, and public outreach.	3	4	4	5	5	21	3.2
<b>Environmental and Recycling Programs</b>	3	4	5	5	5	22	2.2
<b>Innovative Approaches and Added Value</b>	3	3	4	5	4	19	9.5
Date: May 7, 2025							
Total Score						123	28.8

RFP Requirements	Team Member (1)	Team Member (2)	Team Member (3)	Team Member (4)	Team Member (5)	Total Score	Total Weighted Score
<b>Cost of Service:</b> Proposed rates for all services, including residential, commercial, and industrial collection. Pricing should include cost per container type and collection frequency.	4	5	5	5	4	23	6.9
<b>Experience and Qualification:</b> A description of the firm’s history, experience, and qualifications in solid waste management	5	4	5	4	4	22	4.4
<b>Quality of Service Plan:</b> A detailed plan for providing the services outlined above, including:  Methods for ensuring customer satisfaction and quality service  Contingency plans for equipment failures, severe weather, and increased service demands.  Proposed collection schedules	4	4	4	4	4	20	4.0
<b>Customer Service and Complaint Resolution:</b> Description of procedures for handling complaints, service requests, and public outreach.	3	5	4	4	4	20	3.0
<b>Environmental and Recycling Programs</b>	3	4	4	3	3	17	1.7
<b>Innovative Approaches and Added Value</b>	4	4	5	3	3	19	9.5
Date: May 7, 2025						Total Score	121
							29.5

RFP Requirements	Team Member (1)	Team Member (2)	Team Member (3)	Team Member (4)	Team Member (5)	Total Score	Total Weighted Score
<b>Cost of Service:</b> Proposed rates for all services, including residential, commercial, and industrial collection. Pricing should include cost per container type and collection frequency.	3	3	4	4	3	17	5.1
<b>Experience and Qualification:</b> A description of the firm’s history, experience, and qualifications in solid waste management	4	3	5	5	4	21	4.2
<b>Quality of Service Plan:</b> A detailed plan for providing the services outlined above, including:  Methods for ensuring customer satisfaction and quality service  Contingency plans for equipment failures, severe weather, and increased service demands.  Proposed collection schedules	3	4	4	4	3	18	3.6
<b>Customer Service and Complaint Resolution:</b> Description of procedures for handling complaints, service requests, and public outreach.	3	4	4	5	3	19	2.9
<b>Environmental and Recycling Programs</b>	4	4	3	5	3	19	1.9
<b>Innovative Approaches and Added Value</b>	3	4	3	5	3	18	9.0

Date: May 7, 2025	Total Score	112	26.7
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## Agenda Report

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**Agenda of:** May 13, 2025

**Department:** Administration

**Subject:** Discussion and appropriate action to award a contract for service for the design, and construction of the city hall remodel and potential future library expansion.

**Recommended Motion:** I move to authorize staff to negotiate and enter into a contract with McKinstry for the design and construction of the City Hall project, as recommended based on the City’s RFQ evaluation rubric

**Background:** On May 2, 2025, the City received five responses to its Request for Qualifications (RFQ) for High-Performance Design-Build (HPDB) services for the City Hall remodel. Respondents included McKinstry, Ameresco, Schneider Electric, Pugh Constructors, and Frontline Holdings. All proposals were reviewed against a standardized rubric included in the RFQ.

McKinstry received the highest evaluation score based on their experience with municipal facilities, strong team structure, historic sensitivity, and robust training and post-construction support. Ameresco and Schneider Electric tied for second place and demonstrated excellent capabilities, especially in energy analytics and implementation. All firms were deemed responsive, but not all scored equally in terms of risk mitigation, operational KPIs, and depth of team integration.

Evaluation Rubric and Results:

Firm	Total Score (out of 100)
McKinstry	99
Ameresco	96
Schneider Electric	96
Pugh Constructors	88
Frontline Holdings	79

**Staff Recommendation:** Staff recommends that the City proceed with negotiations with McKinstry, the highest-scoring and most comprehensive respondent to the RFQ. McKinstry demonstrated excellence in all evaluation areas including technical approach, historical sensitivity, municipal experience, and long-term cost-efficiency. Alternates, should negotiations fail, include Ameresco or Schneider Electric.

**Fiscal Impact:** TBD. The City Hall remodel will likely cost between \$1.5 million and \$3 million. Whichever partner is chosen will be tasked with helping to identify grants and other funding sources for the project. While this is a professional services contract and should not be chosen on the basis of price, the City can expect to spend between 15% and 20% of the anticipated final cost of the project on these services e.g. between \$225,000 and \$600,000. The City has earmarked the general fund interest which is in excess of \$200,000 as of today, for this project.

☐ Budgeted   ☐ Requires Budget Amendment

**Source of Funding:** Account Code:

**Attachments:** RFQ Comparison

**Urgency (0-5 = Low Urgency to High Urgency): 3**

**Impact (0-5 = Low Impact to High Impact): 3**

**Submitted by: R. Scott Dixon**



# Executive Summary – City Hall Design-Build RFQ Comparison

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The City of Castroville issued a Request for Qualifications (RFQ) for High-Performance Design-Build services related to City Hall improvements. The RFQ sought firms with demonstrated experience in delivering municipal projects with high energy performance, sustainability standards, and collaborative design processes.

Five firms submitted timely proposals. The evaluation team assessed each submission against the published rubric. This summary provides a side-by-side comparison of key qualifications and services offered by each respondent to assist City Council in making an informed decision.

### Side-by-Side Comparison of RFQ Respondents

Criteria	McKinstry	Ameresco	Schneider Electric	Pugh Constructors	Frontline Holdings
Texas-Based Team	Yes – Regional HQ in Dallas	Yes – Tomball Office	Yes – Carrollton Office	Yes – San Antonio HQ	Yes – Coppell Office
Municipal Experience	Extensive; 2,200+ public projects	300+ governments; \$600M in TX	270 TX municipal projects	Moderate; civic & historical	Emerging – limited gov references
Design-Build Experience	High – progressive DB leader	High – \$2B+ in DB projects	High – #1-ranked ESCO nationally	Moderate – local DB projects	Moderate – via IMEG partner
Architectural Partner	Yes – integrated team model	Yes – WestEast Design Group	Yes – internal and collaborative	Ford, Powell & Carson (FPC)	m2 Architecture (est. 2024)
Energy/Sustainability	Advanced performance modeling & O&M	Lifecycle optimization & analytics	Energy funding & performance guarantees	Basic LEED experience	Claims integration, limited detail
Funding Support	Grants, SECO, rebate search	Utility rebates, cost modeling	ESCO savings model + rebates	Basic cost estimating	IMEG supports; lacks detail
Training & Support	Full post-occupancy O&M support	AssetPlanner platform	Long-term savings tracking	General training plan	Mentions support; unclear scope
Historic Sensitivity	Emphasized in approach	Not explicitly addressed	Flexible to design direction	Extensive preservation record	Limited credentials
Risk Mitigation	Clear, phased project controls	Multiple safeguards cited	Detailed mitigation strategy	Standard controls noted	Limited mention
Team Depth	Robust, multidisciplinary staff	Experienced and scalable	Large national support team	Smaller team; local focus	Small core team

# Memo

**To:** Scott Dixon, City Administrator  
City Council Members

**From:** Bruce A. Alexander, Mayor Elect

**Date:** May 8, 2025

**Re:** Meeting Dates, Times and Locations

BOA  
5/8/25

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I propose the following meeting times, dates and locations be established by City Council Resolution:

- All regular meetings of the City Council, Boards and Commissions open to the public shall be held in the City Council Chambers beginning at 6pm.
- All regular meetings of the City Council open to the public shall be held on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month unless otherwise approved by City Council.
- All regular, special and emergency meetings open to the public shall be held in accordance with the open meetings act.
- All regular, special and emergency meetings open to the public shall be recorded and live streamed to provide an opportunity for members of the public to view both in person or online as a live streamed event.
- All established rules of decorum and opportunities for public participation shall be made available to the public at every regular meeting open to the public.
- An executive session meeting of the City Council, when required, shall be scheduled to begin at 3pm on the date of a regular meeting. The regular meeting shall be recessed following the executive session until 6pm for the remainder of the regular meeting open to the public.

I propose these changes to better accommodate public participation and promote a more streamlined meeting process.



## Agenda Report

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**Agenda of:** May 13, 2025

**Department:** Administration

**Subject:** Discuss a possible updates or changes to the, "Council policy and rules of procedure" found in Chapter 2, Article 1, Section 2-4 of the City's Code of Ordinances.

**Recommended Motion:** N/A.

**Background:** Mayor Alexander would like to review and discuss potential revisions to the City's Rules and Procedures for the City Council including how council meetings are to be conducted. Any changes will need to be made by an amending ordinance. This item is for discussion and direction to staff regarding proposed changes.

**Fiscal Impact:** N/A

☐ Budgeted   ☐ Requires Budget Amendment

**Source of Funding:**

**Attachments:** Chapter 2, Article 1, Section 2-4 of the City's Code of Ordinances, Medina County Rules & Procedures

**Urgency (0-5 = Low Urgency to High Urgency):** 2

**Impact (0-5 = Low Impact to High Impact):** 3

**Submitted by:** R. Scott Dixon

- (a) *Council's role:* In order to ensure the proper discharge of duties for the improvement of democratic local government, councilmembers will display a level of behavior that demonstrates independent, impartial review of all matters addressed by them, and be duly responsible to the citizens of Castroville and each other in their relationships.
- (b) *Mayor's role:* The presiding officer of the council is responsible for conducting the meeting. When present and participating, the mayor shall serve as presiding officer at meetings of council. The mayor may participate in discussions of all matters coming before council. After each general election, council shall elect from among councilmembers a mayor pro tempore who shall act as mayor during the absence or disability of the mayor. If neither the mayor nor the mayor pro tempore are able to serve, the remaining councilmembers may by majority vote designate a councilmember to preside. The mayor shall preserve order and decorum during council meetings and shall require councilmembers engaged in debate to limit discussion to the question under consideration. The mayor is the spokesperson for the council on all official city occasions unless absent, at which time the mayor pro tempore will assume the role. The mayor will guide council discussions, respond to council questions, summarize issues and call items for council action. The mayor will encourage all councilmembers to participate in discussion and give each member an opportunity to speak before any member can speak again on the same subject. The total time an individual councilmember may speak on a discrete issue during a meeting will be limited to no more than 15 minutes, unless additional time is provided to the councilmember by a majority council vote.
- (c) *Council meetings:*
  - (1) *Regular meeting.* Council shall meet regularly at such place and times as prescribed by council, but no less frequently than twice each month unless otherwise resolved by council. Council shall adopt a resolution specifying the scheduled date/time/location and may amend the resolution as may be required from time to time.
  - (2) *Quorum.* Council must have a quorum to meet, deliberate, debate, and decide on any city business.
    - a. A quorum for a regular meeting is three councilmembers.
    - b. A quorum for a special meeting is four councilmembers.
  - (3) The mayor may call a special meeting on the mayor's own motion and shall call a special meeting on the application of three aldermen. Each member of the governing body, the city secretary, and the municipal attorney must be notified of the special meeting. The notice may be given personally or left at the person's usual place of residence.
  - (4)

*Workshops.* A workshop is considered a regular meeting if held on the regularly established and time and a special meeting if called by the mayor on the mayor's own motion or on the application of three aldermen. A council workshop may be held on any day of the week to consider, in detail, a particular subject or problem of city interest. Workshops emphasize interaction between mayor, council and staff in order to exchange information and develop approaches and possible positions for future council action. Council meeting rules and procedures may be relaxed during a workshop at the discretion of the mayor or presiding officer or by a majority of councilmembers. Notice of the workshop must be posted in compliance with the Texas Open Meetings Act.

