



City Council Regular Called Meeting Agenda

COUNCIL CHAMBERS - 1209 FIORELLA STREET

Tuesday, October 14, 2025

6:00 PM

The City Council of the City of Castroville will meet in the Regular Called Meeting beginning at 6:00 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 September 23, 2025 Regular Called Meeting
- b.** Minutes for September 03, 2025 Special Called Meeting.
- c.** Approve cancelling the second meeting in November (25th) and December(23rd) and calling a Special Called Meeting for November 18th and December 16th, 2025.
- d.** Approve Ordinance appointing Hondo/Castroville Anvil as official newspaper for 2025-2026.
- e.** Approve an agreement with the Wildlife Habitat Federation to develop a Conservation Management Plan for the Castroville Regional Park
- f.** Approve the Medina Valley High School Facility Use Agreement.
- g.** Approve tasking the Parks and Recreation Advisory Board to review the requirements for parkland dedication for developments and recommend action for City Council consideration.
- h.** Approve tasking the Airport Advisory Board to review Chapter 18, Aviation, Division 3 Rules and Regulations; Section 18-51, through 18-78 and Castroville Municipal Airport Rules and

Regulations and provide recommendations on any changes/updates to the City Council for consideration.

- i. Approve tasking the Airport Advisory Board to develop a courtesy vehicle policy for City Council consideration.
- j. Approve a Resolution declaring vehicles & inoperable equipment as surplus and authorizing the City Administrator to dispose of such property in a manner beneficial to the city.

VII. Mayor's Report:

a. Utility Rates

b. Comprehensive Fee Schedule

c. Open Government

VIII. Discussion and Action Items

- a. Discussion and take appropriate action on assessment of user fees for payment transactions at the Payment Kiosk located at the Castroville Library.
- b. Consider and take appropriate action on application(s) submitted for open position(s) on City Boards and Commissions.
- c. Consider and take appropriate action on termination of the professional service agreement with McCall, Parkhurst & Horton, Bond Counsel for the City of Castroville.
- d. Consider and take appropriate action on directing staff to seek requests for qualifications for bond counsel services for the City of Castroville.
- e. Consider and take appropriate action on rescinding the Development Agreement Policy adopted August 27, 2024.
- f. Consider and take appropriate action to rescind Ordinance 2021-009 Subdivision, Article III. Procedures, Section 100-23 Submission of Preliminary Plat, d. exceptions adopted May 15, 2021.
- g. Discussion and possible action to adopt revisions to the City of Castroville Personnel Policies.
- h. Discussion and possible action on traffic control and traffic calming measures in District 4.
- i. Consider and possible action amending Ordinance 2003-019 to reduce the number of full board members on the Historic Landmark Commission and set appointment dates for June of each year for two-year staggered terms and reestablish the Architectural Design Review Board for Commercial Development in the CH East, CH Central and CH West Commercial Zones.
- j. Consider and take appropriate action on identifying areas for the storage of construction materials, spoils and debris associated with staging of infrastructure projects instead of city owned lot(s) in residential areas.
- k. Consider and take appropriate action to authorize the installation of temporary/permanent showers at the Regional Park pool.
- l. Consider and take appropriate action on a proposal from GoodRoads, Inc. for a citywide pavement and asset assessment, including software access for pavement management planning.
- m. Consider and take appropriate action on selecting a candidate for the Texas Municipal League (TML) Region 7 Director Election.

IX. City Administrator Report

a. The following report topics may be discussed and acted upon:

- a. Drainage Projects
- b. BMA Trail Access
- c. Streets, Maintenance and Paving Plan
- d. WWTP Ponds
- e. CPS Energy Dispute
- f. Community Center Construction
- g. Lions Park Splash Pad
- h. Facilitated Council Workshop
- i. Tourism/Marketing position

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 October 7, 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
September 23, 2025
Tuesday
6:00 P.M.
MINUTES**

I. CALL TO ORDER

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

II. ROLL CALL

Present:

Mayor Bruce Alexander	Scott Dixon, City Administrator
Mayor Pro Tem Sheena Martinez	Debra Howe, City Secretary
Councilmember Houston Marchman	Jim Kohler, Police Chief
Councilmember Phil King	
Councilmember David Merz	
Councilmember Robert Lee	

Others in attendance:

Daniel Jones, new City Attorney, Denton, Navarro, Rodrigues, Santee, Benal & Zech

III. PLEDGE OF ALLEIGENCE

IV. INVOCATION

Pastor Doug Steiner of the Discover Church 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.

No one requested to speak.

Councilmember Lee gave kudos to Billing Clerk Patricia Lanford for discovering high water usage through the new smart meters system and contacting him to check for a possible leak. Mr. Lee said that was the case and was very appreciative of her attentiveness and the new meter system.

Mayor Alexander introduced new City Attorney Daniel (Dan) Jones to the City Council before moving to next item.

VI. CONSENT AGENDA

- a. Minutes for September 9, 2025 Regular Called Council Meeting
- b. Minutes for August 26, 2025 Regular Called Meeting
- c. Discussion and appropriate action on a resolution to adopt the Investment Policy
- d. Approval of renewal of the annual contract with Texas Regulatory Consultants for the period of October 1, 2025-September 30, 2026, in the amount of \$115,000.00, as budgeted
- e. Approval of Operation Stonegarden Grant for the Purchase of a Police Tahoe

Councilmember Merz requested item C. be removed for further discussion.

A motion was made by Councilmember King and duly seconded by Councilmember Martinez to approve the consent agenda items a., b., d., and e. A vote was taken (5:0 all ayes) the motion carried by all present.

Councilmember Merz wished to recused himself from the discussion on item C. Investment Policy.

Councilmember Lee asked about the Investment policy and where the city's funds were invested and if staff were following the training requirements. City Administrator Dixon said the City had negotiated with the local bank for a higher interest rate to keep the funds local and they were insured by the US Treasury. Mr. Dixon said staff did follow the training requirements and he and City Finance Director Vidales were up to date and was scheduled for training this year.

A motion was made by Councilmember King and duly seconded by Councilmember Marchman to approve Item C. Investment Policy of the consent agenda. A vote was taken (4:0:1 recused (Merz) the motion carried by a majority vote.

Mayor Alexander asked if the new bond monies would be invested. Mr. Dixon said no, because of the legalities the City could not make money off of borrowed money.

VII. MAYOR'S REPORT

- a. FY26 Budget & Tax Rate
- b. Capital Improvements
- c. Citizen Involvement

Mayor Alexander read his report saying he had put the budget ordinance back on the agenda for review as he did not agree with the legal language in the ordinance and as such had not signed the budget ordinance.

Mayor Alexander said he did sign the tax rate ordinance. Mayor Alexander summarized the new budget included a new police position, street improvements and new debt for projects including streets, drainage, and water improvements. The City Council would be identifying the projects in a future meeting. Mayor Alexander stressed citizen input on what they wanted was needed for the City Council to meet those needs. Mayor Alexander encouraged citizens to be more involved by serving on the city boards and commissions.

VIII. PUBLIC HEARING

- a. Public hearing on a zoning change request for 1005 Alamo St. Castroville, TX 78009, approximately 1.32 acres located north of Highway 90. east of Alamo St., and south of Lafayette St. The current zoning of the property is CH-C, Central Commercial District. The proposed zoning for the property is C-G, Historic Central Business District

Open: 6:15 p.m.

City Administrator Dixon briefed the City Council on the request to change the zoning for 1005 Alamo Street from CH-C (Central Commercial District) to CG (Historic Commercial District). The property had historic structures but was not recognized in the Historic District. The Planning and Commission recommended approval.

No one requested to speak.

Closed: 6:18 p.m.

IX. **DISCUSSION AND ACTION ITEMS**

- a. Discussion and possible action on adopting an Ordinance for a zoning change request for 1005 Alamo St. Castroville, TX 78009, approximately 1.32 acres located north of Highway 90. east of Alamo St., and south of Lafayette St. The current zoning of the property is CH-C, Central Commercial District. The proposed zoning for the property is C-G, Historic Central Business District

A motion was made by Councilmember King and duly seconded by Councilmember Marchman to adopt an Ordinance for a zoning change request for 1005 Alamo St. Castroville, TX 78009, approximately 1.32 acres located north of Highway 90. east of Alamo St., and south of Lafayette St. The current zoning of the property is CH-C, Central Commercial District. The proposed zoning for the property is C-G, Historic Central Business District.

Discussion followed.

Councilmember Lee gave kudos to the new owners for requesting the zoning change to be protected under the historic guidelines in the future. Councilmember Merz said the request to change the property was not in line with the current City Comprehensive Plan land use and would need to be updated. The current land use map showed the property as single family residential, not commercial. Councilmember Lee was not in favor of keeping residential, in a commercial district and said the City Comprehensive Plan was a guide but not a requirement.

A vote was taken (5:0 all ayes) the motion carried by all present.

- b. Discussion and appropriate action on an Ordinance adopting the FY 2025-2026 Annual Budget for the Fiscal Year beginning October 1, 2025, and ending September 30, 2026, and authorizing expenditures as therein provided

Mayor Alexander said he brought this item back as he did not agree with the legal language. Mayor Alexander said the ordinance in the back up was different from the previous ordinance he was to sign. Mayor Alexander said the tax rate numbers were different. City Administrator Dixon said he understood that the Mayor was concerned with the ordinance language and his interpretation that it would remove City Council oversight but Mr. Dixon said staff would not over step council authority. Mr. Dixon said there would be a future workshop planned for staff and the City Council to have a better understanding of what projects and roles each played. Mr. Dixon said Mayor Alexander had concerns with outdated policies including the personnel policy and he agreed the policies needed to be brought up to date and would

bring back at a future meeting. Mayor Alexander said he took an oath to go by the rules, regulations, and ordinances. Mayor Alexander wanted the ordinances in line with the finances.

No action was taken as the ordinance had been approved by the City Council at the previous meeting.

Mayor Alexander moved to items f. and g. to accommodate the candidates in attendance.

- f. Consider and take appropriate action on a Resolution nominating a candidate for the election of the Medina Central Appraisal District Board of Directors for the 2026-2027 year

City Secretary Debra Howe briefed the City Council on receiving a resolution to nominate a candidate for the Medina Appraisal District Board. Ms. Howe said Cindy Malone was the current representative and would like to be renominated, her resume and letter to the City Council were included in the backup. Ms. Malone was in attendance for questions.

A motion was made by Councilman King and duly seconded by Councilman Martinez to adopt a Resolution nominating Cindy Malone for the election of Medina Central Appraisal District Board of Directors for the 2026-2027 year. A vote was taken (5:0 all ayes) the motion carried by all present.