- (5) *Agenda.* An agenda for a regular or special called meeting shall be posted at least 72 hours in advance of the meeting in compliance with the Texas Open Meetings Act. When the agenda item requires a public hearing, the mayor or presiding officer shall request staff comment, allow for questions by council, open the public hearing for public comment, and close the public hearing.
  - (6) *Attendance.* Councilmembers are expected to attend all meetings and workshops and stay in attendance during each meeting. If for any reason a councilmember desires to leave a meeting or workshop prior to its termination, he/she will request the presiding officer grant a recess, adjournment or if a quorum of council members are present the meeting may continue. Council may compel the attendance of its members as set forth in V.T.C.A. Texas Local Government Code § 22.038.
  - (7) *Conflicts of interest.* A councilmember prevented from voting due to a conflict of interest shall abstain from the debate, shall not vote in the matter, and shall otherwise comply with state law and ordinances concerning conflicts of interest.
  - (8) *Participation.* During council meetings and workshops, councilmembers shall assist in preserving order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the rules of the council.
  - (9) *City staff.* Administrative staff and city employees shall observe the same rules of decorum applicable to councilmembers. All persons addressing councilmembers, including the city administrator, shall be recognized by the presiding officer and shall limit remarks to the matter under discussion. All remarks and questions addressed to the council shall be addressed to the council as a whole and not to any individual member.
- (d) *Persons addressing the council:*
- (1) *Addressing the council.* At council meetings, council may hear comments from any citizen or visitor. Speakers must address their comments to the presiding officer rather than individual councilmembers, staff, or members of the audience; stand at the podium, speak clearly into the microphone and state name and residential address before speaking. If the speaker is speaking on behalf of an organization or group, the speaker shall identify the group. Only one

person may address the council at any time unless otherwise allowed by council majority. Person addressing council shall do so in a respectful and orderly manner without shouting or argumentative behavior or making personal, impertinent, slanderous, or profane remarks about any councilmember, city staff member, or a member of the general public. Speakers shall address council and staff respectfully and no shouting or argumentative behavior will be tolerated.

- (2) *Time to speak.* Citizen comments will be permitted only at times specified on the published council agenda; speakers will be allowed a maximum of three minutes to speak; additional time may be extended by a council majority. The council, in its discretion may allow citizens comments at any other time as determined necessary.
- (3) *Lines of communication.* The mayor and council encourage citizen input regarding their city concerns, questions, and suggestions. Council strongly suggests that citizens contact the city administrator and their district councilmember concerning specific issues prior to speaking at council meetings.
- (e) *Members of the audience:* No person in the audience at a meeting of council shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening, or abusive language, whistling, stamping of feet, eating or drinking, using tobacco or tobacco products, or other acts which disturb, disrupt, or otherwise impede the orderly conduct of any council meeting. Cell phones shall be turned off or set to silent or vibrate mode. Hats will not be worn in council chambers.
- (f) *Rules of enforcement:*
  - (1) *Warning.* The mayor or the presiding officer shall request that a person breaching any part of subsection (i), (d) or (e) above cease the disruptive conduct. If, after receiving a warning from the mayor or the presiding officer, the person persists in disturbing the council meeting, the mayor, the presiding officer, or a majority of council shall order the person to leave the council meeting. If such person does not remove himself, the mayor or the presiding officer shall first call for a ten minute recess to regain order; if order is not regained, the mayor or presiding officer may direct any on-duty law enforcement officer to remove that person or persons from council chambers.
  - (2) *Removal of member of audience.* Any on-duty law enforcement officer shall carry out all reasonable orders and instructions given by the mayor or the presiding officer for the purpose of maintaining order and decorum at council meetings.
  - (3) *Removal of councilmember.* A councilmember may only be removed from the council meeting after a vote is taken of the city council. If the vote is in favor of the councilmember, the councilmember shall be at liberty to proceed.
  - (4)

*Civil and criminal penalties.* The city may enforce the provisions of this article by injunctive relief and prosecution for applicable criminal violations. An offense under this article is a misdemeanor and any person violating this article shall, upon conviction, be fined a sum not exceeding \$200.00. Each instance that a provision of this article is violated shall constitute a separate offense.

- (g) *Agenda item submission:* Any councilmember may submit an item for placement on a council meeting agenda. The submitted item must be specific, contain an explanation of purpose, include background information, and state the date of the council meeting the councilmember wishes the item to be placed. An item for placement on the agenda must be submitted in person or electronically to the city secretary at city hall no later than 5:00 p.m. on the fourth business day prior to the date of the next council meeting. Items submitted to the city secretary after that time will normally be held over until the next regularly-scheduled council meeting, unless the item is of such importance that the mayor elects to place the item on an earlier agenda or calls a special city council meeting.
- (h) *Placement on agenda:* The mayor, working with the city administrator, will determine, using his best judgment, the most important items received for placement on the agenda. Any item that has been properly and timely submitted by a councilmember as described above shall be placed on the agenda of the council meeting. If the mayor, in his discretion, finds that there is insufficient background information submitted to adequately address the issue, he will so notify the councilmember and delay placement on the agenda until sufficient information is provided to the city secretary; a council majority may nevertheless place the item on the agenda for consideration during the next regularly scheduled meeting. Councilmembers are encouraged to contact the mayor or city secretary regarding any questions they may have about items that have been placed on an agenda.
- (i) *Notification:* Notification of meetings shall be compliant with the Open Meetings Act and Public Information Act. The city secretary shall transmit notice of a meeting to city council members, interested persons who have requested copies of a meeting notice, post a notice on the exterior public notice board at city hall, and post the meeting notice on the homepage of the city's official website.
- (j) *Agenda item consideration:*
  - (1) Ordinarily the mayor or other presiding officer will follow the agenda as posted; however, the mayor or the presiding officer generally maintains the option of addressing agenda items out of order to facilitate guests, reduce costs, or other factors. In addition, the mayor or presiding officer shall address agenda items out of order, table, or postpone any agenda item on the motion and majority vote of council.
  - (2) Persons under retainer agreement or contract with the city for professional services (e.g., attorneys, engineers, auditors, etc.) shall only attend council meetings when specifically requested by the mayor, city administrator, or majority of councilmembers. These



professionals shall be scheduled as early as possible on council meeting agendas to ensure a Section VIII, Item m.  
expense to the city.

- (k) *Minutes:* Minutes of each council meeting, workshop, and public hearing shall be prepared by the city secretary and submitted to a subsequent council meeting for approval. The city secretary may distribute copies of the proposed minutes for review to the mayor and councilmembers prior to the council meeting. The minutes shall contain a brief narrative of council's deliberations, record all motions, and note council vote on each item. The city secretary shall maintain both a paper and electronic record of the approved minutes. Electronic copies of approved minutes will be posted on the city's official web site as soon as practicable.

(Ord. No. 2009-006, § I, 1-7-09; Ord. No. 2016-003, 10-27-15; Ord. No. 2020-0013, § 1(Exh. A), 7-14-2020)

#### Sec. 2-5. - Public contact/media relations.

Representative government is only successful when citizens are kept informed and educated about the issues facing their city; consequently, it is imperative that the media play an important role in the council and public relations. It is through an informed public that progress is ensured and good government remains sensitive to its constituents. The mayor and councilmembers recognize that the news media provide an important link between council and the public. It is council's desire to establish a professional working relationship to help maintain a well informed and educated citizenry.

- (1) During the conduct of official business, the city shall designate adequate space for the news media. All reporters will receive an agenda in advance of council meetings and will be furnished support material needed for clarification if requested. The use of media equipment such as lights, cameras and/or microphones should be coordinated with the city administrator prior to the meeting to ensure that this equipment does not disturb or otherwise conflict with or disrupt the meeting or the council's activities.
- (2) In order to avoid public confusion and ensure dissemination of the most accurate information possible, the mayor and councilmembers should defer to the city administrator, the city's chief executive agent, as primary point of contact for all media questions regarding daily operation and maintenance issues.
- (3) Councilmembers are encouraged to hold periodic informational meetings, solicit citizen feedback, and otherwise share information of interest to constituents within their districts.

(Ord. No. 2009-006, § II, 1-7-09; Ord. No. 2020-0013, § 2, 7-14-20)

#### Sec. 2-6. - Appointment of council committees.

- (a) As directed by council majority, the mayor may appoint a special committee of the council to investigate and study a particular matter in depth and report its findings and recommendations to council. Each committee shall consist of a minimum of a chairman and one other member. If

requested by the special committee of the council, the city administrator may appoint a member of staff to serve in a non-voting capacity to assist the committee.

Section VIII, Item m.

- (b) All meetings of committees are subject to compliance with the open meetings law. The committee's report shall be submitted to council for action.

(Ord. No. 2009-006, § III, 1-7-09)

#### Sec. 2-7. - General city planning.

- (a) On an annual basis, the mayor and council shall hold a minimum of one strategic planning workshop wherein they develop priorities, goals and objectives. The goals and objectives shall address short term and long term needs of the city.
- (b) On an annual basis, the mayor and council shall review, update as necessary, and approve a Capital Improvement Plan (CIP).
- (c) Council policy direction shall be, to the maximum extent practicable, consistent with the most current city master plan. Sufficient time and consideration should be given to policy alternatives to ensure that decisions are made consistent with its long term vision.

(Ord. No. 2009-006, § IV, 1-7-09)

#### Sec. 2-8. - Council and staff relations.

- (a) Councilmembers should normally direct comments, correspondence and concerns about city operations and maintenance issues to the city administrator with an informational copy to the mayor. Citizen's concerns, comments and correspondence regarding city services received by councilmembers shall be forwarded to the city administrator for appropriate staff action and a timely response with an informational copy to the mayor.
- (b) In order to ensure city staff is able to properly address council agenda items, councilmember questions should be, whenever possible, presented to the city administrator for consideration at least four workdays prior to the next scheduled council meeting. This allows time for staff to diligently address councilmembers' concerns and provide them with an adequate response. If staff is unable to address the agenda item at the council meeting, the city administrator will so notify the councilmember as soon as possible and advise when an answer will be forthcoming.
- (c) Enhancing a steady exchange of information between city staff and council is a high priority in maintaining a streamlined and efficient government. To ensure a well informed council, the city administrator or his designee will provide regular and timely informational updates on city operational and maintenance issues that may be of interest to council. When appropriate, the mayor or city administrator will provide notice to councilmembers regarding meetings hosted by other groups or organizations where councilmember attendance would be beneficial to the city; no city business will be conducted and the city secretary will publish a notice of possible quorum

when necessary. For purely social events, conferences, and conventions, councilmembers may meet without the need for publishing a notice of possible quorum; no city business may be discussed at these functions.

(Ord. No. 2009-006, § VI, 1-7-09; Ord. No. 2011-010, 5-16-11)

**Editor's note—** Ord. No. 2011-010, adopted May 16, 2011, repealed § 2-8, which pertained to financial planning and derived from Ord. No. 2009-006, § V, adopted Jan. 7, 2009. Furthermore, said ordinance renumbered §§ 2-9—2-13 as §§ 2-8—2-12.