- g. Consider and take appropriate action on application(s) submitted for open positions on Boards and Commissions

City Secretary Debra Howe briefed the City Council on the city receiving an application from Shari Biediger for an open position on the Library Advisory Board. Ms. Biediger was present and introduced herself to the City Council. Ms. Biediger spoke on her involvement on acquiring a digital grant for the Library. She would be mentoring two students, Breana Malone and Orlando Moralez from San Antonio University this fall on writing about the City.

A motion was made by Councilmember King and duly seconded by Councilmember Martinez to appoint Shari Biediger to the Library Advisory full board position (#4) for a two year term ending June 2027. A vote was taken (5:0 all ayes) the motion carried by all present.

Mayor Alexander reverted back to original order.

- c. Discussion and appropriate action on an Ordinance adopting the FY 2025-2026 Annual Budget for the Enterprise and Airport fund for the Fiscal Year beginning October 1, 2025, and ending September 30, 2026, and authorizing expenditures as therein provided

A motion was made by Councilmember King and duly seconded by Councilmember Martinez to approve an Ordinance adopting the FY 2025-2026 Annual Budget for the Enterprise and Airport fund for the Fiscal Year beginning October 1, 2025, and ending September 30, 2026, and authorizing expenditures as therein provided.

Discussion followed.

City Administrator Dixon briefed the City Council on the Enterprise and Airport Funds. Mr. Dixon said the new gas rates were not reflected in the Enterprise Fund and he would be doing a future forecast and bring back to the City Council.

A vote was taken (5:0 all ayes) the motion carried by all present.

d. Discussion and appropriate action on adopting Comprehensive Fee Schedule Ordinance

City Administrator Dixon briefed the City Council on the recommendations from staff, Mayor Alexander and Councilmember Lee.

A motion was made by Councilmember Merz and duly seconded by Councilmember King to adopt a Comprehensive Fee Schedule Ordinance with recommendations by Councilmember Lee. A vote was taken (4 ayes: 1 nay(Marchman)) the motion carried by majority vote.

Discussion followed.

Councilmember Lee had recommendations for tie down fees from \$35 to \$50; utility deposits Electric \$200, Water \$150, Gas \$100; eliminate after hours reconnect fee if disconnected for non-payment and increase EAA fees from .35 cents per 1,000 to .50 cents per 1,000 gallons, and .50 cents per 1,000 gallons for Water Acquisition fees. Mr. Lee recommended several other increases which were noted in the exhibit for City Council to review. Councilmember Merz was in favor of the changes Councilmember Lee had recommended including the lower utility deposits equaling \$450.00. Mayor Alexander had suggested \$200 deposit per utility. Councilmember Lee said he would be in favor of the increases to help offset bad debt. Mr. Lee said in the past the city had a large amount of bad debt due to customers leaving and having a balance not covered by the deposit. Councilmember Marchman asked the amount of debt for non-payment. City Administrator Dixon said he would need to look up. Councilmember Lee asked Mayor Alexander why he had recommended removal of the after hours reconnect fee. Mayor Alexander said he was recommending not doing any reconnects after hours. Councilmember Lee was against that idea as the City was there to serve the citizens and supported \$50.00 for all. City Council discussed further staff recommendations with modifications on deposits.

A motion was made by Councilmember Martinez and duly seconded by Councilmember Merz to reconsider recommendations by staff and modifications of recommendations by Councilmember Lee. A vote was taken (5:0 all ayes) the motion carried by all present.

A motion was made by Councilmember Merz and duly seconded by Councilmember Martinez to adopt a Comprehensive Fee Schedule Ordinance with staff recommendation, including Councilmember Lee recommendations, with additional changes to utility deposits at \$200 each, \$50 after hours reconnect fee, and .50 cents per 1,000 water acquisition fee with an effective date of October 1st. A vote was taken (5:0 all ayes) the motion carried by all present.

e. Discussion and appropriate action on adopting an Ordinance amending the FY 2025 Annual Budget

City Administrator Dixon briefed the City Council on the year end budget amendment. Mr. Dixon said the backup with explanation was included in the packets.

A motion was made by Councilmember King and duly seconded by Councilmember Merz to adopt an Ordinance amending the FY 2025 Annual Budget. A vote was taken (5:0 all ayes) the motion carried by all present.

h. Discussion and possible action on the Stakeholder Advisory Committee and public engagement opportunities for the Castroville Active Transportation Plan

City Administrator Dixon briefed the City Council on staff working on a Stakeholder Advisory Committee for an Active Transportation Plan after receiving a grant. Mr. Dixon said this had been brought to the City Council at a previous meeting with City Council members to provide a representative from each of their districts. The committee would consist of a City Council member, (1) P & Z member, (1) HLC member, (1) Parks Board member, (1) Business representative, (1) School District representative, (2) Community residents, and (1) TxDOT representative. Mr. Dixon said a list was provided for the City Council to consider and representatives from District 1 and 4 were still needed. Staff recommended: P & Z member – Jim Welch who also resided in District 3, HLC member – Doug DeMino – resided in District 2, Parks member – Adriana Calk resided in District 5, Business representative – Erin Braden, Harzheim Properties, MVISD Board member – Steven Conard, Health and Safety Director, and TxDOT representative (advisory) – Chip Perry. Councilmember Merz was chosen as the City Council liaison. Councilmember Lee preferred the members be residents of the city when possible

A motion was made by Councilmember King and duly seconded by Councilmember Marchman to approve the recommendations and appointing Councilmember Merz as the Council Liaison. A vote was taken (5:0 all ayes) the motion carried by all present.

i. Consider and possible action on reduction of full board members on the Historic Landmark Commission and set appointment dates for June of each year for two year staggered terms

Skipped – no information. This item would be brought back.

j. Discussion and possible action on formation of an Impact Fee Advisory Committee

City Administrator Dixon briefed the City Council on needing new members for the Impact Fee Committee. Due to changes made by the State Planning and Zoning members could not make up most of the committee as before.

A motion was made by Councilmember King and duly seconded by Councilmember Marchman to create a new committee per State guidelines and bring back by-laws for City Council consideration. A vote was taken (5:0 all ayes) the motion carried by all present.

k. Discussion and appropriate action to adopt a resolution to dissolve the Castroville Economic Development Corporation

Councilmember Merz said this item had been discussed at a previous meeting. Councilmember King suggested not dissolving, just not be active as he felt the city had spent money on forming this corporation and the board may be needed in a few years.

A motion was made by Councilmember Martinez and duly seconded by Councilmember Lee to adopt a resolution to dissolve the Castroville Economic Development Corporation. A vote was taken (5:0 all ayes) the motion carried by all present.

(Cont.)

l. Discussion and possible action on traffic control and traffic calming measures in District 4

Skipped – Councilmember Merz stated he could not provide backup material for his item before deadline so he had requested to move to following meeting.

m. Consider and possible action on formation of a Design Review Board for Commercial Development

Skipped – no information. This item would be brought back.

X. CITY ADMINISTRATOR REPORT

- a. Drainage Projects
- b. Highway 90 TxDot Construction
- c. Streets, Maintenance and Paving Plan
- d. WWTx Plant Ponds
- e. CPS Energy Dispute
- f. Community Center Construction
- g. Lions Park Splash Pad
- h. Community Development
- i. Economic Development
- j. Airport Operations
- k. Library
- l. Code Compliance
- m. Animal Control
- n. Police Department
- o. Tourism - Business

City Administrator Dixon briefed the City Council on his report adding employee Max Lunstrom had received his Class B Wastewater License. Officer John Sapper was working on police grants.

Councilmember Martinez asked about the recent departure of the Gas Superintendent and the next steps to fill the position. Mr. Dixon said the position would be filled with a second technician. Council asked about the issues with the BMA canal/trails and if they would be fencing off. Mr. Dixon said they would not and was unaware of any issues until the city received the termination letter. Mr. Dixon said limiting access to the canal with gated entrance was to have been done by the city in the previous agreement. Mr. Dixon said if it was worked out he would be coming back to the City Council for discussion on funding options for electric fencing/gating. Mr. Dixon said the City Council may wish to appoint a representative to speak with the BMA. Mayor Alexander announced he has been invited by CPS to breakfast with CPS representatives and the San Antonio Mayor the following day would give a report back to the City Council. Mayor Alexander said kudos to Helen Delevan as he had met with Representative Tony Gonzales and Mr. Gonzales spoke very highly of Helen Delevan on her involvement with the Regional Park over the years. No further comments.

XI. DISCUSSION ON FUTURE AGENDA ITEM

City Administrator Dixon said he and the Mayor had spoken and he would look at facilitators for a future

(Cont.)

workshop. Mayor Alexander said he as East Medina Water representative , Mr. Dixon, and RESPEC had met with a desalination group. Councilmember Martinez wished to discuss at the next meeting the \$3.5 million for projects since the city had received the funds. Mr. Dixon said he would like to wait for the costs for the remodel of City Hall was included in the projects. Mr. Dixon would also be looking at a CIP workshop on projects. Councilmember Merz’s traffic calming item for would be on next agenda. Councilmember Lee would be submitting items on tasking the Airport Advisory Board to review Chapter 18, and look at installing temporary outside showers at the pool for safety. Councilmember Lee wanted information on the number of parking spaces currently at the City Hall and what would be needed with the expansion. Mr. Dixon said he would provide the information.

XII. ADJOURN

Mayor Alexander adjourned the meeting at 7:58 p.m.

Mayor

ATTEST:

City Secretary

**CITY OF CASTROVILLE CITY COUNCIL
SPECIAL CALLED COUNCIL MEETING
1209 Fiorella
City Council Chamber
September 03, 2025
Tuesday
5:00 P.M.
MINUTES**

I. CALL TO ORDER

Mayor Bruce Alexander called the meeting to order at 5:03 p.m.

II. ROLL CALL

Present:

Mayor Bruce Alexander

Mayor Pro Tem Sheena Martinez

Councilmember Phil King

Councilmember David Merz

Councilmember Robert Lee

Scott Dixon, City Administrator

Debra Howe, City Secretary

John Gomez, Public Works Director

Absent:

Councilmember Houston Marchman

II. 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.

Brenda Haby spoke to Mayor Alexander before the meeting on a request for \$600.00 for new bows for the bridge decorations and better lighting for September Square.