#### Sec. 2-9. - Robert's Rules of Order.

Any procedural rule not specifically addressed above shall be governed by the Robert's Rules of Order which is hereby adopted and shall be followed at all council meetings, public hearings, and workshops.

(Ord. No. 2009-006, § VII, 1-7-09; Ord. No. 2011-010, 5-16-11)

#### Sec. 2-10. - Suspension or amendment of rules.

Any provision of these rules may be temporarily suspended by a majority vote of councilmembers present. The vote on any such suspension shall be taken by yeas or nays and entered upon the record.

(Ord. No. 2009-006, § VIII, 1-7-09; Ord. No. 2011-010, 5-16-11)

RULES OF PROCEDURE, CONDUCT AND DECORUM  
AT MEETINGS OF THE  
MEDINA COUNTY COMMISSIONERS COURT



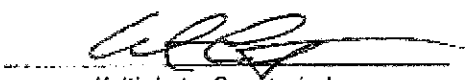
All Regular, Special, Emergency and Executive Session Meeting of the Medina County Commissioners Court will be called and conducted in accordance with the provisions of the Texas Open Meetings Act, Chapter 551, and Government Code.

2. Regular, Special, and Emergency Meetings of the Medina County Commissioners Court are open to the public and to representatives of the press and media. Executive Sessions of the Commissioners Court are not open to the public, the press or the media and only those individuals expressly requested or ordered to be present are allowed to attend Executive Sessions.
3. The Medina County Commissioners Court currently meets in Regular Session according to the schedule adopted by Commissioners Court (Exhibit A). In order for a matter or issue to appear as an item on the Agenda of any regular Meeting of the Commissioners Court, a request must be filed with and approved by at least one member of the Commissioners Court and/ or the County Judge by 12:00 p.m. (noon) on Tuesday immediately preceding the next Regular Meeting of Commissioners Court.
4. The business of Medina County is conducted by and between the members of the Medina County Commissioners Court and by those members of the county staff, elected officials, department heads, consultants, experts, and or members of the public requested to be present and participate. While the public is invited to attend all meetings of the Commissioners Court (except Executive Sessions) the public's participation therein is limited to that of observees unless a member (or members) of the public is requested to address the Commissioners Court on a particular issue (or issues) or unless the member (or members) of the public completes a Public Participation Form and submits same to the County Clerk prior to the time the agenda item (or items) is addressed by the Court. A Public Participation Form is available in the Court's Meeting Room prior to the beginning of each meeting. A sample of the Medina County Commissioners Court Public Participation Form is attached hereto as Exhibit "B"
  - A. Each member of the public who appears before Commissioners Court shall be limited to maximum of three (3) minutes to make his/her remarks. Time for each speaker shall be maintained by the County Clerk or such other designated representative of the Commissioners Court.
  - B. Maximum discussion by the public on any agenda item, regardless of the number of members of the public wishing to address the Commissioners Court on such agenda item (or items) shall be limited to thirty (30) minutes. In the event that more than ten (10) members of the public wish to address a particular item (or items), then only the first ten (10) members of the public recognized to speak shall be divided equally between those members of the public wishing to speak for the agenda item (or items) and those members of the public wishing to speak against the agenda item (or items). No sharing, reserving, or transferring of minutes among speakers is allowed.
  - C. In matters of exceptional interest, the Court may, by the majority vote of the members of the Court in attendance at the meeting, either shorten or lengthen the time allocated for a particular member of the public, all members of the public and/or the amount of time allocated for all the agenda items and/ or a specific agenda item.

- D. It is the intention of the Court to provide an open access to the citizens of Medina County to address the Commissioners Court and to express themselves on issues of county government. Members of the public are reminded that the Medina County Commissioners Court is a Constitutional Court, with both judicial and legislative powers, created under Article V, Section 1 and Section 18 of the Texas Constitution. As a Constitutional Court, the Medina County Commissioners Court also possesses the power to issue a Contempt of Court Citation under Texas Local Government Code §81.023. Accordingly, all members of the public in attendance at any Regular, Special or Emergency Meeting of the Commissioners Court shall conduct themselves with proper respect and decorum in speaking to, or addressing the Court; in participating in public discussions before the Court; and in all actions in the presence of the Court. Proper attire for men, women and children is mandatory. Those members of the public who are inappropriately attired or who do not conduct themselves in an orderly and appropriate manner will be ordered to leave the meeting. Refusal to abide by the Court's order or continued disruption of the meeting may result in a Contempt of Court Citation.
- E. It is not the intention of the Medina County Commissioners Court to provide a public forum for the demeaning of an individual or group. Neither is it the intention of the Court to allow a member (or members) of the public to insult the honesty and integrity of the Court, as a body, or any member or members of the Court, individually or collectively. Accordingly, profane, insulting or threatening language directed toward the Commissioners Court or any person in the Court's presence or racial, ethnic, or gender slurs or epithets will not be tolerated. Violations of these rules may result in the following sanctions:
1. cancellation of the speaker's remaining time;
  2. removal from the Commissioners Courtroom;
  3. a Contempt Citation; and
  4. such other civil and criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.
5. The County Judge is the presiding officer of the Medina County Commissioners Court and is a fully participating member thereof. In the event of the absence of the County Judge, the designated member of the Commissioners Court (designated annually by vote of the Court) if present at the Regular, Special, Emergency meeting or Executive Session, shall serve as the Judge Pro-Tem of the Court. However, nothing shall prevent the designated member of this Commissioners Court from delegating this duty to another member of the Commissioners Court.
6. The County Judge (or designated Judge Pro-Tem of the Commissioners Court), as presiding officer of the Commissioners Court, is responsible for conducting all meetings and members of the public who have properly completed a Public Participation Form and submitted same to the County Clerk must wait to be recognized before they will be allowed to address the Court.
7. Special rules for the press and media:
- A. No media personnel or equipment, including lights, camera or microphones will be located on the Commissioners Court bench nor closer than five feet in front of the Commissioners Court bench.
  - B. Reporters and media technicians are required to structure their movements, equipment set-up and take-down and adjustments, etc., in such manner as to not disrupt the Commissioners Court deliberations or the ability of the public to see, hear, and participate in the proceedings.
  - C. Interviews shall not be conducted inside the Commissioners Courtroom during the time Court is in session.

- D. Media interviews which are conducted outside the Commissioners Courtroom should be conducted in such a manner that the interview does not disturb, impede or disrupt the proceedings of any regular, special, emergency or executive session of the Court.
8. The Sheriff of Medina County, Texas, or his designated deputy, shall serve as the bailiff at all regular, special, and emergency meetings of the Court. However, if: the Sheriff is absent; there is a conflict of interest between Sheriff, any member of the Sheriff's Department, and the Commissioners Court; or there is an executive session of the Court in which the Sheriff is not an authorized participant then the Court shall appoint another commissioned peace officer to serve as bailiff.
9. From time to time, the Commissioners Court shall conduct town meetings and public hearings. The rules of procedure, conduct and decorum shall also apply to such town meetings and public hearings; however, the Commissioners Court may adopt additional supplemental rules for town meeting or public hearing as may be necessary and appropriate to conduct such meetings in an orderly, efficient and proper manner.
10. These Rules of Procedure, Conduct and Decorum at Meetings of the Medina County Commissioners Court shall be effective immediately upon adoption by the Court and shall remain in full force and effect until amended or repealed by majority vote of the Commissioners Court.


ADOPTED BY THE UNANIMOUS VOTE OF THE MEDINA COUNTY COMMISSIONERS COURT on this the 30<sup>th</sup> day of September 2024.

  
Keith Lutz, County Judge

  
Jessica Castiglione, Commissioner, Pct. 1

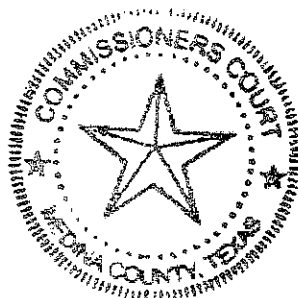
  
Larry Sittre, Commissioner, Pct. 2

  
David Lynch, Commissioner, Pct. 3

  
Danny Lawler, Commissioner, Pct. 4

Attest:

  
County Clerk



## Medina County Commissioners Court Meetings FY 2024/2025

Monday's at 9:00AM

2024

October 7, 2024  
October 21, 2024  
November 4, 2024  
November 18, 2024  
December 2, 2024  
December 16, 2024  
December 30, 2024

2025

January 13, 2025  
January 27, 2025  
February 10, 2025  
February 24, 2025  
March 10, 2025  
March 24, 2025  
April 7, 2025  
April 21, 2025  
May 5, 2025  
May 19, 2025  
June 2, 2025  
June 16, 2025  
June 30, 2025  
July 14, 2025  
July 28, 2025  
August 11, 2025  
August 25, 2025  
September 8, 2025  
September 22, 2025

Exhibit B

# PUBLIC PARTICIPATION FORM

NOTE: This Public Participation Form must be presented to the County Clerk prior to the time the agenda item (or items) you wish to address are discussed before the Court.

Medina County Commissioners Court

Public Participation Form

Instructions: Fill out all appropriate blanks. Please print or write legibly.

NAME: \_\_\_\_\_

HOME ADDRESS: \_\_\_\_\_

HOME TELEPHONE: \_\_\_\_\_

PLACE OF EMPLOYMENT: \_\_\_\_\_

EMPLOYMENT TELEPHONE: \_\_\_\_\_

Do you represent any particular group or organization? Yes No (circle one)

If you do represent a group or organization, please state the name, address and telephone number of such group or organization. \_\_\_\_\_

\_\_\_\_\_

Which agenda item (or items) do you wish to address? \_\_\_\_\_

In general, are you for or against such agenda item (or items)? \_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_



## ORDINANCE No. 2009 - 006

**PROVIDING FOR RULES AND PROCEDURES FOR MEETINGS OF THE CITY COUNCIL OF THE CITY OF CASTROVILLE, TEXAS; PROVIDING FOR RULES OF ENFORCEMENT; PROVIDING FOR PUBLIC AND MEDIA RELATIONS; PROVIDING FOR APPOINTMENTS OF COUNCIL COMMITTEES AND AGENCY LIAISON; PROVIDING FOR GENERAL CITY AND FINANCIAL PLANNING; AND PROVIDING FOR ADOPTION OF ROBERTS RULES OF ORDER.**

**WHEREAS**, the City Council believes that it is important to the orderly conduct of the business and affairs of the City of Castroville that the City Council establish rules and procedures to address Mayor and Council relations, Council and media relations, roles, and meetings; and

**WHEREAS**, the City Council also believes that each Councilmember should be dedicated to public service by being cooperative and constructive and by making the best and most efficient use of available resources, so that each member may merit the respect and confidence of the citizens of the City of Castroville; and

**WHEREAS**, the City Council further believes that by adopting the following guidelines to ensure effective and efficient governance, we, as members of City Council, acknowledge our responsibility to each other, to our professional staff, and to the public; and

**WHEREAS**, the City Council also believes that the establishment of rules of conduct and procedure for conducting the official business of the City of Castroville will help foster an atmosphere of respect, civility, and cooperation wherein individual Councilmembers, staff, and the public will be free to express their ideas and work to their full potential for the good of all our citizens.