III. DISCUSSION AND ACTION ITEMS

- a. Discussion and possible action on Budget Presentation #5 for Fiscal Year 2025-2026, including the General Fund, Enterprise Fund, and Airport Fund; review of the DRAFT Comprehensive Fee Schedule; and consideration of dissolving the Castroville Economic Development Corporation as part of the overall budget discussion**

Mayor Alexander said he requested this meeting to finalize the General Fund Budget. Mayor Alexander said the City Council only had to pass a General Fund Budget not the Enterprise or Airport Funds at the same time. Mayor Alexander said there would not be any action taken at this meeting. City Administrator Dixon gave an overview of the proposed \$5.45 million FY 25-26 budget with \$250,000 out of the fund balance for street improvements included. The City Council reviewed all of

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(Cont.)

the departments again and Council questioned why some of the requests from the Library had already been completed out of the current year's fund balance. City Administrator Dixon said his understanding at the meeting when the requests were discussed he had a consensus of the City Council to move forward with the projects. Some City Council members were confused and thought the projects would be completed in the coming year. Mr. Dixon said he had misunderstood their intent and completed the projects. Councilmember King and Merz felt the City Administrator could move forward with smaller projects without coming back to the City Council. Mayor Alexander said there were concerns about spending under the Special Events Activities line item and wanted it to be placed under the City Council with intended use spelt out. Councilmember Merz questioned if it was better practice by placing the full \$38,500 under the City Council with a list and then doing one large transfer. Mr. Dixon asked what the concerns were and from whom. Mayor Alexander said it was citizens. Councilmember King and Merz did not need to have a breakout, just the bottom line of the expenditures. Councilmember Martinez said she did not need a breakout, just details of what made up the line item. Mayor Alexander asked to have more details on outside services in the departments. Councilmember Lee asked about the salary breakout for the various employees with funds coming from the Enterprise Fund. Mr. Lee said to have a better picture of what each of the employees paid from more than one fund he would like to see a total shown. Councilmember Lee wanted the transfers to the General Fund from the other funds to be broken out and what they were being spent on for better transparency. Mayor Alexander said in the last year the citizens had become concerned with the city spending and wanted more detail in the budget. Mr. Dixon said there were ways to get the information out to the public and staff would work on this. Councilmember King felt the police department budget always increased and may need to look at staffing levels. City Council members agreed to a future workshop on police resources and recruitment. Councilmember Martinez said she was in favor of just having ear markers for the funds, not necessarily details. Councilmember Merz said he felt to earn the trust of the citizens the City needed to show the citizens what the taxpayers' money was being spent on, i.e. street maintenance, parks upkeep etc. Mayor Alexander asked about the number of full-time positions shown in the Library, outside services in the City Secretary's Budget, and the funds budgeted for keeping the police vehicles maintained and fuel costs were enough. Mayor Alexander said the certification pay shown in the budget for employees was not being followed as per the personnel policies. Mayor Alexander said the job descriptions also needed to be updated. Councilmember Merz agreed if this was a big deal as the City had trouble with retaining employees. Mr. Dixon said that was correct and he would be bringing back the personnel policy with updates. The City Council continued to identify other items discussed at previous meetings, including municipal court salary increases offset by revenue increases and engineering costs pass threw to customers. Mayor Alexander spoke on his understanding of the \$250,000 from the reserves would be for drainage projects and possibly streets. Councilmembers were not in agreement and said the \$250,000 had been included for street maintenance, the drainage projects were covered by bond money. City Administrator Dixon said to do in-house street repairs and bar ditch maintenance, the City would need additional personnel. Mr. Dixon said at this time the street crews were working on the Geneva/Gentilz Street drainage and the wastewater ponds. Mr. Dixon said the cost of HR/Payroll services provided by ADP was shown at \$90,000. Mayor Alexander felt the Finance Department could do this and the city had legal counsel for HR services. Councilmember Lee felt the city could do it in-house. Councilmember King suggested they look at the contract.

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(Cont.)

Mayor Alexander recessed the meeting for a short break at 7:09 p.m.
Mayor Alexander reconvened in open session at 7:19 p.m.

The Airport Fund was discussed by the City Council with the \$20,000 removed from the expenses and there were questions on why the Airport was requesting to purchase a starter for planes. Councilmember Martinez said the board had recommended due to a few planes needing to be jumped off. Ms. Martinez said the board was wanting to look at paving in front of Lauderdale hangar and courtesy vehicles. Mr. Dixon said there may be a police vehicle, if they received a grant, and the tourism vehicle. Councilmember Merz asked about the contract with Airport Consultant Chuck Friesenhahn not shown in the FY25-26 budget. Mr. Dixon said Mr. Friesenhahn was not on retainer any longer but on an as needed basis. Mr. Dixon said the outside services consisted of Fuel and lights. Mayor Alexander asked if the amount shown was enough for fuel. Mr. Dixon said it was, and the Ramp Grant was shown as \$100,000 and he would make sure this amount was correct. The Ramp Grant was a 90/10 match now and might have been shown as the full amount not the matching portion. The electric fees were looked at with the City only being able to charge the usage, no markup, and Councilmember King suggested a possible administration fee. Councilmember Lee said the City needed to look at ways to get corporate jets to register in Castroville to receive ad valorem taxes. Councilmember Martinez said this was in the five-year plan. Mr. Dixon said corporate jets needed a certain width and length of runways for insurance to cover. Mr. Dixon said the City would have to improve the runways to have them come in. City Staff was tasked to look at right of way costs. The City Council consensus was good with the General Fund and Airport Funds. Mr. Dixon said in the Enterprise Fund the gas had no data to go by, and the budget was an estimate of what they thought it would be. Mayor Alexander said he would like a meeting with City Administrator, Public Works Director, the Gas Foreman and himself to go over the history of the operation. Mr. Dixon said Simon Pena, Gas Consultant, was looking at staffing, using TRD for training, bookkeeping and reporting with a reduction each year. Mr. Dixon said Mr. Pena was an auditor with expenses depending on how the City did. Mayor Alexander suggested reassigning some of the employees in the electric department and providing cross training. Councilmember Merz clarified the electric department budget had line maintenance including tree trimming. The salaries in electric and sewer were to be clarified. The City Council needed to decide where the water overages fees collected were to be placed. Mr. Dixon said the highest user – the car wash did not have to bring water rights and thought this should be looked at. Councilmember Lee agreed and said the fees needed to be looked at regarding car washes. Mayor Alexander said there seemed to be two-line items the same for outside services and needed to be checked. The City Council wanted to look at the user fees associated with Kiosk. The City Council looked at the Castroville Cares Program with the possibility of reducing the funds the City provided to help citizens with their utilities. The General Fund, Airport, and Enterprise Funds were balanced. Staff was tasked to answer the questions from the meeting, make sure the \$270,000 bond payment was shown in the budget, provide written detailed notes for line items discussed, transfers clarity, and look at the schedule for possible increases to recover more money. Councilmember Lee felt they should look at fees associated with developments to include in the comprehensive fee schedule. Mr. Dixon said those fees associated with developments were not a set amount but negotiated. There was no further discussion.

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IV. ADJOURN

Mayor Alexander adjourned the meeting at 9:03 p.m.

Mayor

ATTEST:

City Secretary



CITY COUNCIL AGENDA REPORT

DATE: 10-10-2025

AGENDA OF: October 14, 2025

DEPARTMENT: City Secretary

SUBJECT: Cancelling second council meeting in November (25th) and December (23rd) 2025 and calling Special Called Meeting for November 18th and December 16th.

RECOMMENDED MOTION: Consent Item

I move to cancel the second regular called council meetings in November and December 2025 and calling Special Called Meetings for November 18th and December 16th.

BACKGROUND

The City Council has traditional canceled the second meeting in November and December due to the close proximity to the holidays. The first meeting in November (11th) falls on Veterans Day, a city holiday and the first meeting in December (9th) Mayor Alexander has a conflict.

FISCAL IMPACT/SOURCE OF FUNDING: N/A

Budgeted ☐ Requires Budget Amendment

ATTACHMENTS: None

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

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

Submitted by: **Debra Howe**



Agenda Report

Agenda of: October 14, 2025

Department: Mayor

Subject: City Council Meetings for Remainder of 2025

Recommended Motion: Consent Agenda

Approve cancelling the second city council meetings for November 2025 and December 2025 and setting Special City Council meeting dates of November 19, 2025 and December 16, 2025.

Background:

The Castroville Code of Ordinances requires City Council to meet twice each month unless approved by City Council Resolution.

A Special City Council meeting for November 19, 2025 and December 16, 2025 to service as the one City Council meeting for each month per the attached email distributed to City Council on September 30, 2025.

Fiscal Impact:

None at this time.

☐ Budgeted ☐ Requires Budget Amendment

Source of Funding:

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

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

Submitted by: Mayor Alexander



CITY COUNCIL AGENDA REPORT

DATE: October 10, 2025

AGENDA OF: October 14, 2025
DEPARTMENT: City Secretary
SUBJECT: Designate Official Newspaper

RECOMMENDED MOTION: I move to adopt an ordinance designating Castroville/Hondo Anvil as the official newspaper.

BACKGROUND:

Local Government Code 52.004 states at the beginning of the fiscal year the city must designate an official paper as soon as practicable. The Castroville/Hondo Anvil is the current official newspaper.

FISCAL IMPACT:

☒ Budgeted ☐ Requires Budget Amendment

SOURCE OF FUNDING:

ATTACHMENTS: Ordinance

Urgency (0-5 = Low Urgency to High Urgency): __
Impact (0-5 = Low Impact to High Impact): __

Submitted by: Debra Howe

ORDINANCE NO. XXXXXX

**AN ORDINANCE UPDATING CHAPTER 2, ADMINISTRATION,
ARTICLE I, IN GENERAL, SECTION 2.2, OFFICIAL NEWSPAPER,
OF THE CODE OF ORDINANCES, CITY OF CASTROVILLE,
TEXAS, ESTABLISHING AN OFFICIAL NEWSPAPER FOR THE
CITY.**

AMENDATORY ARTICLE I

CHAPTER 2, ARTICLE I, SECTION 2.2 is hereby updated and shall henceforth read as follow:

Sec. 2.2 Official newspaper

(a) In accordance with V.T.C.A., Local Government Code § 52.004, the Castroville/Hondo Anvil is hereby designated the official newspaper of the city effective October 14, 2025.

(b) All ordinances, notices and other matters required to be published by law or by ordinance of the city shall be published in the Castroville Anvil.

PASSED AND ADOPTED this _____ day of October, 2025

Mayor

ATTEST:

City Secretary

APPROVED:

City Attorney



CITY COUNCIL AGENDA REPORT

DATE: September 18, 2025

AGENDA OF: October 14th, 2025

DEPARTMENT: Parks & Recreation Department

SUBJECT: Consider and take appropriate action on the City of Castroville entering into a non-binding agreement with the Wildlife Habitat Federation to develop a Conservation Management Plan for the Castroville Regional Park with the understanding that there will be no cost to the City of Castroville.

RECOMMENDED MOTION: Please provide a recommended motion for the related item.

CONSENT: I move to authorize the City of Castroville to enter into a non-binding agreement with the Wildlife Habitat Federation to develop a Conservation Management Plan for the Castroville Regional Park with the understanding that there will be no cost to the City of Castroville.

BACKGROUND:

In July and August 2025, both the Friends of Castroville Regional Park (FCRP) and the Parks and Recreation Advisory Board voted unanimously to recommend that the City of Castroville enter into a non-binding agreement with the Wildlife Habitat Federation (WHF). The purpose of this agreement is to develop a Conservation Management Plan for Castroville Regional Park, ensuring long-term stewardship of the park's natural resources. Both organizations emphasized that this partnership would be provided at no cost to the City of Castroville or to FCRP, making it a beneficial opportunity to enhance conservation efforts without financial impact on the community.

FISCAL IMPACT/SOURCE OF FUNDING: ☐ Budgeted ☐ Requires Budget Amendment

ATTACHMENTS:

- Letter to Mayor and Council re.Wildlife Habitat Federation Final
- Parks board letter- WHF – Aug 2025

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

Impact (0-5 = Low Impact to High Impact): 4

Submitted by: Jonah Chang



WHF/LANDOWNER COOPERATIVE AGREEMENT

WHF AGREES TO:

1. Provide technical assistance at **NO COST** to the landowner
2. Provide a Progressive or RMS Level management plan to achieve your conservation goals for your property
3. Assist in applying for cost share funding, as applicable, for prescribed conservation practices
4. Provide additional assistance during the implementation and monitoring period as needed and requested

THE LANDOWNER AGREES TO:

1. Consider all conservation practices WHF recommends in the management plan
2. Allow WHF to input the finalized conservation plan into the USDA- NRCS Conservation Desktop

I understand that the resulting management plan is not a binding contract, but is a plan that will be voluntarily carried out by the City of Castroville.

Neither party will be liable for damage to other's property resulting from carrying out this agreement unless damage is caused by negligence or misconduct

City of Castroville , Landowner (Print) City Hall Mailing Address 1209 Fiorella Street, Castroville, TX 78009 Phone: 830-931-4070, Fax: 830-931-6373	Physical Address of Project Property Castroville Regional Park, 816 Alsace St. Castroville, TX 78009
Landowner Representative Scott Dixon, City Administrator, City of Castroville, TX 1209 Fiorella Street, Castroville, TX 78009 Phone: 830-931-4070, Fax: 830-931-6373 Scott.Dixon@castroville.tx.gov	Wildlife Habitat Federation (WHF) PO Box 75 Cat Spring, TX 78933 210-422-1600
Landowner Representative, Scott Dixon Signature	
<div style="text-align: right;">DATE</div>	
Wildlife Habitat Federation (WHF) Representative, Patrick Conner Signature	
<div style="text-align: right;">361-815-7884 DATE</div>	



July 30, 2025

To: Mayor, City Administrator and City Council, City of Castroville
From: Helen Delavan, President, FCRP
Re: Recommendation from FCRP

By a unanimous vote, the Friends of the Castroville Regional Park, hereby recommend that the City of Castroville enter into a non-binding agreement with the Wildlife Habitat Federation to develop a Conservation Management Plan for the Castroville Regional Park with the understanding that there will be no cost to the City of Castroville nor to our organization.

Thank you

Board Members:

Helen Delavan
Teri Barrow
Gary Irish
Kyle McVay
Troy Wagner
Patrick Conner

August 17, 2025

Re: Wildlife Habitat Federation Non-Binding Agreement for Regional Park

To Mayor Alexander and City Council,

The Parks and Recreation Advisory Board recommends that the City of Castroville enter into a non-binding agreement with the Wildlife Habitat Federation to develop a Conservation Management Plan for the Castroville Regional Park with the understanding that there will be no cost to the City of Castroville. The Parks Board voted unanimously for this recommendation in our August meeting.

Thank you for your consideration.

Adriana Arrington-Calk
Parks and Recreation Advisory Board, Chair
Castroville, Texas



Agenda Report

Agenda of: 10/14/2025

Department: Parks & Recreation

Subject: Medina Valley High School Facility Use Agreement

Recommended Motion:

CONSENT: I move to authorize the Facility Use Agreement between the City of Castroville and Medina Valley High School Swim Team.

Background:

The City of Castroville and Medina Valley Independent School District (MVISD) have negotiated a Swim Facility Use Agreement for the City Pool located at 816 Alsace Ave. This agreement grants MVISD the right to use the facility for swimming practices during the school year. The agreement outlines responsibilities for both parties, including scheduling, equipment use, maintenance, insurance, and safety requirements.

Under the terms, MVISD will have exclusive use of the pool during agreed practice and event times, while the City retains use at all other times. The City is responsible for daily operations, maintenance, and lifeguards during practices. A user fee of \$150 per swimmer plus lifeguard coverage fees(\$60 per practice) will be paid to the City. The agreement is for a one-year term with annual renewal unless either party gives notice of termination.

This partnership supports student athletics while ensuring continued community access and responsible management of City resources.

Fiscal Impact: None

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

Funding Account Code:

Attachments:

- 2024 Swim Facility Use Agreement
- 2025 Swim Facility Use Agreement

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

Impact (0-5 = Low Impact to High Impact): 2

Submitted by: Jonah Chang, Director of Parks & Recreation

**City of Castroville
Swim Facility Use Agreement
With MVISD**

THIS SWIM FACILITY USE AGREEMENT (“Agreement”) is made and entered into by and between the **CITY OF CASTROVILLE, TEXAS**, a Home Rule Municipality and political subdivision of the State of Texas (“City”), and the **MEDINA VALLEY INDEPENDENT SCHOOL DISTRICT**, a Texas Independent School District, also a political subdivision of the State of Texas (“MVISD” or “District” for use of the City Pool located at 816 Alsace Ave, Castroville TX 78009 (“Swim Facility”). City and District may be referred to individually as Party or collectively as the Parties.

Section 1. Grant of Right to Use and Term

1.1 Grant of Right. City hereby grants the District the right to use the Swim Facility and equipment specified in this Agreement, on an exclusive basis during Scheduled Dates and Times, as defined herein, on the terms and conditions set forth herein. This Agreement will remain in full force for a term of one (1) year[s], (“Initial Term”) The Initial Term will automatically renew for successive one (1) year terms upon written request to continue with the license herein granted; unless, not later than sixty (60) days prior to the expiration of the then current term, either party notifies other, in writing, of its intention not to renew this Agreement. All terms and conditions contained in this Agreement shall apply to said renewal terms.

Section 2. Permitted Use and Responsibilities of the Parties.

2.1 District Uses and Responsibilities.

2.1.1 Swim Facility Use. The District shall use the Swim Facility only for the purposes of conducting its regular swim practices, competitions and other scheduled special events and activities directly related thereto. The Swim Facility may not be used for any other purpose by the District. Only authorized District swim team participants, District invitees, and District coaches and associated swim team personnel may use the swimming pool during the periods listed above. District will take necessary measures to assure that swim team participants do not use the swimming pool at any time, unless under the direct supervision of an authorized coach. With the exception of a parent or guardian, students may not bring any guests, visitors, or invitees with them to the Swim Facility, without making prior arrangement for such visit with the District and the City Parks and Recreation Director.

2.1.1.1 Practice Times: The District shall have use of the Swim Facility, each day during its regularly scheduled swim team practice times (“Practice Times”), as follows:

September 1st – 2nd Friday of February

DAYS	HOURS
Monday- Friday	6:30 AM – 8:30 AM

Practice Times reflected above may be changed by agreement from both The City and The District, and such change shall be documented by execution by both parties of an “Exhibit A”, dated to reflect its effective date and which upon being appended to this document shall modify the Agreement.

2.1.1.2 Scheduled Special Events Use. The District shall have use of the Swim Facility, for District Swim Team competitions and other special events not a part of regularly scheduled practices ("Special Events").

a. Scheduling. Not later than __August 15th, each year of this Agreement, District shall provide requested practice times, and projected dates for all scheduled Special Events. Thereafter, District staff and City Parks and Recreation staff shall meet and arrive at a final schedule for the following School Term. The agreed dated Term Schedule shall be appended to this Agreement for each term of this Agreement as **Exhibit A-1** and shall become a part hereof by reference. Once such schedule is established the District shall be entitled to exclusive use of the Facility during the scheduled dates and times absent an emergency. To the extent the entire Facility is not needed for a particular date or time on the schedule, the District shall provide this information to City at the time of scheduling and the unused portions of the Facility may be used by City for its purposes. If an event is required to be cancelled, the District will provide reasonable notice to City based upon the circumstances requiring the cancellation. Additional dates can be added to the scheduled dates at any time but shall be subject to availability of the Facility on the date requested. The District and City agree to reasonably cooperate to schedule the use of the Facilities in a manner consistent with this Agreement, to provide the greatest benefit to the students of the District and City residents.

2.1.2 Equipment Use.

2.1.2.1 Use of City Equipment. The District agrees that to the extent it uses City Equipment at the Swim Facility, it will safeguard such property and exercise reasonable care in its utilization. The District shall instruct team members in the proper use and care of City equipment and agree to report any problems or repairs needed to such equipment to the appropriate City personnel. The District shall be responsible for the repair of damage to the Swim Facility or City equipment, which is not attributable to normal wear and tear, and is caused by its students, team members, volunteers or guests.

2.1.2.2 District Equipment. District agrees to safeguard, maintain and inventory its equipment brought onto Swim Facility premises ("District Equipment") and promptly report any incidence of stolen, missing, damaged or destroyed District Equipment. Notwithstanding the foregoing, in the event that any District Equipment is damaged, destroyed or stolen, while it is on Swim Facility premises, the District shall be solely responsible for repair or replacement of such equipment. A District Equipment Inventory shall be provided annually to the Parks and Recreation Department.

2.1.2.3 Storage. City shall allocate reasonable space for the storage of the District Equipment.

2.2 City of Castroville Use and Responsibilities.

2.2.1 Use. Except in emergency situations, for those periods of time during which the District and City have agreed that the District shall have the exclusive use of the Swim Facility, City's right to use the Swim Facility shall be subordinate to the District's right and the District shall have exclusive use of the Swim Facility unless the District consents, in writing to another person

or entities' use of the Swim Facility during the District's scheduled use. City's right to schedule use of the Swim Facility shall otherwise be absolute at all other times.

2.2.2 Responsibilities.

a. City shall be responsible for providing all day to day operation, maintenance and upkeep of Swim Facility, including responsibility for insurance, major repair, routine custodial services and utilities required for normal operation of the Swim Facility. Notwithstanding the foregoing, following its use of the Swim Facilities, the District shall ensure that the pool area and restrooms are returned in the condition in which it was delivered to the District for that period of use.

b. City will operate and manage the Swim Facility in compliance with Texas Administrative Code Chapter 265.

Section 3. Lifeguard and Safety Issues.