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

**Section I. Council Policy and Rules of Procedure:**

**A. Council's Role:** In order to ensure the proper discharge of duties for the improvement of democratic local government, Councilmembers will display a level of behavior that demonstrates independent, impartial review of all matters addressed by them, and be duly responsible to the citizens of Castroville and each other in their relationships.

**B. Mayor's Role:** The presiding officer of the Council is responsible for conducting the meeting. When present and participating, the Mayor shall serve as presiding officer at meetings of Council. The Mayor may participate in discussions of all matters coming before Council. After each general election, Council shall elect from among Councilmembers a mayor *pro tempore* who shall act as mayor during the absence or disability of the Mayor. If neither the Mayor nor the mayor *pro tempore* are able to serve, the remaining Councilmembers may by majority vote designate a Councilmember to preside. The Mayor shall preserve order and decorum during Council meetings and shall require Councilmembers engaged in debate to limit discussion to the question under consideration. The Mayor is the spokesperson for the Council on all official City occasions unless absent, at which time the mayor *pro tempore* will assume the role. The Mayor will guide Council discussions, respond to Council questions, summarize issues and call

items for Council action. The Mayor will encourage all Councilmembers to participate in discussion and give each member an opportunity to speak before any member can speak again on the same subject. The total time an individual Councilmember may speak on a discrete issue during a meeting will be limited to no more than 15 minutes, unless additional time is provided to the Councilmember by a majority Council vote.

### **C. Council Meetings:**

1. Council shall meet regularly at such place and times as prescribed by Council, but no less frequently than twice each month unless otherwise resolved by Council. The regularly scheduled meetings will begin at 7:00 p.m., unless otherwise resolved by a Council majority.
2. Council must have a quorum to meet, deliberate, debate, and decide on any City business. A quorum is defined as the minimum number of Councilmembers necessary to conduct the business of that group. A quorum will be attained when three or more Councilmembers are present.
3. A special meeting may be held with 72 hours notice on any day of the week to consider items that require action prior to the next regularly scheduled meeting and may be called upon the request of the Mayor or a majority of Councilmembers.
4. A Council workshop may be held with 72 hours notice on any day of the week to consider, in detail, a particular subject or problem of City interest and may be called upon the request of the Mayor or a majority of Councilmembers. Workshops emphasize interaction between Mayor, Council and staff in order to exchange information and develop approaches and possible positions for future Council action. Council meeting rules and procedures may be relaxed during a workshop at the discretion of the Mayor or presiding officer or by a majority of Councilmembers.
5. When the agenda item requires a public hearing, the Mayor or presiding officer shall request staff comment, allow for questions by Council, open the public hearing for public comment, and close the public hearing.
6. Councilmembers are expected to attend all meetings and workshops and stay in attendance during each meeting. If for any reason a Councilmember desires to leave a meeting or workshop prior to its termination, he/she will request the presiding officer grant a recess, adjournment or if a quorum of council members are present the meeting may continue.
7. A Councilmember prevented from voting due to a conflict of interest shall abstain from the debate, shall not vote in the matter, and shall otherwise comply with state law and ordinances concerning conflicts of interest.
8. During Council meetings and workshops, Councilmembers shall assist in preserving order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the rules of the Council.
9. Administrative staff and City employees shall observe the same rules of decorum applicable to Councilmembers. All persons addressing Councilmembers, including the City Administrator, shall be recognized by the presiding officer and shall limit remarks to the matter under discussion. All remarks and questions addressed to the Council shall be addressed to the Council as a whole and not to any individual member.



**D. Persons Addressing the Council:**

1. At Council meetings, Council may hear comments from any citizen or visitor. Speakers must address their comments to the presiding officer rather than individual Councilmembers, staff, or members of the audience; stand at the podium, speak clearly into the microphone and state name and residential address before speaking. If the speaker is speaking on behalf of an organization or group, the speaker shall identify the group. Only one person may address the Council at any time unless otherwise allowed by Council majority. Persons addressing Council shall do so in a respectful and orderly manner without shouting or argumentative behavior or making personal, impertinent, slanderous, or profane remarks about any Councilmember, City staff member, or a member of the general public. Speakers shall address Council and staff respectfully and no shouting or argumentative behavior will be tolerated.
2. Citizen comments will be permitted only at times specified on the published Council agenda; Speakers will be allowed a maximum of (3) three minutes to speak; additional time may be extended by a Council majority.
3. The Mayor and Council encourage citizen input regarding their City concerns, questions, and suggestions. Council strongly suggests that citizens contact the City Administrator and their district Councilmember concerning specific issues prior to speaking at Council meetings.

**E. Members of the Audience:** No person in the audience at a meeting of Council shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening, or abusive language, whistling, stamping of feet, eating or drinking, using tobacco or tobacco products, or other acts which disturb, disrupt, or otherwise impede the orderly conduct of any Council meeting. Cell phones shall be turned off or set to silent or vibrate mode. Hats will not be worn in Council chambers.

**F. Rules of Enforcement:**

1. **Warning:** The Mayor or the presiding officer shall request that a person breaching any part of Section I, D or E above cease the disruptive conduct. If, after receiving a warning from the Mayor or the presiding officer, the person persists in disturbing the Council meeting, the Mayor, the presiding officer, or a majority of Council shall order the person to leave the Council meeting. If such person does not remove himself, the Mayor or the presiding officer shall first call for a 10 minute recess to regain order; if order is not regained, the Mayor or presiding officer may direct any on-duty law enforcement officer to remove that person or persons from Council Chambers.
2. **Removal of Member of Audience:** Any on-duty law enforcement officer shall carry out all reasonable orders and instructions given by the Mayor or the presiding officer for the purpose of maintaining order and decorum at Council meetings.
3. **Removal of Councilmember:** A Councilmember may only be removed from the Council meeting after a vote is taken of the City Council. If the vote is in favor of the Councilmember, the Councilmember shall be at liberty to proceed.
4. **Civil and Criminal Penalties:** The City may enforce the provisions of this Ordinance by injunctive relieve as well as prosecution for applicable criminal violations. An offense under this Ordinance is a misdemeanor and any person violating this Ordinance shall, upon conviction, be fined a sum not exceeding two hundred dollars (\$200.00). Each instance that a provision of this Ordinance is violated shall constitute a separate offense.

**G. Agenda Item Submission:** Any Councilmember may submit an item for placement on a Council meeting agenda. The submitted item must be specific, contain an explanation of purpose, include background information, and state the date of the Council meeting the Councilmember wishes the item to be placed. An item for placement on the agenda must be submitted in person or electronically to the City Secretary at City Hall no later than 5:00 p.m. on the fourth business day prior to the date of the next Council meeting. Items submitted to the City Secretary after that time will normally be held over until the next regularly-scheduled Council meeting, unless the item is of such importance that the Mayor elects to place the item on an earlier agenda or calls a special City Council meeting.

**H. Placement on Agenda:** The Mayor, working with the City Administrator, will determine, using his best judgment, the most important items received for placement on the agenda. Any item that has been properly and timely submitted by a Councilmember as described above shall be placed on the agenda of the Council meeting. If the Mayor, in his discretion, finds that there is insufficient background information submitted to adequately address the issue, he will so notify the Councilmember and delay placement on the agenda until sufficient information is provided to the City Secretary; a Council majority may nevertheless place the item on the agenda for consideration during the next regularly scheduled meeting. Councilmembers are encouraged to contact the Mayor or City Secretary regarding any questions they may have about items that have been placed on an agenda.

**I. City Secretary Notification:** It is the responsibility of the City Secretary to notify the Councilmember who has requested an item to be placed on an agenda of a Council meeting of the fact that the Councilmember is expected to be at the Council meeting to discuss the agenda item.

**J. Agenda Item Consideration:**

1. Ordinarily the Mayor or other presiding officer will follow the agenda as posted; however, the Mayor or the presiding officer generally maintains the option of addressing agenda items out of order to facilitate guests, reduce costs, or other factors. In addition, the Mayor or presiding officer shall address agenda items out of order, table, or postpone any agenda item on the motion and majority vote of Council.
2. Persons under retainer agreement or contract with the City for professional services (e.g., attorneys, engineers, auditors, etc.) shall only attend Council meetings when specifically requested by the Mayor, City Administrator, or majority of Councilmembers. These professionals shall be scheduled as early as possible on Council meeting agendas to ensure a minimal expense to the City.

**K. Minutes:** Minutes of each Council meeting, workshop, and public hearing shall be prepared by the City Secretary and submitted to a subsequent Council meeting for approval. The City Secretary may distribute copies of the proposed minutes for review to the Mayor and Councilmembers prior to the Council meeting. The minutes shall contain a brief narrative of Council's deliberations, record all motions, and note Council vote on each item. The City Secretary shall maintain both a paper and electronic record of the approved minutes. Electronic copies of approved minutes will be posted on the City's official web site as soon as practicable.

**Section II. Public Contact/Media Relations:**



Representative government is only successful when citizens are kept informed and educated about the issues facing their City; consequently, it is imperative that the media play an important role in the Council and public relations. It is through an informed public that progress is ensured and good government remains sensitive to its constituents. The Mayor and Councilmembers recognize that the news media provide an important link between Council and the public. It is Council's desire to establish a professional working relationship to help maintain a well informed and educated citizenry.

1. During the conduct of official business, the City shall designate adequate space for the news media. All reporters will receive an agenda in advance of Council meetings and will be furnished support material needed for clarification if requested. The use of media equipment such as lights, cameras and/or microphones should be coordinated with the City Administrator prior to the meeting to ensure that this equipment does not disturb or otherwise conflict with or disrupt the meeting or the Council's activities.
2. In order to avoid public confusion and ensure dissemination of the most accurate information possible, the Mayor and Councilmembers should defer to the City Administrator, the City's chief executive agent, as primary point of contact for all media questions regarding daily operation and maintenance issues.
3. Councilmembers are encouraged to hold periodic informational meetings, solicit citizen feedback, and otherwise share information of interest to constituents within their districts.

### **Section III. Appointment of Council Committees:**

**A.** As directed by Council majority, the Mayor may appoint a special committee of the Council to investigate and study a particular matter in depth and report its findings and recommendations to Council. Each committee shall consist of a minimum of a chairman and one other member. If requested by the special committee of the Council, the City Administrator may appoint a member of the staff to serve in a non-voting capacity to assist the committee.

**B.** All meetings of committees are subject to compliance with the Open Meetings law. The Committee's report shall be submitted to Council for action.

### **Section IV. General City Planning:**

**A.** On an annual basis, the Mayor and Council shall hold a minimum of one strategic planning workshop wherein they develop priorities, goals and objectives. The goals and objectives shall address short term and long term needs of the City.

**B.** On an annual basis, the Mayor and Council shall review, update as necessary, and approve a Capital Improvement Plan (CIP).

**C.** Council policy direction shall be, to the maximum extent practicable, consistent with the most current City Master Plan. Sufficient time and consideration should be given to policy alternatives to ensure that decisions are made consistent with its long term vision.

### **Section V. Financial Planning:**

**A.** A quarterly review of City budget expenditures shall be presented to Council by the City Financial Director at a scheduled meeting at the end of each fiscal quarter. City financial records will be made

available to Councilmembers at least (4) four business days prior to this meeting and will include a revenue and expense report, cash position report, and overall balance sheet.

**B.** Council will establish and include, in each annual City budget, a 90-day general fund reserve balance, or an amount otherwise determined by a Council majority.