3.1 Lifeguard and Second Responder. For safety of its team members, their guests and their opponents in any competition, the District in compliance with the Lifeguard Personnel Standards set out in Texas Administrative Code Chapter 265, Rule 165.199 (g) and will assign during each competition and Special Event, at no cost to City, at least one assigned lifeguard but at all times will assure that lifeguard coverage adequate to provide supervision, continuous surveillance, and close observation of pool users in all areas of the pool and at all times when the pool is in use. City will provide lifeguards during regular scheduled practices. The assigned lifeguard(s) shall hold an ARC "Lifeguard Training" certificate or the equivalent certification from an aquatic safety organization, which also includes training in ARC "Adult, Infant, and Child CPR" and "Community First Aid" or their equivalent. District shall also assign during practice times and Special Events, at a minimum, an additional lifeguard or a Second Responder assigned as a monitor, who is readily available at the pool, and who has a minimum training in (ARC) "Adult, Infant, and Child CPR" and "Community First Aid" or equivalent training during practices and Special Events, shall also be in the pool area when the pool is in use.

3.2 Pool Rules. District, its students and employees, shall at all times maintain proper decorum while using the Swim Facility, shall abide by and observe the rules, regulations and policies adopted by the District and City, particularly those applicable to extracurricular and off-campus activities, shall comply with all applicable laws, ordinances, orders, rules and regulations, now or hereafter in effect, of all governmental authorities and shall not permit any use or manner of use of the Swim Facility in violation of the foregoing. The District agrees to use best efforts to assure that its participants, guests, and invitees abide by all Pool Rules and policies of the City, regarding the use of facilities or equipment and shall at all times enforce such rules regulations, and policies. Any uncorrected breach of pool rules or Facility policies shall be grounds for immediate termination of this Agreement and/or expulsion of user and user's guests, at the sole discretion of City.

Section 4. Usage Fees and Covenants.

4.1. User Fee: The District shall pay a User Fee in the amount of **One- Hundred and Fifty Dollars (\$150.00) per swimmer plus an additional fee for lifeguarding (Number of Practices X \$60.00).** Such User Fee shall be payable to the City not later than the 15th of February.

Section 5. Insurance and Property Damage.

5.1. Insurance Coverage. The District agrees to obtain and maintain in full force and effect, during the term of this Agreement, a policy or policies of insurance, or risk pool coverage, in amounts sufficient to save, protect, and insure itself, its property, its employees, officers, trustees and agents from claim, cause of action, liability arising out of the acts or omissions of the District, its employees, officers, trustees, and agents. The City agrees to obtain and maintain in full force and effect, during the term of this Agreement, a policy or policies of insurance, or risk pool coverage, in amounts sufficient to save, protect, and insure itself, its property, its employees, officers, and agents from any claim, cause of action, or liability arising out of the actor omissions of the City, its employees, officers, or agents.

5.2 Property Damage. If the Swim Facility or property of City located thereon is damaged or destroyed by reason of the negligence of District students or employees during the times that the Swim Facility are subject to the sole use of District, reimbursement for replacement or repair thereof shall be made by District to City; provided, however, that nothing herein contained shall be construed to obligate District to make repairs for damage which is due to ordinary wear and tear. District personnel must immediately notify facility staff of any damage to City property that has occurred during the times District has use of the Swim Facility.

Section 5.3 Liability. It is understood and agreed between the parties that each party hereto shall be responsible for its own acts of omissions, including the acts of omissions of its employees, officers, trustees, and agents. Where injury or property damage result from the joint or concurring negligence of both parties, liability, if any, shall be shared by each party on the basis of comparative responsibility in accordance with the applicable laws of the State of Texas, subject to all defenses, including governmental immunity.

Section 6. Termination.

6.1. If the District fails to timely pay any User Fee or other consideration, or fails to cure a material default in the performance of this Agreement within thirty (30) days after written notice thereof is received by the District, City may terminate this Agreement by written notice. If City fails to cure a material default in the performance of this Agreement within thirty (30) days after written notice thereof is received by City, the District may terminate this Agreement by written notice. Upon such default by City, the District shall have no liability for Consideration after the date of written notice of default.

6.2 Either party may terminate this Agreement, with or without cause, upon thirty (30) days written notice to the other Party. Upon such termination and neither Party will have any duty to perform the obligations nor did covenants set forth in this Agreement.

Section 7. General Provisions.

7.1. Entire Agreement. This Agreement constitutes the entire understanding and agreement between the Parties with respect to the subject matter hereof. There are no representations, agreements, arrangements or understandings, oral or written, between or among the Parties relating to the subject matter hereof which are not fully expressed herein. This Agreement may not be modified or amended except by written agreement executed by the Parties hereto. This Agreement supersedes and makes void all prior Agreement agreements between the Parties regarding use of the Swim Facility. No failure of a Party to enforce any provision hereof shall be deemed to constitute a waiver of such provision or of any of that party's rights hereunder.

7.2. No Assignment. Neither Party shall assign all or any portion of this Agreement without the prior written consent of the other. Any attempted assignment without prior written consent shall be void.

7.3. Severability. The provisions of this Agreement are severable and the invalidity or unenforceability of any provision hereof shall not affect the validity or enforceability of any other provision. It is the intention of the parties that each provision hereof be construed in a manner designed to effectuate the purposes of such provision to the maximum extent enforceable under applicable law.

7.4. No Waiver of Immunity. No party hereto waives or relinquishes any immunity or defense on behalf of itself, its trustees, its officers, employees, and agents as a result of the execution of this Agreement and the performance of the covenants contained herein. No provision of this Agreement is consent to suit. Nothing in this Agreement shall be deemed to create a partnership, agency, or joint venture relationship.

7.5. No Third-Party Beneficiary. This Agreement inures to the benefit of and obligates only the Parties executing it and their respective heirs, successors, assigns and legal representatives. No term or provision of this Agreement shall benefit or obligate any person or entity not a party to it. The parties hereto shall cooperate fully in opposing any attempt by any third person or entity to claim any benefit, protection, release or other consideration under this Agreement.

7.6. Law and Venue. This Agreement shall be governed by the laws of the State of Texas, without regard to choice-of-law rules of any jurisdiction. This Agreement is deemed performable entirely in Medina County, Texas. Any litigation to enforce or interpret any terms of the Agreement or any other litigation arising out of or as a result of the Agreement shall be brought in the State courts of Medina County, Texas.

Signed this _____ day of _____, 2025.

**FOR THE BOARD OF TRUSTEES OF
MEDINA VALLEY INDEPENDENT
SCHOOL DISTRICT**

FOR THE CITY OF CASTROVILLE, TEXAS

By: _____
Superintendent

By: _____
Mayor

Date

Date

REVISED
2025 Version

City of Castroville
Swim Facility Use Agreement
With MVISD

THIS SWIM FACILITY USE AGREEMENT (“Agreement”) is made and entered into by and between the **CITY OF CASTROVILLE, TEXAS**, a Home Rule Municipality and political subdivision of the State of Texas (“City”), and the **MEDINA VALLEY INDEPENDENT SCHOOL DISTRICT**, a Texas Independent School District, also a political subdivision of the State of Texas (“MVISD” or “District” for use of the City Pool located at 816 Alsace Ave, Castroville TX 78009 (“Swim Facility”). City and District may be referred to individually as Party or collectively as the Parties.

Section 1. Grant of Right to Use and Term

1.1 Grant of Right. City hereby grants the District the right to use the Swim Facility and equipment specified in this Agreement, on an exclusive basis during Scheduled Dates and Times, as defined herein, on the terms and conditions set forth herein. This Agreement will remain in full force for a term of one (1) year[s], (“Initial Term”) The Initial Term will automatically renew for successive one (1) year terms upon written request to continue with the license herein granted; unless, not later than sixty (60) days prior to the expiration of the then current term, either party notifies other, in writing, of its intention not to renew this Agreement. All terms and conditions contained in this Agreement shall apply to said renewal terms.

Section 2. Permitted Use and Responsibilities of the Parties.

2.1 District Uses and Responsibilities.

2.1.1 Swim Facility Use. The District shall use the Swim Facility only for the purposes of conducting its regular swim practices, competitions and other scheduled special events and activities directly related thereto. The Swim Facility may not be used for any other purpose by the District. Only authorized District swim team participants, District invitees, and District coaches and associated swim team personnel may use the swimming pool during the periods listed above. District will take necessary measures to assure that swim team participants do not use the swimming pool at any time, unless under the direct supervision of an authorized coach. With the exception of a parent or guardian, students may not bring any guests, visitors, or invitees with them to the Swim Facility, without making prior arrangement for such visit with the District and the City Parks and Recreation Director.

2.1.1.1 Practice Times: The District shall have use of the Swim Facility, each day during its regularly scheduled swim team practice times (“Practice Times”), as follows:

September 1 st – 2 nd Friday of February	
DAYS	HOURS
Monday- Friday	6:30 AM – 8:30 AM

Practice Times reflected above may be changed by agreement of both The City and The District, and such change shall be documented by execution by both parties of an “Exhibit A”, dated to reflect its effective date and which upon being appended to this document shall modify the Agreement.

2.1.1.2 Scheduled Special Events Use. The District shall have use of the Swim Facility, for District Swim Team competitions and other special events not a part of regularly scheduled practices ("Special Events").

a. Scheduling. Not later than __August 15th, each year of this Agreement, District shall provide requested practice times, and projected dates for all scheduled Special Events. Thereafter, District staff and City Parks and Recreation staff shall meet and arrive at a final schedule for the following School Term. The agreed dated Term Schedule shall be appended to this Agreement for each term of this Agreement as **Exhibit A-1** and shall become a part hereof by reference. Once such schedule is established the District shall be entitled to exclusive use of the Facility during the scheduled dates and times absent an emergency. To the extent the entire Facility is not needed for a particular date or time on the schedule, the District shall provide this information to City at the time of scheduling and the unused portions of the Facility may be used by City for its purposes. If an event is required to be cancelled, the District will provide reasonable notice to City based upon the circumstances requiring the cancellation. Additional dates can be added to the scheduled dates at any time but shall be subject to availability of the Facility on the date requested. The District and City agree to reasonably cooperate to schedule the use of the Facilities in a manner consistent with this Agreement, to provide the greatest benefit to the students of the District and City residents.

2.1.2 Equipment Use.

2.1.2.1 Use of City Equipment. The District agrees that to the extent it uses City Equipment at the Swim Facility, it will safeguard such property and exercise reasonable care in its utilization. The District shall instruct team members in the proper use and care of City equipment and agree to report any problems or repairs needed to such equipment to the appropriate City personnel. The District shall be responsible for the repair of damage to the Swim Facility or City equipment, which is not attributable to normal wear and tear, and is caused by its students, team members, volunteers or guests.

2.1.2.2 District Equipment. District agrees to safeguard, maintain and inventory its equipment brought onto Swim Facility premises ("District Equipment") and promptly report any incidence of stolen, missing, damaged or destroyed District Equipment. Notwithstanding the foregoing, in the event that any District Equipment is damaged, destroyed or stolen, while it is on Swim Facility premises, the District shall be solely responsible for repair or replacement of such equipment. A District Equipment Inventory shall be provided annually to the Parks and Recreation Department.

2.1.2.3 Storage. City shall allocate reasonable space for the storage of the District Equipment.

2.2 City of Castroville Use and Responsibilities.

2.2.1 Use. Except in emergency situations, for those periods of time during which the District and City have agreed that the District shall have the exclusive use of the Swim Facility, City's right to use the Swim Facility shall be subordinate to the District's right and the District shall

have exclusive use of the Swim Facility unless the District consents, in writing to another person or entities' use of the Swim Facility during the District's scheduled use. City's right to schedule use of the Swim Facility shall otherwise be absolute at all other times.

2.2.2 Responsibilities.

a. City shall be responsible for providing all day to day operation, maintenance and upkeep of Swim Facility, including responsibility for insurance, major repair, routine custodial services and utilities required for normal operation of the Swim Facility. Notwithstanding the foregoing, following its use of the Swim Facilities, the District shall ensure that the pool area and restrooms are returned in the condition in which it was delivered to the District for that period of use.

b. City will operate and manage the Swim Facility in compliance with Texas Administrative Code Chapter 265.

Section 3. Lifeguard and Safety Issues.

3.1 Lifeguard and Second Responder. For safety of its team members, their guests and their opponents in any competition, the District in compliance with the Lifeguard Personnel Standards set out in Texas Administrative Code Chapter 265, Rule 165.199 (g) and will assign during each competition and Special Event, at no cost to City , at least one assigned lifeguard but at all times will assure that lifeguard coverage adequate to provide supervision, continuous surveillance, and close observation of pool users in all areas of the pool and at all times when the pool is in use. City will provide lifeguards during regular scheduled practices. The assigned lifeguard(s) shall hold an ARC "Lifeguard Training" certificate or the equivalent certification from an aquatic safety organization, which also includes training in ARC "Adult, Infant, and Child CPR" and "Community First Aid" or their equivalent. District shall also assign during practice times and Special Events, at a minimum, an additional lifeguard or a Second Responder assigned as a monitor, who is readily available at the pool, and who has a minimum training in (ARC) "Adult, Infant, and Child CPR" and "Community First Aid" or equivalent training during practices and Special Events, shall also be in the pool area when the pool is in use.

3.2 Pool Rules. District, its students and employees, shall at all times maintain proper decorum while using the Swim Facility, shall abide by and observe the rules, regulations and policies adopted by the District and City , particularly those applicable to extracurricular and off-campus activities, shall comply with all applicable laws, ordinances, orders, rules and regulations, now or hereafter in effect, of all governmental authorities and shall not permit any use or manner of use of the Swim Facility in violation of the foregoing. The District agrees to use best efforts to assure that its participants, guests, and invitees abide by all Pool Rules and policies of the City, regarding the use of facilities or equipment and shall at all times enforce such rules regulations, and policies. Any uncorrected breach of pool rules or Facility policies shall be grounds for immediate termination of this Agreement and/or expulsion of user and user's guests, at the sole discretion of City.

Section 4. Usage Fees and Covenants.

4.1. User Fee: The District shall pay a User Fee in the amount of **One- Hundred and Fifty Dollars (\$150.00) per swimmer plus an additional fee for lifeguarding (Number of Practices X \$60.00)**. Such User Fee shall be payable to the City not later than the 15th of February.

Section 5. Insurance and Property Damage.

5.1. Insurance Coverage. The District agrees to obtain and maintain in full force and effect, during the term of this Agreement, a policy or policies of insurance, or risk pool coverage, in amounts sufficient to save, protect, and insure itself, its property, its employees, officers, trustees and agents from claim, cause of action, liability arising out of the acts or omissions of the District, its employees, officers, trustees, and agents. The City agrees to obtain and maintain in full force and effect, during the term of this Agreement, a policy or policies of insurance, or risk pool coverage, in amounts sufficient to save, protect, and insure itself, its property, its employees, officers, and agents from any claim, cause of action, or liability arising out of the actor omissions of the City, its employees, officers, or agents.

5.2 Property Damage. If the Swim Facility or property of City located thereon is damaged or destroyed by reason of the negligence of District students or employees during the times that the Swim Facility are subject to the sole use of District, reimbursement for replacement or repair thereof shall be made by District to City; provided, however, that nothing herein contained shall be construed to obligate District to make repairs for damage which is due to ordinary wear and tear. District personnel must immediately notify facility staff of any damage to City property that has occurred during the times District has use of the Swim Facility.

Section 5.3 Liability. It is understood and agreed between the parties that each party hereto shall be responsible for its own acts of omissions, including the acts of omissions of its employees, officers, trustees, and agents. Where injury or property damage result from the joint or concurring negligence of both parties, liability, if any, shall be shared by each party on the basis of comparative responsibility in accordance with the applicable laws of the State of Texas, subject to all defenses, including governmental immunity.

Section 6. Termination.

6.1. If the District fails to timely pay any User Fee or other consideration, or fails to cure a material default in the performance of this Agreement within thirty (30) days after written notice thereof is received by the District, City may terminate this Agreement by written notice. If City fails to cure a material default in the performance of this Agreement within thirty (30) days after written notice thereof is received by City, the District may terminate this Agreement by written notice. Upon such default by City, the District shall have no liability for Consideration after the date of written notice of default.

6.2 Either party may terminate this Agreement, with or without cause, upon thirty (30) days written notice to the other Party. Upon such termination and neither Party will have any duty to perform the obligations nor did covenants set forth in this Agreement.

Section 7. General Provisions.

7.1. Entire Agreement. This Agreement constitutes the entire understanding and agreement between the Parties with respect to the subject matter hereof. There are no representations, agreements, arrangements or understandings, oral or written, between or among the Parties relating to the subject matter hereof which are not fully expressed herein. This Agreement may not be modified or amended except by written agreement executed by the Parties hereto. This Agreement supersedes and makes void all prior Agreement agreements between the Parties regarding use of the Swim Facility. No failure of a Party to enforce any provision hereof shall be deemed to constitute a waiver of such provision or of any of that party's rights hereunder.

7.2. No Assignment. Neither Party shall assign all or any portion of this Agreement without the prior written consent of the other. Any attempted assignment without prior written consent shall be void.

7.3. Severability. The provisions of this Agreement are severable and the invalidity or unenforceability of any provision hereof shall not affect the validity or enforceability of any other provision. It is the intention of the parties that each provision hereof be construed in a manner designed to effectuate the purposes of such provision to the maximum extent enforceable under applicable law.

7.4. No Waiver of Immunity. No party hereto waives or relinquishes any immunity or defense on behalf of itself, its trustees, its officers, employees, and agents as a result of the execution of this Agreement and the performance of the covenants contained herein. No provision of this Agreement is consent to suit. Nothing in this Agreement shall be deemed to create a partnership, agency, or joint venture relationship.

7.5. No Third-Party Beneficiary. This Agreement inures to the benefit of and obligates only the Parties executing it and their respective heirs, successors, assigns and legal representatives. No term or provision of this Agreement shall benefit or obligate any person or entity not a party to it. The parties hereto shall cooperate fully in opposing any attempt by any third person or entity to claim any benefit, protection, release or other consideration under this Agreement.

7.6. Law and Venue. This Agreement shall be governed by the laws of the State of Texas, without regard to choice-of-law rules of any jurisdiction. This Agreement is deemed performable entirely in Medina County, Texas. Any litigation to enforce or interpret any terms of the Agreement or any other litigation arising out of or as a result of the Agreement shall be brought in the State courts of Medina County, Texas.

Signed this 10th day of December, 2024.

**FOR THE BOARD OF TRUSTEES OF
MEDINA VALLEY INDEPENDENT
SCHOOL DISTRICT**

FOR THE CITY OF CASTROVILLE, TEXAS

By: _____
Superintendent

By: _____
Mayor

Date

Date



AGENDA REPORT

DATE: October 7, 2025

AGENDA OF: October 14, 2025

DEPARTMENT: City Council

SUBJECT: Change Subdivision Ordinance Sec. 100-53. - Parkland Dedication

RECOMMENDED ACTION:

The Park's Board make recommended changes to reduce the number of houses required in a small subdivision to require dedication of parkland instead of payment for land value. Park's Board consider requiring certain minimum installation of park play equipment and shade structures as a possible partial tradeoff with land dedication.

BACKGROUND

The subdivision ordinance requires payment of a fee in lieu of parkland dedication for small subdivisions of 100 houses or less. My request is we have the Park's Board look at this requirement to see if it needs to be reduced to a number closer to 25. Even at the level of 25 the decision should be made by council as to whether to accept funds instead of parkland on any development. It has been noted by the Park's Board that areas where people can congregate with their pets, their children or friends in a public area is beneficial to the community.

We are taking considerable effort to put in more outdoor recreation area in Castroville, including walking paths and trails and similar things to get people outside. Most subdivisions are going to have children that need access to outside play area. A small pocket park with some climbing facilities and swings and a covered area for rest and gatherings would be beneficial and just about any size of new development and can serve as a hub for people in that area to get together building a stronger neighborhood. Size of

development should not necessarily be a factor in taking funds instead of providing recreation areas for residents.

Additionally, having the developer install a minimum of play equipment and a shade structure as part of the value of parkland dedication will give an immediate kick start to making a new subdivision more enjoyable.

The Park's Board should review these items and come back to council with recommended changes.

FISCAL IMPACT/SOURCE OF FUNDING: N/A

Budgeted ☐ Requires Budget Amendment

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

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

ATTACHMENTS:

Castroville Subdivision Ordinance Sec.100-53. – Parkland Dedication.

Submitted by: Councilmember Lee



CASTROVILLE
The Little Alsace of Texas

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Sec. 100-53. - Parkland dedication.