**C.** Any agreement, of any kind, that legally requires Council action, shall be submitted to Council for review and approval by a majority of Councilmembers prior to execution by staff. A Council majority may specifically mandate Council review and approval of any other agreement prior to execution. All background documents as well as proposed written agreements shall be made available for Councilmember review at least (4) four workdays prior to scheduled Council meetings where approval is sought. Such materials shall also include a statement indicating whether the expenditure will be within the approved annual City budget. An exception to this rule is permissible only if the Mayor or City Administrator determines that prior submission to Council would result in a delay that significantly, negatively, and imminently impacts the health, safety, or security of the City or its citizens. In these emergency cases, Council must be informed of City actions as soon as practicable, but in no event later than the next scheduled Council meeting.

**D. Annual Audit:**

1. Requirement for Annual Audit. Under Sections 103.001-103.004 of the Texas Local Government Code, the City is required to have an annual audit of its financial records and accounts. City Council shall select and contract with a certified public accounting firm which has experience in municipal finance for the purpose of rendering an independent audit of all accounts and other financial records of the City. Upon completion of any City audit, the auditor shall prepare a written report and shall submit the report to Council. Additionally, the City Financial Director and City Administrator shall prepare an independent written financial analysis as an attachment to the Audit Report and report those results to the Council.
2. Purpose and Timing for Audit Completion. The audit involves examination of three aspects of the City's financial operations: (1) internal controls; (2) statements, records, and accounting transactions; and (3) compliance with statutory and budgetary requirements. Properly conducted, the audit provides a double check on the City's financial status, a method for communicating with the citizenry, and a bona fide statement of the City's financial condition, which will improve its ability to issue bonds. The audit report shall be submitted to Council within 120 days after the end of the preceding fiscal year for which the audit is being conducted unless an extension has been granted by Council majority.
3. Availability of the Audit. A copy of the audit report shall be made available to the public at cost, upon written request.
4. Selection and Qualifications of Auditor. The personnel of the firm conducting the audit shall not hold any public office in the City nor have any personal interest, direct or indirectly, in the fiscal affairs of the City or any of its offices. If Council, by majority vote, directs the hire of a new, qualified public accounting firm, the City shall solicit bids from qualified public accounting firms. Council, when selecting a public accounting firm to conduct the audit, shall do so on the basis of the firm's experience, expertise, efficiency and ability to timely complete the audit and the cost to be charged for the audit. Council shall not be required to accept the lowest bid for the audit.



## **Section VI. Council and Staff Relations:**

**A.** Councilmembers should normally direct comments, correspondence and concerns about City operations and maintenance issues to the City Administrator with an informational copy to the Mayor. Citizen's concerns, comments and correspondence regarding City services received by Councilmembers shall be forwarded to the City Administrator for appropriate staff action and a timely response with an informational copy to the Mayor.

**B.** In order to ensure City staff is able to properly address Council agenda items, Councilmember questions should be, whenever possible, presented to the City Administrator for consideration at least (4) workdays prior to the next scheduled Council meeting. This allows time for staff to diligently address Councilmembers' concerns and provide them with an adequate response. If staff is unable to address the agenda item at the Council meeting, the City Administrator will so notify the Councilmember as soon as possible and advise when an answer will be forthcoming.

**C.** Enhancing a steady exchange of information between City Staff and Council is a high priority in maintaining a streamlined and efficient government. To ensure a well informed Council, the City Administrator or his designee will provide regular and timely informational updates on City operational and maintenance issues that may be of interest to Council. When appropriate, the Mayor or City Administrator will provide notice to Councilmembers regarding meetings hosted by other groups or organizations where Councilmember attendance would be beneficial to the City; no City business will be conducted and the City Secretary will publish a notice of possible quorum when necessary. For purely social events, conferences, and conventions, Councilmembers may attend without the need for publishing a notice of possible quorum; no City Business may be discussed at these functions.

## **Section VII. Robert's Rules of Order:**

Any procedural rule not specifically addressed above shall be governed by the Robert's Rules of Order which is hereby adopted and shall be followed at all Council meetings, public hearings, and workshops.

## **Section VIII. Suspension or Amendment of Rules:**

Any provision of these rules may be temporarily suspended by a majority vote of Councilmembers present. The vote on any such suspension shall be taken by yeas or nays and entered upon the record.

## **Section IX. Annual Review of City Ordinances:**

**A.** This ordinance shall be reviewed by Council on an annual basis and may be amended or new rules adopted, by a majority vote of Councilmembers at any time.

**B.** The City Secretary shall ensure that a yearly comprehensive review of all City ordinances is performed and an index of these ordinances is compiled:

1. The City ordinance index shall include, at a minimum, the series, number and title, date enacted, dates amended, date last reviewed, and any requirement for further Council review.
2. Prior to the end of each fiscal year, the City Secretary shall provide the Mayor and City Administrator with an updated City ordinance index that highlights those ordinances requiring annual Council review; the Mayor shall, as soon as practicable, place those ordinances on the Council meeting agenda for required review and appropriate action.

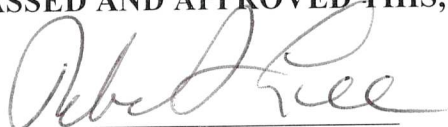
**Section X. Failure to Comply:**

A failure to comply with these rules does not invalidate any otherwise lawful act of Council.

**Section XI. Repeal of Nonconforming Resolution:**

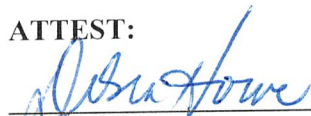
Ordinance 2006-17 is expressly repealed. To the extent that any other prior Ordinance, Resolution, Policy, or Guideline conflicts with this ordinance, it is hereby repealed.

**PASSED AND APPROVED THIS, the** 7th **day of** January, **2009**



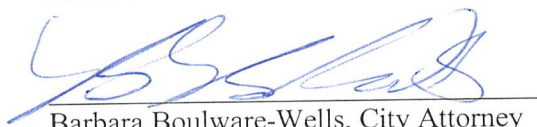
Robert Lee, Mayor

**ATTEST:**



Debra Howe, City Secretary

**APPROVED AS TO FORM:**



Barbara Boulware-Wells, City Attorney



**ORDINANCE 2011- 010**

**AN ORDINANCE REPEALING CHAPTER 2, ARTICLE 1, SECTION 2-8  
("FINANCIAL PLANNING") OF THE CITY OF CASTROVILLE, TEXAS CODE OF  
ORDINANCES**

**WHEREAS**, in 2009 the City of Castroville adopted Ordinance Number 2009-006, which, in part, codified certain financial planning and audit obligations; and

**WHEREAS**, the Texas Local Government Code regulates the requirement for an annual audit for general law municipalities; and

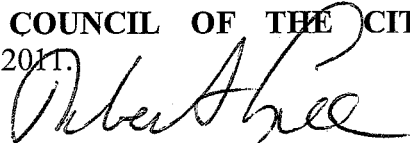
**WHEREAS**, the City of Castroville, since the adoption of Ordinance Number 2009-006 has implemented enhanced financial and purchasing procedures; and

**WHEREAS**, there is no longer a need to have the financial planning and audit obligations codified within the City's Code of Ordinances;

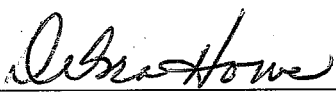
**NOW, THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTROVILLE, TEXAS:**

Chapter 2, Article 1, Section 2-8 ("Financial Planning") is hereby repealed, and the remaining sections of renumbered accordingly.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CASTROVILLE, TEXAS** on this, the 16<sup>th</sup> day of May, 2011.

  
\_\_\_\_\_  
ROBERT LEE  
Mayor  
City of Castroville, Texas

ATTEST:

  
\_\_\_\_\_  
DEBRA HOWE  
City Secretary  
City of Castroville, Texas

APPROVED AS TO FORM:

\_\_\_\_\_  
ROSS FISCHER  
City Attorney  
City of Castroville, Texas

ORDINANCE 2016- 003

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE I, SECTION 2-4 ("COUNCIL POLICY AND RULES OF PROCEDURE") OF THE CITY OF CASTROVILLE, TEXAS CODE OF ORDINANCES

WHEREAS, the City Council for the City of Castroville adopted Ordinance Number 2009-006, which set forth the Council Policy and Rules of Procedure;

WHEREAS, the City Council has seen fit to amend said Council Policy and Rules of Procedure such as with Ordinance 2011-010 by removing "Financial Planning";

WHEREAS, the City Council is desirous of keeping its citizens informed of Council meetings, and the agendas for such meetings;

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

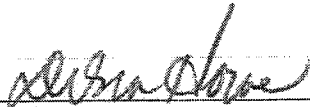
Chapter 2, Article 1, Section 2-4, Clause (i) is hereby amended as follows:

- (i) Notification: Notification of meetings shall be compliant with the Open Meetings Act and Public Information Act. The City Secretary shall transmit notice of a meeting to City Council Members, interested persons who have requested copies of a meeting notice, post a notice on the exterior public notice board at City Hall, and post the meeting notice on the homepage of the City's Official website.


PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CASTROVILLE, TEXAS, on this 27<sup>th</sup> day of October, 2015.

  
\_\_\_\_\_  
JEFFREY S. GARDNER  
Mayor

ATTEST:

  
\_\_\_\_\_  
DEBRA HOWE  
City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
HABIB ERKAN, JR.  
City Attorney

**ORDINANCE No. 2020-0013**

**AN ORDINANCE OF THE CITY COUNCIL OF CASTROVILLE, TEXAS AMENDING ORDINANCE NUMBER 2009-006 (ENTITLED RULES AND PROCEDURES FOR MEETINGS OF THE CITY COUNCIL OF THE CITY OF CASTROVILLE, TEXAS”); BY AMENDING THOSE PROVISION PROVIDING FOR RULES OF ENFORCEMENT AND PUBLIC AND MEDIA RELATIONS; PROVIDING FOR PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY; AND, PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, City Council adopted and amended its Rules of Decorum for City Council meeting by passage and approval of Resolution Number 143, and Ordinance Number 2009-006 as amended by Ordinance Number 2016-003 hereinafter the “Rules of Decorum”; and

**WHEREAS**, City Council deems it appropriate to amend the Rules of Decorum in furtherance of City Council’s collective value of dedication to public service ; and

**WHEREAS**, City Council finds these amendments will facilitate effective and efficient governance, encourage each Member to value their responsibility to each other, to the City’s professional staff, and to the public, and engender an atmosphere of respect, civility, and cooperation ; and

**WHEREAS**, it is City Council’s desire that the result of these amendments will be to cause City Council meetings to be a place where each Councilmember, staff member, and the public will be free to express their ideas and work to their full potential for the good of all our citizens so that each member may merit the respect and confidence of the citizens of the City of Castroville; and

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

**Section one. Code Amended.** The City of Castroville Code of Ordinances Chapter 2 (entitled “Administration”); Section 2-4 (entitled “Council policy and rules of procedures”) by adding the language that is underline (underlined) and deleting the language that is stricken (~~stricken~~) to the language set out in **Exhibit “A”** attached hereto and incorporated herein for all purposes.