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- (a) All residential subdivision applications and requests for plat approval submitted to the city, including property being platted within the city's extraterritorial jurisdiction, shall show the area proposed for parkland to be dedicated to the public. All properties that are subdivided for residential use, including but not limited to single-family residences, multifamily housing, condominiums, town homes and manufactured home communities are subject to either a parkland dedication plan acceptable by the city or payment of cash in lieu of designated parkland. This area shall be no less than five percent of the gross area of the property being platted, and shall have a suitable means of access from a public street.
- (b) In all instances, the city shall have the right to accept the dedication of parkland or to refuse it. Any parkland dedicated to the city shall be suitable for either active or passive recreational use. For example, a drainage area that serves no useful recreational purpose shall not be accepted as parkland.
- (c) If the city accepts the parkland dedication, the dedication shall be made on the final plat. Parkland dedication by separate instrument shall not be accepted. No final plat dedicating parkland shall be approved until the parkland dedication requirements are met.
- (d) A subdivider involved in the following platting situations may apply for a parkland dedication exemption, provided that the subdivider can show evidence of no or limited impact on the existing parks and recreational facilities of the city:
 - (1) Vacating plats;
 - (2) Vacating and resubdivision plats;
 - (3) Amending and correcting plats; or
 - (4) Plats for projects designed specifically as elderly housing.
- (e) Exemption applications shall be made to the city council. Exemptions, if granted, may be full or partial as judged appropriate by city council.
- (f) *Cash payment in lieu of dedication.*
 - (1) *Initiation by the city.* The city may require a subdivider to pay cash in lieu of parkland dedication. In the event that the city requires cash in lieu of parkland dedication, the subdivider shall pay a fee equal to five percent of the total appraised value of the subdivided property, as determined by the Medina County Appraisal District.
 - (2) *Small subdivisions.* When a subdivision will result in less than 100 residential units or less than five total acres, the subdivider shall make a cash payment in lieu of parkland dedication. The subdivider shall pay a fee equal to five percent of the total appraised value of the subdivided property, as determined by the Medina County Appraisal District.
 - (3) *Parkland fund.* Cash paid in lieu of parkland dedication shall be paid into a "parkland fund" to be created by the city, and shall be expended by the City for the acquisition, development, or rehabilitation of parkland or for improvements to existing parkland.

(Ord. No. 2002-003, art. III, § 3, 1-14-2002; Ord. No. 2014-005, § 1, 12-10-2013)

Sec. 100-54. - Lots.

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AGENDA REPORT

DATE: October 7, 2025

AGENDA OF: October 14, 2025

DEPARTMENT: City Council

SUBJECT: Review and revision of Castroville Code Of Ordinances Chapter 18. AVIATION, Division 3 Rules and regulations.

RECOMMENDED MOTION:

Airport Advisory Board review and recommend to City Council updates to Ordinance 18. Aviation, DIVISION 3. RULES and REGULATION; Section 18-51, through Section 18-78 and Castroville Municipal Airport Rules and Regulations.

BACKGROUND

The city ordinance coving airport operation has not been updated in many years and there have been a number of changes to FAA guidance and operations at the Castroville Airport.

In 2018 the Airport Advisory Board (AAB) spent a year redoing Castroville Municipal Airport Rules and Regulations. These were presented to City Council for study and further action which never happened. We need the AAB to review the 2018 work and the local Chapter 18 covering aviation and come back to council with recommendations to update our ordinances/procedures.

FISCAL IMPACT/SOURCE OF FUNDING: N/A

Budgeted ☐ Requires Budget Amendment

Urgency (0-5 = Low Urgency to High Urgency): 3
Impact (0-5 = Low Impact to High Impact): 4

ATTACHMENTS:

Draft of AAB rework of Rules and Regulations.

Chapter 18 Aviation from Castroville code of ordinances.

Submitted by: Councilmember Lee

No person or entity, incorporated or otherwise, shall use the airport for the carrying on of any commercial activity unless approved by a written permit from the city council or its duly authorized agent.

(Ord. No. 150, § 1, 1-8-80)

Sec. 18-52. - General rules and regulations.

The following rules and regulations shall pertain and be observed in the use, operation and conduct of the municipal airport:

- (1) *Rule 1. Federal air traffic rules.* The federal air traffic rules promulgated by the Federal Aviation Administration for observance by aircraft operated anywhere in the United States, and presently or hereafter effective, are hereby referred to, adopted and made a part of this division as though fully set forth and incorporated in this division.
- (2) *Rule 2. Safeguard of persons and property.* The airport manager shall at all times have authority to take such action as may be necessary to safeguard any person, aircraft, equipment or property at the airport.
- (3) *Rule 3. Lease of airport property to private individuals, companies or corporations.* The city may lease property within the building area or other portions of the airport for the private construction of hangars, buildings or lean-tos, aprons, taxiways and auto parking lots in accordance with an approved airport layout plan. All leased property and all buildings or structures erected on the leased property will be utilized for aviation related activity. Storage of nonaviation equipment, such as automobiles, boats, or farm equipment, in a private hangar or conducting of nonaviation business in any structures must be incidental to the aviation activity. Outside storage of nonaviation equipment is not authorized and any such nonaviation equipment not capable of movement under its own power will be towed away and held for towing and storage charges at the owners' expense. Property rented for commercial operations shall be on a basis of cents per square foot per year plus a designated percentage of gross receipts from the commercial operation or cents per gallon fuel flowage. Property leased to a private individual, company or corporation on which a hangar, "T" hangar unit or building will be erected for private use or rental to the public for aircraft parking/storage only, will be leased by cents per square foot per year only. Except upon approval of the council, leases will be written for a period of from one to five years with provisions for renewable five-year options, not to exceed 25 years. Leases will in each instance contain suitable escalation clauses for optional renewal. Any private structure or hangar not in use for aviation purposes for a period in excess of three months, or not

available for rent or sublease for aviation purposes, unless so authorized by the city, must be after receipt of due notice by the city, or such structures or hangars will be considered abandoned and title will pass to the city.

Leased land from which any building, hangar or structure is removed will be cleaned and put back in its original condition.

Leased property on the airport may be subleased by the lessee only with approval of the city.

- (4) *Rule 4. Unauthorized structures.* No structure may be erected beyond the building restriction line (BRL) or in conflict with the approved airport layout plan and airport height zoning ordinance.
- (5) *Rule 5. Construction standards.* All construction must be authorized and must be of a compatible standard with city ordinances and approved by the city council. All buildings or hangars constructed will withstand winds of 85 miles per hour, with doors open or closed.
- (6) *Rule 6. Unauthorized signs.* No signs or equipment or portable buildings or house trailers may be erected, moved in or installed except as may be specifically authorized by the airport manager pursuant to uniform city standards.
- (7) *Rule 7. Suspicious activities.* All suspicious or unauthorized activities shall be reported immediately to the city police department, county sheriff, airport manager, or department of public safety.
- (8) *Rule 8. Lien for charges.* To enforce the payment of any charge made for lease of airport property, hangar, or building rental, tiedown fee, repairs, improvements, storage or care of any personal property, made or furnished by the city or its agents in connection with the operation of the municipal airport, the city shall have a lien upon such personal property, which shall be enforceable as provided by law.

State Law reference— Liens, Vernon's Ann. Civ. St. art. 46d-5.

- (9) *Rule 9. Lien possessory right.* To enforce the payment of any such charge, the airport manager may retain possession of such personal property until all reasonable, customary and usual compensation shall have been paid in full.
- (10) *Rule 10. Gliders.* A glider is defined as an aircraft in these rules and regulations.
- (11) *Rule 11. Wrecked aircraft.* Every aircraft owner, his pilot and agents shall be responsible for the prompt removal, under the direction of the airport manager, of wrecked aircraft.
- (12) *Rule 12. Repairs to aircraft.* No aircraft shall be repaired on any part of the landing or takeoff areas, and all repairs shall be at the places designated by the airport manager for such purpose.
- (13)

Rule 13. Agricultural operations. Agricultural spraying operations will be conducted in accordance with procedures approved by the airport manager and only from the areas designated on the airport. Reckless flying, careless handling of chemicals, indifference toward policing the area, or intimidation of other aircraft users will not be tolerated. Wash-down of agricultural spraying aircraft and flushing of agricultural aircraft spray tanks will be accomplished only in areas so designated and in accordance with applicable EPA, state natural resource conservation commission, state department of agriculture, and state department of health regulations. Empty chemical containers will be disposed of in accordance with applicable federal and state laws.

- (14) *Rule 14. Damage to airport.* Any person, corporate or individual, and the owner of any aircraft causing damage of any kind to the airport, whether through violation of any of these rules or through any act of negligence, shall be liable therefor in and to the city.
- (15) *Rule 15. Injury to persons or property.* Any person going upon the grounds of the municipal airport, or using it for any purpose, shall do so at his own risk to persons and property, and shall hold the city harmless for and on account of any injury or damage to persons or property suffered thereby. Such person shall be bound by and obey the rules and regulations concerning and pertaining to the airport.

State Law reference— Liability of a municipality, V.T.C.A., Civil Practice and Remedies Code § 101.0215.

- (16) *Rule 16. Licensed pilots.* Only aircraft and airmen licensed by the Federal Aviation Administration shall operate upon or over the municipal airport. Provided, that this limitation shall not apply to students in training under licensed instructors nor to public aircraft of the federal government or of a state, territory or political subdivision thereof, or to aircraft licensed by a foreign government with which the United States has a reciprocal agreement covering the operation of such licensed aircraft.
- (17) *Rule 17. Registration.* Every person stationed, employed, receiving instructions or operating upon the municipal airport shall register at the office of the airport, and shall give his name, address, telephone number and the nature of his business or occupation. Identification numbers of all aircraft based at the municipal airport shall be registered at the airport office.
- (18) *Rule 18. Use of another's property.* Unless authorized by the owner in writing, the use of any aircraft, parts, equipment, accessories or tools of another situated on the airport is forbidden.
- (19) *Rule 19. Glass.* No bottles or glass shall be left or broken upon the floor of any building or upon any part of the surface area of the airport.
- (20) *Rule 20. Vehicular traffic.* All vehicular traffic, including motorbikes, shall be confined to the roads, streets, avenues and alleys provided on the grounds for that purpose, and shall not be operated at a speed in excess of 15 miles per hour.

(Ord. No. 150, § 2, 1-8-80)

The following rules and regulations shall be observed in the conduct of ground operations at the municipal airport:

- (1) *Rule 21. Fueling of aircraft.* All aircraft will be positively grounded when being serviced with fuel. All aircraft shall be fueled at an approved fuel service installation, or by approved mobile equipment.
- (2) *Rule 22. Tiedown of aircraft.* All aircraft not hangared shall be tied down or secured at night and during inclement weather. Each aircraft main gear will also be set with blocks (wheel chocks). The airport manager or his authorized representative may collect a tiedown fee deemed reasonable by the city per night or per each month for each aircraft tied down.
- (3) *Rule 23. Running aircraft engines.* If not equipped with adequate brakes, the engine shall not be started in an aircraft until and unless the wheels have been set with blocks attached to ropes or other suitable means for removing them. No engine shall be started, run or warmed up until and unless the aircraft is in such position that the propeller stream will clear all buildings and groups of people in the observation areas and paths of the aircraft.
- (4) *Rule 24. Damage to runway lights.* Any person damaging any field light or fixture, by operation of an aircraft or otherwise, is liable for such damage and shall immediately report such damage to the airport manager or his representative.
- (5) *Rule 25. Taxiing aircraft.*
 - a. No person shall taxi an aircraft until he has ascertained that there will be no danger of collision with any person or object in the immediate area.
 - b. Aircraft will be taxied at a safe and prudent speed, and in such manner as to be at all times under the control of the pilot.
 - c. Aircraft not equipped with adequate brakes will not be taxied near buildings or parked aircraft unless an attendant is at a wing of the aircraft to assist the pilot.
 - d. Aircraft shall not taxi onto the runway from the ramp and taxiway area if there is an aircraft approaching to land, or on the ground in takeoff position.
 - e. Aircraft will not be operated on the sod or ground areas of the airport except for designated parking and taxiway areas.
 - f. There shall be no taxiing of aircraft by engine power into or out of hangars.
- (6) *Rule 26. Parking aircraft.*
 - a. Aircraft shall not be parked on or within 200 feet of any part of the landing or takeoff area of the airport; and all unhoused aircraft shall be parked in the area designated by the airport manager or authorized representative for that purpose.