**Section two. Code Amended.** The City of Castroville Code of Ordinances Chapter 2 (entitled “Administration”), Section 2-5 (entitled “Public contact/media relations”) by adding the language that is underline (underlined) and deleting the language that is stricken (~~stricken~~) to the language set out in italics (*italics*) below:

***Sec. 2-5. - Public contact/media relations.***

*Representative government is only successful when citizens are kept informed and educated about the issues facing their city; consequently, it is imperative that the media play an important role in the council*

and public relations. It is through an informed public that progress is ensured and good government remains sensitive to its constituents. The mayor and councilmembers recognize that the news media provide an important link between council and the public. It is council's desire to establish a professional working relationship to help maintain a well informed and educated citizenry.

(1) During the conduct of official business, the city shall designate adequate space for the news media. All reporters will receive an agenda in advance of council meetings and will be furnished support material needed for clarification if requested. The use of media equipment such as lights, cameras and/or microphones should be coordinated with the city administrator prior to the meeting to ensure that this equipment does not disturb or otherwise conflict with or disrupt the meeting or the council's activities.

(2) In order to avoid public confusion and ensure dissemination of the most accurate information possible, the mayor and councilmembers should defer to the city administrator, the city's chief executive agent, as primary point of contact for all media questions regarding daily operation and maintenance issues.

(3) Councilmembers are encouraged to hold periodic informational meetings, solicit citizen feedback, and otherwise share information of interest to constituents within their districts.

**Section three.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

**Section four.** All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

**Section five.** If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

**Section six.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

**Section seven.** The publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code.

**Section eight.** The City Secretary is hereby directed to publish notice of this Ordinance, in substantial form as **Exhibit "B"**, as required by Chapter 52, Subchapter B of the Texas Local Government Code.

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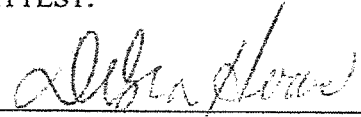
86 **Section nine.** This Ordinance shall be effective upon the date of final adoption hereof and any  
87 publication required by law.

88 Adopted by the City Council this 14<sup>th</sup> day of July 2020.  
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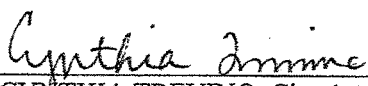
91 CASTROVILLE, TEXAS  
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96 DARRIN SCHROEDER, Mayor Pro Tem

97 ATTEST:

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101 DEBRA HOWE, City Secretary  
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103  
104 APPROVED AS TO LEGAL FORM  
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106  
107   
108 CYNTHIA TREVINO, City Attorney

## Exhibit "A"

## Amendment to Section 2-4

## Sec. 2-4. - Council policy and rules of procedure.

- (a) *Council's role: In order to ensure the proper discharge of duties for the improvement of democratic local government, councilmembers will display a level of behavior that demonstrates independent, impartial review of all matters addressed by them, and be duly responsible to the citizens of Castroville and each other in their relationships.*
- (b) *Mayor's role: The presiding officer of the council is responsible for conducting the meeting. When present and participating, the mayor shall serve as presiding officer at meetings of council. The mayor may participate in discussions of all matters coming before council. After each general election, council shall elect from among councilmembers a mayor pro tempore who shall act as mayor during the absence or disability of the mayor. If neither the mayor nor the mayor pro tempore are able to serve, the remaining councilmembers may by majority vote designate a councilmember to preside. The mayor shall preserve order and decorum during council meetings and shall require councilmembers engaged in debate to limit discussion to the question under consideration. The mayor is the spokesperson for the council on all official city occasions unless absent, at which time the mayor pro tempore will assume the role. The mayor will guide council discussions, respond to council questions, summarize issues and call items for council action. The mayor will encourage all councilmembers to participate in discussion and give each member an opportunity to speak before any member can speak again on the same subject. The total time an individual councilmember may speak on a discrete issue during a meeting will be limited to no more than 15 minutes, unless additional time is provided to the councilmember by a majority council vote.*
- (c) *Council meetings:*
  - (1) Regular meeting. *Council shall meet regularly at such place and times as prescribed by council, but no less frequently than twice each month unless otherwise resolved by council. Council shall adopt a resolution specifying the scheduled date/time/location and may amend the resolution as may be required from time to time.*
  - (2) Quorum. *Council must have a quorum to meet, deliberate, debate, and decide on any city business.*
    - A. *A quorum for a regular meeting is three councilmembers*
    - B. *A quorum for a special meeting is four councilmembers.*
  - (3) *The mayor may call a special meeting on the mayor's own motion and shall call a special meeting on the application of three aldermen. Each member of the governing body, the city secretary, and the municipal attorney must be notified of the special meeting. The notice may be given personally or left at the person's usual place of residence.*
  - (4) Workshops. *A workshop is considered a regular meeting if held on the regularly established meeting date and time and a special meeting if called by the mayor on the mayor's own motion or on the application of three aldermen. A council workshop may be held on any day of the week to consider, in detail, a particular subject or problem of city interest. Workshops emphasize interaction between mayor, council and staff in order to exchange information and develop approaches and possible positions for future council action. Council meeting rules and procedures may be relaxed during a workshop at the discretion of the mayor or presiding officer or by a majority of councilmembers. Notice of the workshop must be posted in compliance with the Texas Open Meetings Act.*

- (5) Agenda. An agenda for a regular or special called meeting shall be posted at least 72 hours in advance of the meeting in compliance with the Texas Open Meetings Act. When the agenda item requires a public hearing, the mayor or presiding officer shall request staff comment, allow for questions by council, open the public hearing for public comment, and close the public hearing.
  - (6) Attendance. Councilmembers are expected to attend all meetings and workshops and stay in attendance during each meeting. If for any reason a councilmember desires to leave a meeting or workshop prior to its termination, he/she will request the presiding officer grant a recess, adjournment or if a quorum of council members are present the meeting may continue. Council may compel the attendance of its members as set forth in Texas Local Government Code section 22.038.
  - (7) Conflicts of Interest. A councilmember prevented from voting due to a conflict of interest shall abstain from the debate, shall not vote in the matter, and shall otherwise comply with state law and ordinances concerning conflicts of interest.
  - (8) Participation. During council meetings and workshops, councilmembers shall assist in preserving order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the rules of the council.
  - (9) City Staff. Administrative staff and city employees shall observe the same rules of decorum applicable to councilmembers. All persons addressing councilmembers, including the city administrator, shall be recognized by the presiding officer and shall limit remarks to the matter under discussion. All remarks and questions addressed to the council shall be addressed to the council as a whole and not to any individual member.
- (d) Persons addressing the council:
- (1) Addressing the Council. At council meetings, council may hear comments from any citizen or visitor. Speakers must address their comments to the presiding officer rather than individual councilmembers, staff, or members of the audience; stand at the podium, speak clearly into the microphone and state name and residential address before speaking. If the speaker is speaking on behalf of an organization or group, the speaker shall identify the group. Only one person may address the council at any time unless otherwise allowed by council majority. Persons addressing council shall do so in a respectful and orderly manner without shouting or argumentative behavior or making personal, impertinent, slanderous, or profane remarks about any councilmember, city staff member, or a member of the general public. Speakers shall address council and staff respectfully and no shouting or argumentative behavior will be tolerated.
  - (2) Time to speak. Citizen comments will be permitted only at times specified on the published council agenda; speakers will be allowed a maximum of three minutes to speak; additional time may be extended by a council majority. The council, in its discretion may allow citizens comments at any other time as determined necessary.
  - (3) Lines of communication. The mayor and council encourage citizen input regarding their city concerns, questions, and suggestions. Council strongly suggests that citizens contact the City administrator and their district councilmember concerning specific issues prior to speaking at council meetings.
- (e) Members of the audience. No person in the audience at a meeting of council shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening, or abusive language, whistling, stamping of feet, eating or drinking, using tobacco or tobacco products, or other acts which disturb, disrupt, or otherwise impede the orderly conduct of any council meeting. Cell phones shall be turned off or set to silent or vibrate mode. Hats will not be worn in council chambers.

(f) Rules of enforcement:

- (1) Warning. The mayor or the presiding officer shall request that a person breaching any part of subsection (i), (d) or (e) above cease the disruptive conduct. If, after receiving a warning from the mayor or the presiding officer, the person persists in disturbing the council meeting, the mayor, the presiding officer, or a majority of council shall order the person to leave the council meeting. If such person does not remove himself, the mayor or the presiding officer shall first call for a ten minute recess to regain order; if order is not regained, the mayor or presiding officer may direct any on-duty law enforcement officer to remove that person or persons from council chambers.
- (2) Removal of member of audience: Any on-duty law enforcement officer shall carry out all reasonable orders and instructions given by the mayor or the presiding officer for the purpose of maintaining order and decorum at council meetings.
- (3) Removal of councilmember: A councilmember may only be removed from the council meeting after a vote is taken of the city council. If the vote is in favor of the councilmember, the councilmember shall be at liberty to proceed.
- (4) Civil and criminal penalties: The city may enforce the provisions of this article by injunctive relieve as well as prosecution for applicable criminal violations. An offense under this article is a misdemeanor and any person violating this article shall, upon conviction, be fined a sum not exceeding \$200.00. Each instance that a provision of this article is violated shall constitute a separate offense.

(g) Agenda item submission: Any councilmember may submit an item for placement on a council meeting agenda. The submitted item must be specific, contain an explanation of purpose, include background information, and state the date of the council meeting the councilmember wishes the item to be placed. An item for placement on the agenda must be submitted in person or electronically to the city secretary at city hall no later than 5:00 p.m. on the fourth business day prior to the date of the next council meeting. Items submitted to the city secretary after that time will normally be held over until the next regularly-scheduled council meeting, unless the item is of such importance that the mayor elects to place the item on an earlier agenda or calls a special city council meeting.(h) Placement on agenda: The mayor, working with the city administrator, will determine, using his best judgment, the most important items received for placement on the agenda. Any item that has been properly and timely submitted by a councilmember as described above shall be placed on the agenda of the council meeting. If the mayor, in his discretion, finds that there is insufficient background information submitted to adequately address the issue, he will so notify the councilmember and delay placement on the agenda until sufficient information is provided to the city secretary; a council majority may nevertheless place the item on the agenda for consideration during the next regularly scheduled meeting. Councilmembers are encouraged to contact the mayor or city secretary regarding any questions they may have about items that have been placed on an agenda.(i) Notification: Notification of meetings shall be compliant with the Open Meetings Act and Public Information Act. The city secretary shall transmit notice of a meeting to city council members, interested persons who have requested copies of a meeting notice, post a notice on the exterior public notice board at City Hall, and post the meeting notice on the homepage of the city's official website.(j) Agenda item consideration:

- (1) Ordinarily the mayor or other presiding officer will follow the agenda as posted; however, the mayor or the presiding officer generally maintains the option of addressing agenda items out of order to facilitate guests, reduce costs, or other factors. In addition,



*the mayor or presiding officer shall address agenda items out of order, table, or postpone any agenda item on the motion and majority vote of council.*

- (2) *Persons under retainer agreement or contract with the city for professional services (e.g., attorneys, engineers, auditors, etc.) shall only attend council meetings when specifically requested by the mayor, city administrator, or majority of councilmembers. These professionals shall be scheduled as early as possible on council meeting agendas to ensure a minimal expense to the city.*
- (k) *Minutes: Minutes of each council meeting, workshop, and public hearing shall be prepared by the city secretary and submitted to a subsequent council meeting for approval. The city secretary may distribute copies of the proposed minutes for review to the mayor and councilmembers prior to the council meeting. The minutes shall contain a brief narrative of council's deliberations, record all motions, and note council vote on each item. The city secretary shall maintain both a paper and electronic record of the approved minutes. Electronic copies of approved minutes will be posted on the city's official web site as soon as practicable.*

# Memo

**To:** Scott Dixon, City Administrator  
City Council Members

**From:** Bruce A. Alexander, Mayor Elect

*BAA*  
*5/8/25*

**Date:** May 8, 2025

**Re:** City Issued Cell Phones for Elected Officials and Senior Staff

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Please see the attached information that references cell phone use and the Texas Public Information Act;

In my opinion, the best way to separate personal use from business use, subject to open records requests and/or the records retention requirements, is to use separate devices for city business that are owned and/or managed by the city.

As the Superintendent of a local government and before as the Castroville Director of Public Works, I have carried separate cell phones for years to separate calls, texts, and email communications between personal and business use that may be subject to an open records request.

I strongly encourage all elected officials with the city of Castroville to do the same.

I disagree with the publication of personal phone numbers and use of personal devices to communicate official business of the city.

If you work (or have worked) for a governmental body in Texas, did you know the texts on your personal cell phone and the emails from your personal email address might be public information? In 2019, the Texas Legislature closed a loophole in the Texas Public Information Act (TPIA) to ensure that governmental bodies may obtain information stored on the private devices of their current and former officers and employees. Information stored on the privately-owned device of a current or former government official or employee may be subject to public disclosure unless the information falls within an exception under the TPIA.

Only “public information” is subject to disclosure under the Texas Public Information Act (TPIA).

“Public information” is defined to include information that is “written, produced, collected, assembled, or maintained under a law or ordinance or *in connection with the transaction of official business* . . . . by an individual officer or employee of a governmental body in the officer's or employee's official capacity[.]”<sup>[1]</sup>

Information is “in connection with the transaction of official business” if it is “created by, transmitted to, received by, or maintained by an officer or employee of the governmental body in the officer’s or employee’s official capacity, or a person or entity performing official business or a governmental function on behalf of a governmental body, and pertains to official business of the governmental body.”<sup>[2]</sup>

In other words, virtually all the information in a governmental body’s physical possession constitutes public information—and information stored on the privately-owned device of a current or former government officer or employee may also constitute public information.

Whether information is “public information” under the TPIA doesn’t depend on whether it’s in the possession of the governmental body or an individual. If the requested information is related to the governmental body’s business, the mere fact that it isn’t in the governmental body’s physical possession doesn’t remove it from the scope of the TPIA.<sup>[3]</sup>

And whether information is “public information” under the TPIA doesn’t depend on whether the governmental body purchased the electronic device or pays for the fees associated with the device. Information is within the scope of the TPIA if it relates to the official business of a government body and is maintained by a public official or employee of the governmental body.<sup>[4]</sup>

To the extent that requested information constitutes “information that is written, produced, collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business” by or for the governmental body, it is subject to disclosure under the TPIA and must be released unless an exception to disclosure applies.



In 2019, the Texas Legislature amended the TPIA to ensure that governmental bodies may obtain public information that is stored on private devices belonging to government officials and employees.

SB 944 added a new section to the TPIA—section 552.233—which provides that a “current or former officer or employee of a governmental body does not have . . . a personal or property right to public information the officer or employee created or received while acting in an official capacity.”<sup>[5]</sup>

A current or former government official or employee with possession, custody, or control of public information must surrender the information not later than the 10th day after the date the officer for public information of the governmental body requests it.<sup>[6]</sup> Failure to surrender the information “is grounds for disciplinary action by the governmental body . . . or any other applicable penalties provided by [the TPIA] or other law.”<sup>[7]</sup>

The governmental body itself is required by the TPIA to make to an attempt to obtain such records. Section 552.203(4) of the TPIA requires the governmental body's public information officer to make “reasonable efforts” to obtain public information from a current or former officer or employee of the governmental body if the public information officer “is aware of facts sufficient to warrant a reasonable belief that [such officer or employee] has possession, custody, or control of the information.”<sup>[8]</sup>

### **Preservation and destruction of records on privately-owned devices**

Current and former government officials and employees are also required to retain information on their privately-owned devices in accordance with applicable records retention laws. Section 552.004 of the TPIA states that a “current or former officer or employee of a governmental body who maintains public information on a privately owned device shall:

1. forward or transfer the public information to the governmental body [or server] to be preserved as provided by [records retention law]; or
2. preserve the public information in its original form in a backup or archive and on the privately owned device for the time described under [records retention law].”<sup>[9]</sup>

In other words, the TPIA places the burden on the government official or employee to either store or transfer to the governmental body the public information maintained on their private device(s), in accordance with applicable retention laws and policies.

Destroying, removing, or altering public records may constitute a criminal offense. Under section 552.351 of the TPIA, the willful destruction, mutilation, removal without permission, or alteration of public records is a misdemeanor punishable by (i) confinement in a county jail for a minimum of three days and a maximum of three months, (ii) a fine of a minimum of \$25 and a maximum of \$4,000, or (iii) both confinement and the

fine.<sup>[10]</sup> Government officials and employees should avoid using their personal devices for government business whenever possible, to avoid having to produce those communications in response to an open records request. Be careful what you say—you never know who might end up reading it.

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[1] Tex. Gov't Code § 552.002.

[2] *Id.*

[3] Op. Tex. Att'y Gen. No. OR2021-08701 (2021); Op. Tex. Att'y Gen. No. OR2011-13256 (2011).

[4] *Id.*



# CITY COUNCIL AGENDA REPORT

DATE: May 9, 2025

AGENDA OF: May 13, 2025

DEPARTMENT: City Secretary

SUBJECT: Review of ordinances

**RECOMMENDED MOTION:** No Action Required

**BACKGROUND:**

The Council policies and procedures were adopted by ordinance 2009-006 on January 7, 2009. The ordinance states the City Secretary shall index and review the city ordinances on an annual basis for required updates. This requirement of review of the ordinances was due to some city ordinances having renewal deadlines. One of the last ordinances was pertaining to Curfews and on September 1, 2023 a curfew for juveniles was no longer enforceable by State Law. The Comprehensive Plan is another document the State has recently removed the requirements for five year updates. An index for all of the ordinances by the year is ongoing.

**FISCAL IMPACT/SOURCE OF FUNDING:** ☐ Budgeted ☐ Requires Budget Amendment  
N/A – IF AWARDED, This project will be completed as part of the City’s adopted CIP.

**ATTACHMENTS:**  
Copy of Ordinance Index for 2023-2024

**Urgency (0-5 = Low Urgency to High Urgency):** \_\_  
**Impact (0-5 = Low Impact to High Impact):** \_\_\_\_

Submitted by: **Debra Howe**

- (a) This article shall be reviewed by council on an annual basis and may be amended or new rules adopted, by a majority vote of councilmembers at any time.
- (b) The city secretary shall ensure that a yearly comprehensive review of all city ordinances is performed and an index of these ordinances is compiled:
  - (1) The city ordinance index shall include, at a minimum, the series, number and title, date enacted, dates amended, date last reviewed, and any requirement for further council review.
  - (2) Prior to the end of each fiscal year, the city secretary shall provide the mayor and city administrator with an updated city ordinance index that highlights those ordinances requiring annual council review; the mayor shall, as soon as practicable, place those ordinances on the council meeting agenda for required review and appropriate action.

(Ord. No. 2009-006, § IX, 1-7-09; Ord. No. 2011-010, 5-16-11)

(Cont)

Mr. Frie told the council the next step was to present this material to the Planning and Zoning Board and write up the plan by the end of the month. He would be scheduling Public Hearings for citizen reviews in February and a Public Hearing for Council in March. Mr. Ross was asked when council could give input for the plan. Mr. Frie said their input was welcome anytime during the process. Mr. Frie gave a short review of the proposed FEMA map for Castroville. Mr. Frie said he had attended the meeting with Mayor Lee, Mr. Painter and Mr. Lally to discuss with FEMA the proposed changes. Mayor Lee explained that FEMA was proposing changes but could not answer how they were suggesting the changes to the flood plain maps without doing surveys of the areas. Mayor Lee said the proposed map showed major changes to the Castroville area and FEMA was reviewing the concerns brought to FEMA by them.

### VIII. OLD BUSINESS

- A. Discuss issues concerning residential business zone changes and set workshop date – Mayor Lee.

Mayor Lee said in the past the city had different attorney opinions on the issues in the buffer zone. Mayor Lee said two of the issues were how the land was used and was not zoned properly. Mayor Lee said there were concerns now and the council needed to look at redefining the zone. Mayor Lee wished to set a workshop to discuss further. **A motion was made by Councilman Stuart and duly seconded by Councilman Gardner to set the date of February 19<sup>th</sup> at 6:30 p.m. for a workshop to discuss business/residential zoning changes. A vote was taken (4:0 all ayes) the motion carried by all that were present.**

- B. Discuss and take possible action on Council Policies and Procedure Ordinance.

Councilman Gardner reviewed the city attorney's comments on the draft policies and procedure ordinance. Councilman Gardner agreed with most of the suggestions since they dealt with wording or format. Mr. Gardner along with the other council members agreed with the suggestion from Councilman Stuart to add to \_XX section, if a council member is excused and quorum remains the meeting may continue. Councilman Tschirhart questioned F.3 on the removal of a council member. Mr. Tschirhart said with a majority vote a council member could be removed and he felt this could be a problem if it is politically motivated. The rest of the council did not see a problem with the section as written. The council wished to leave in the financial additions to the policies and a request that once a year the City Secretary would submit a list of passed ordinances for council to review and any ordinances needing to be re-adopted.



(Cont)

**A motion was made by Councilman Stuart and duly seconded by Councilwoman McVay to adopt the draft ordinance with the recommended changes and have the council receive the final document for review. A vote was taken (4:0 all ayes) the motion carried by all present.**

Mayor Lee called a recess at 9:01 p.m.

Mayor Lee reconvened the meeting at 9:10 p.m.

\*Mayor Lee suggested moving up 9 B. setting a joint workshop with the chamber of commerce so that Ms. Albro would not have to continue waiting.

## **IX. NEW BUSINESS**

- B. Consider setting a date for a joint workshop with Council and the Chamber of Commerce to review agreements and budget – Councilman Stuart.

Tot Albro, outgoing president said in the past it had usually taken at least two hours to go over the chamber budget. Ms. Albro said this budget was more in depth than before and could take longer.

**A motion was made by Councilman Stuart and duly seconded by Councilman Tschirhart to set the date of January 22<sup>nd</sup> at 6:30 p.m. for a joint workshop with the chamber of commerce. A vote was taken (4:0 all ayes) the motion carried by all present.**

## **VIII. OLD BUSINESS**

- C. Review information on Credit Card use for city services – Middleton.

Mr. Middleton said the information in the packets had been spoke on before and like most other credit card companies there was a fee charged for the usage. Mr. Middleton said most cities absorbed the cost of the credit card use. The council agreed they did not want to pass the cost to other customers. Mayor Lee suggested Mr. Middleton and Mr. Painter research further and return with more information for council to review at the next meeting.

- D. Discuss and take possible action on results of City Board and Commissions survey to remain/combine or dissolve – Mayor Lee.

Mayor Lee said he had sent out a survey to all the boards and commissions asking what they thought of their boards staying separate, or combine with another or dissolve altogether. Mayor Lee said one board had already voted to dissolve and asked that they look at a new ordinance officially defining the boards.

## 2023 ORDINANCES

### Table of Contents

Section VIII, Item o.

<b><u>Ordinance #</u></b>	<b><u>Date Approved</u></b>	<b><u>Subject</u></b>
2023-001	10-25-2022	An Ordinance amending Ord. 2022-022, Exhibit “A”, FY2022-2023 Comp Fee Schedule, establishing and reestablishing fees and charges for activities and services provided by the city.
2023-002	11-08-2023	An Ordinance amending the City’s Impact Fee Ordinance (2018-006) by updating the Land Use Assumptions, Population and Land Use Projections, maximum and effective Impact Fees.
2023-003	11-28-2023	An Ordinance authorizing the City to enter into a development agreement with Castroville Holdings Co. LTD. and McCoy Jones Ventures, LLC and ordaining other matters in connection thereof.
2023-004	12-13-2022	An Ordinance designating an area within its corporate city limits as reinvestment zone number two City of Castroville(downtown commercial district), for Tax Increment financing purposes, pursuant to Chapter 311, as amended Texas Tax Code; creating a board of directors for such zone.
2023-005	01-24-2023	An Ordinance amending Chapter 18- Aviation of the City’s Code of Ordinances, repealing Division 2- Joint Airport Zoning Board in its entirety.
2023-006	01-24-2023	An Ordinance authorizing the City to enter into a development agreement with Castroville Holdings Co. LTD. and McCoy Jones Ventures, LLC.
2023-007	02-14-2023	An Ordinance calling a General Election for Saturday May 6, 2023 for the purpose of electing the positions of Mayor, District 1 and District 2.
2023-008	02-14-2023	An Ordinance authorizing the issuance of Combination Tax and Revenue Certificates of Obligation, Series 2023; providing for payment of said certificates by the levy of Ad Valorem Tax upon all taxable property within the city and further securing said certificates by a lien on and pledge of the pledged revenues of the system. Providing for the terms and conditions of said certificates and resolving other matters incident and related to the issuance, payment, security, sale, and delivery of said certificates.

2023-009	02-14-2023	An Ordinance calling a Special Election for Saturday May 6, 2023 for the purpose of electing the position of District 4 (unexpired term).
2023-010	03-14-2023	An Ordinance declaring an unopposed candidate for Mayor, District 1, and District 2, May 6, 2023 General Election elected to office.
2023-011	03-14-2023	An Ordinance declaring an unopposed candidate for District 4, May 6, 2023 General Election elected to office.
2023-012	03-28-2023	An Ordinance authorizing the city to enter into a development agreement with Lynn Tschirhart, Beverly Tschirhart, Charles Haby, Marilyn Haby, and NP Homes LLC; establishing a program of economic development; and other matters in connection therewith.
2023-013	04-11-2023	An Ordinance amending the FY22/23 Budget amending the General and Enterprise Funds in the amount of \$504,947.
2023-014	05-23-2023	An Ordinance amending Chapter 106 “Traffic and Vehicles” to amend Article V “Parking” to amend the Parking Zones to specify that the parking on Tondre Drive is prohibited; providing for Severability; and providing for an effective date.
2023-015	06-13-2023	An Ordinance authorizing the City to enter into a First Amendment to the Development Agreement with Victory Lane Partners, LTD. and ordaining other matters in connection therewith.
2023-016	08-22-2023	An Ordinance amending the City’s Code of Ordinances by Repealing Chapter 78-Offenses and miscellaneous provisions, Division 2 – Curfew in it’s entirety; and setting a retroactive effective date of September 1, 2023.
2023-017	08-22-2023	An Ordinance authorizing the City to enter into a Development Agreement with Dickerson Tausch Properties, LLC, Crown Money, LLC, and KF Flat Creek LP and ordaining other matters in connection therewith.

2023-018	09-12-2023	An Ordinance adopting the FY2023-2024 Annual Budget of the City of Castroville for the fiscal year beginning October 1, 2023 and ending September 30, 2024; and authorizing expenditures as therein provided.
2023-019	09-12-2023	An Ordinance providing for the extension of the city limits of the City of Castroville, Texas by the annexation of a tract of land containing 35.168 acres out of Outlot No. 2, Out Lots of Castroville, Castroville Tx. Medina Co. (Also Known as the Heights of Castroville/NP Homes LLC), and approving a service plan for such area; and other matters related thereto.
2023-020	09-12-2023	An Ordinance adopting the Comprehensive Fee Schedule for the City of Castroville for the fiscal year beginning October 1, 2023 and ending September 30, 2024.
2023-021	09-12-023	An Ordinance ratifying the property tax increase reflected in the fiscal year 2023-2024 Budget that will require raising more revenue from property taxes than in the fiscal, Year 2022-2023 Budget by \$157,450 or 10.22 percent and of that amt. \$20,276 is Tax Revenue to be raised from new property added to the roll this year.
2023-022	09-12-2023	An Ordinance setting the Ad Valorem Tax Rate for Tax Year 2023 at a rate of 0.5233 per one hundred dollars (\$100.00) valuation on all taxable property within the corporate limits of the city; specifying separate components of such rate for operations and maintenance and for debt service; providing for due and delinquent dates together with penalties and interest; providing for collection; repealing all other ordinances in conflict; and providing for an effective date.
2023-023	09-26-2023	An Ordinance authorizing a Budget Amendment to the General Fund, Enterprise Fund and Airport Fund of the City of Castroville, Texas adopted Budget for Fiscal Year 2022-2023 in the amount of \$1,210,771 to increase line-item Budget Accounts.

## 2024 ORDINANCES

### Table of Contents

Section VIII, Item o.

<b><u>Ordinance #</u></b>	<b><u>Date Approved</u></b>	<b><u>Subject</u></b>
2024-001	10-10-2023	An Ordinance updating Chapter 2, Administration, Article 1, in General, Section 2.2, Official Newspaper, of the Code of Ordinances, City of Castroville, Texas, establishing an Official Newspaper for the City.
2024-002	10-24-2023	An Ordinance accepting the request of KF Flat Creek LP to expand the City's Extraterritorial Jurisdiction by the addition of a tract of land containing 60.83 acres tract land, being a portion of a 153.76 acre tract of land, called 154.17 acres, and a portion of a 41.58 acre tract of land, called Tract 2, lying in the Joseph Fischer Survey No. 5, Abstract No. 1269, the Romanus Whitman Survey No. 4, Abstract No. 1348, and the L.M. Collard Survey No. 97, Abstract No. 129, Medina Co. Tx. into the Extraterritorial Limits; Providing a repealing clause; providing a severability and savings clause; and providing an effective date.
2024-003	11-14-2023	An Ordinance establishing rates to be charged for Electric, Gas, Water and Wastewater services provided by the City of Castroville, repealing ordinance No. 2022-003, Dated October 26, 2022.
2024-004	01-09-2024	An Ordinance providing for the extension of the city limits of the City of Castroville, Tx. by the annexation of a tract of land known as KF Flat Creek LP containing 123.23 acre tract of land, called Tract 1, being a portion of a 154.17, and a 131.46 acre tract of land, called Tract B, being all of a 41.58 acre tract of land, called Tract 2, all of 41.46 acre of land, called Tract 3, and all of a 48.41 acre tract of land, called Tract 4, of the John Fischer Estate Land Division, lying in the John Fischer Survey No.5, Abstract No. 1269, the L.M. Collard Survey No. 97, Abstract No. 1348, Medina Co. Tx adjacent to the City of Castroville, Tx City limits with a service plan.
2024-005	01-09-2024	An Ordinance amending Chapter 14- Animals of the City's Code of Ordinances; providing additional regulations for the control and care of animals in the city; establishing related service fees; establishing a penalty of not more than \$2,000.

2024-006	01-30-2024	An Ordinance amending the Comprehensive Fee Schedule for the City for the Fiscal Year beginning October 1, 2023 and ending September 10, 2024.
2024-007	02-13-2024	An Ordinance Calling the General Election for May 04, 2024 to elect the positions of District 3, 4 and 5 Councilmembers for a two year term.
2024-008	02-13-2024	An Ordinance Calling the Special Election for May 04, 2024 for qualified voters of the city to determine whether to sell the natural gas system. (defeated)
2024-009	02-27-2024	An Ordinance cancelling the General Election for District 3, 4, and 5 and declaring the unopposed candidates elected.
2024-010	04-09-2024	An Ordinance amending Chapter 106 “Traffic and Vehicles, Article V. “Parking” Section 106-107C “No Parking Zones” to prohibit parking on Southern Oak and Alsatian Oaks Parkway.
2024-011	07-23-2024	An Ordinance authorizing the issuance of Certificates of Obligation Series 2024 for \$1.5 million and pledging revenues of the Drainage system.
2024-012	07-23-2024	An Ordinance granting a zoning change from RA: Single Family Dwelling to Planned Unit Development District (PUD) for approx.32.443 acres and CH-E for approx. 2.725 acres, property ID. 12855, 12856, and 12857, located northeast of intersection Hwy 90 and 471N.
2024-013	07-23-2024	An Ordinance amending Ord. 107 and changing the zoning designation of approx. 35.168 acre tract of land out of OUTLOT No. 2, OUTLOTS of Castroville from RA: Single Family Dwelling to Planned Unit Development District (PUD).
2024-014	07-23-2024	An Ordinance granting a zoning change from RA: Single Family Dwelling to Planned Unit Development District (PUD)
2024-015	07-23-2024	An Ordinance amending Ord. 107by changing the zoning of approx. 123.23 acres, called Tract 1, being a portion of a 154.46 acre tract of land and a 131.46 acre tract of land, called Tract 2, all of 41.46 acre of land, called Tract 3, and all of a 48.41 acre tract of land, called Tract 4, lying in the John Fischer Estate Land Division,

2024 Ordinances  
Table of Contents  
Page  
(Cont.)

2024-015	07-23-2024 (Cont.)	L.M. Collard Survey No. 97, Abstract No. 1259, and the Romanus Whitman Survey No. 4, Abstract No 1348 from a RA: Single Family Dwelling District to a Planned Unit Development District (PUD); to be known as the Flat Creek Planned Unit Development.
2024-016	08-27-2024	An Ordinance creating a four-way stop intersection at the intersection of Athens and Berlin; authorizing the placement and maintenance of traffic control.
2024-017	08-27-2024	An Ordinance creating a four-way stop intersection at the intersection of Madrid and Fiorella; authorizing the placement and maintenance of traffic control.
2024-018	08-27-2024	An Ordinance creating a four-way stop intersection at the intersection of Florence and Geneva; authorizing the placement and maintenance of traffic control.
2024-019	09-10-2024	An Ordinance adopting the FY 2024-2025 Annual Budget for the fiscal year beginning Oct. 1, 2024 and ending September 30, 2024.
2024-020	09-10-2024	An Ordinance setting the Ad Valorem Tax Rate at 0.5233 per one hundred dollars valuation on all taxable properties.
2024-021	09-10-2025	An Ordinance ratifying the property tax increase reflected in the 2024-2025 Budget that will require raising more revenue from property taxes than previous year by \$25,219 or 1.47 percent.
2024-022	09-10-2025	An Ordinance adopting the Comprehensive Fee Schedule for the fiscal year beginning Oct. 1, 2024 and ending September 30, 2025.
2024-023	09-24-2024	An Ordinance on a budget amendment to the General Fund and the Enterprise Fund for fiscal year 2023-2024 in the amount of \$2,312,952 to increase budget line-item budget accounts.