- b. Aircraft will not be parked in such a manner as to hinder the normal movement of traffic unless specifically authorized by the airport manager or authorized representative as an emergency measure.
 - c. It is the responsibility of the pilot when leaving a parked aircraft unattended to see that the brakes are set or that the plane is properly chocked and/or tied down.
- (7) *Rule 27. Loading or unloading aircraft.* Pilots are prohibited from loading or unloading aircraft with the engine running.
- (8) *Rule 28. Aircraft tiedown, security.* The aircraft owner or his agent is responsible for the tiedown or security of his aircraft at all times and particularly during inclement weather.

(Ord. No. 150, § 3, 1-8-80)

Sec. 18-54. - Landing and takeoff rules.

The following rules and regulations shall govern the landing and takeoff and related operation of aircraft at the municipal airport:

- (1) *Rule 29. Authority to suspend operations.* The airport manager or his authorized representative may suspend or restrict any or all operations without regard to weather conditions, whenever such action is deemed necessary in the interest of safety.
- (2) *Rule 30. Use of runways during certain weather conditions.* If the winds are calm or at a 90-degree crosswind to runway 33/15, takeoff and landing will be on runway 15.
- (3) *Rule 31. Clearing street.* No aircraft shall land or take off in such a manner as to clear any public street or highway at an altitude of less than 15 feet, or 17 feet over an interstate highway, nor land or take off on the taxiway or over hangars or other structures, automobile parking areas or groups of spectators.
- (4) *Rule 32. Reporting traffic intentions.* All pilots are encouraged to call unicom 122.8 to determine the active runway and to announce their position and intentions for takeoff and landing. Pilots of radio equipped aircraft should report their traffic intentions on 122.9 if unicom is inoperative.
- (5) *Rule 33. Takeoffs/landings on apron, etc.* No takeoffs or landings shall be made on apron, parking ramp, or sod/ground areas of the airport except by special permission of the airport manager.
- (6) *Rule 34. Takeoffs allowed.* Takeoffs may be made from the intersection of a taxiway and the runway at the pilot's discretion if there is no other takeoff traffic waiting at the approach end of the runway. Touch and go landings may be made at the discretion of the pilot. All aircraft shall "clear" for incoming and takeoff traffic before taxiing into takeoff position.

(7)

Rule 35. Takeoff climbs. On takeoff all aircraft shall climb straight out to a level of 1,300 feet M.S.L. before the airport boundary and execute a 90-degree turn in the direction of the traffic pattern for the runway in use. To leave traffic the aircraft shall climb straight out to a level of 1,600 feet M.S.L. before executing a 45-degree climbing turn out of traffic.

- (8) *Rule 36. Traffic altitude.* Traffic pattern elevation is 800 feet A.G.L.
- (9) *Rule 37. Common courtesy.* Aircraft entering the traffic pattern shall exercise caution and practice courtesy so as not to cause aircraft already in the pattern to deviate from their course.
- (10) *Rule 38. Traffic flow.* All aircraft landing at the municipal airport shall fly a standard left-hand or right-hand traffic pattern as displayed by the segmented circle at an altitude of 800 feet A.G.L. Pattern entry shall be made at the midpoint of either the upwind or downwind leg; complete turn to final at least one-fourth mile from runway.
- (11) *Rule 39. Altitude and noise of engines.* No aircraft shall be operated over the city and Medina Valley High School complex at an altitude of less than 1,000 feet A.G.L. Aircraft engines shall not be accelerated nor decelerated over those areas in such a manner as to distract, excite or disturb persons on the ground, regardless of altitude.
- (12) *Rule 40. Straight-in approaches.* Straight-in approaches shall not be used unless a radio advisory call has been made from at least five miles out and found that such approach will not interfere with other traffic.
- (13) *Rule 41. Student training and practice flying.* Instructors in flying shall inform students and shall inform themselves of all rules and regulations in effect at the airport. Aircraft shall not be permitted to remain on the landing or takeoff areas for the purpose of instructing students.
- (14) *Rule 42. Special procedures.* The airport manager may, in the interest of safety, designate special traffic procedures for certain operations such as air shows, agricultural operations, etc.

(Ord. No. 150, § 4, 1-8-80; Ord. No. 150A, § 2, 5-13-80; Ord. No. 150B, § 1, 2-11-97)

Sec. 18-55. - Fire regulations.

The following rules and regulations shall be observed in the use and operation of the municipal airport:

- (1) *Rule 43. Exercising due care.* Every person going upon or using the airport or its facilities in any manner shall exercise the greatest care and caution to prevent fire.
- (2) *Rule 44. Fueling restrictions.* Aircraft shall not be fueled while the engine is running or while in a hangar or other enclosed place.
- (3)

Rule 45. Smoking prohibited near aircraft and fuel trucks. Smoking or open flame within 50 feet of aircraft or fuel truck is prohibited.

Section VI, Item h.

- (4) *Rule 46. Storage of gas.* Compressed inflammable gas shall not be kept or stored upon the airport except at such place as may be designated by the airport manager.
- (5) *Rule 47. Use of flammable substances.* No flammable substance shall be used in cleaning motors or other parts of an aircraft inside a hangar or other building. Flammable liquids may be used only for the purpose stated outside of and clear of any building.
- (6) *Rule 48. Smoking restricted in buildings.* No one shall smoke or ignite a match or lighter in any building, except in offices, waiting rooms or buildings where specially permitted by the airport manager.
- (7) *Rule 49. Hangar entrances to be kept clear.* Hangar entrances shall be kept clear at all times.
- (8) *Rule 50. Cleaning floors.* The floors in all buildings shall be kept clean and free from oil. No volatile, flammable substance shall be used for cleaning the floors.
- (9) *Rule 51. Hangars to be kept free of accumulations of litter and weeds.* No grass or weeds more than 12 inches high, boxes, crates, cans, bottles, paper, or litter shall be permitted to accumulate or grow in or about a hangar.

(Ord. No. 150, § 5, 1-8-80)

Cross reference— Fire prevention and protection, ch. 50.

Sec. 18-56. - Knowledge of rules implied.

By publication of this ordinance from which this division derives as required by law, all persons will be deemed to have knowledge of its contents. However, the airport manager is directed to have copies of the ordinance from which this division derives printed and at all times available in his office, and to furnish such copies to owners and operators of aircraft using the airport.

(Ord. No. 150, § 6, 1-8-80)

Sec. 18-57. - Penalty for violation of division.

- (a) *Ejection of violator from airport.* Any person operating or handling an aircraft in violation of any of the rules set out in this division or refusing to comply therewith may, at once, be ejected from the airport, or may for any period of time, not exceeding 15 days, be excluded from the airport by the airport manager, and, upon hearing by the city council, may be deprived of the further use of the airport and its facilities for such period of time as may appear necessary for the protection of life and property. Provided, that where any such penalty has been imposed, there shall be no prosecution under subsection (b) of this section.

(b)

Violation declared misdemeanor. Any violation of this division shall be a misdemeanor, punished as provided in section 1-4.

Section VI, Item h.

(Ord. No. 150, § 8, 1-8-80)

Secs. 18-58—18-70. - Reserved.

Footnotes:

--- (4) ---

State Law reference— *Who are peace officers, Vernon's Ann. C.C.P. art. 2.12; watchmen, V.T.C.A., Local Government Code § 341.901.*

Sec. 18-71. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Municipal airport means the Castroville Municipal Airport, that body of land lying fully inside the city limits of the City of Castroville, Texas, described and being situated in Medina County, Texas, which land and acreage is more fully described in a deed to the city by the United States of America, dated July 26, 1949, recorded in volume 147, pages 264—270, Medina County Deed Records, such deed and the legal description in such deed being incorporated in this division for all purposes as if written word for word.

(Ord. No. 140, § 2, 8-8-78)

Cross reference— Definitions generally, § 1-2.

Sec. 18-72. - Purpose and construction of division.

This entire division is and shall be deemed an exercise of the power and authority granted by the state to the city for the purpose of regulating, securing, and policing the municipal airport, and all the provisions of this division shall be construed for the concept of that purpose.

(Ord. No. 140, § 1, 8-8-78)

Sec. 18-73. - Chief of airport security and officers appointed.

In order to provide security for the municipal airport, the city council hereby appoints as chief of airport security the chief of police of the city and his successors, as duly appointed by the city council. All other police officers and their successors, as well as any additional officers hired by the city, are hereby appointed as airport security officers to act under the direction and control of the airport security chief.

(Ord. No. 140, § 3, 8-8-78)

Sec. 18-74. - Enforcement of ordinances.

The airport security chief and security officers are to enforce the ordinances of the city as they are presently in force or as they are amended or adopted by the city, as they shall apply to the municipal airport.

(Ord. No. 140, § 4, 8-8-78)

Sec. 18-75. - Prosecution of violations.

Any violations of city ordinances which occur on the airport premises shall be prosecuted in the city municipal court upon the filing of a complaint alleging a violation of a municipal ordinance or applicable state law.

(Ord. No. 140, § 5, 8-8-78)

Sec. 18-76. - Policy.

Airport security personnel shall be governed by the police policies now in force or as they shall be amended and approved by the city council.

(Ord. No. 140, § 6, 8-8-78)

Sec. 18-77. - Federal and state laws in force.

The enforcement of this division is subject to federal and state laws, rules and regulations presently in force and as they shall be subsequently enacted or amended.

(Ord. No. 140, § 8, 8-8-78)

Secs. 18-78—18-100. - Reserved.

Castroville Municipal Airport (CVB)

Rules and Regulations

The purpose of these rules and regulations is to provide for the efficient and safe operation of the Castroville Municipal Airport (CVB) and to provide the greatest service for the citizens of Castroville and the aviation public, to provide enforcement of the Rules and Regulations by the City of Castroville (City) or the Airport Manager, and implement penalties for violations all as authorized by the Texas Transportation Code Chapter 22 "County and Municipal Airports".

The definition of "Airport", "aircraft", "airplane", and other common terms used herein is as defined in Part 1, Code of Federal Regulations, Title 14, Aeronautics and Space. "Airport" with a capital "A" refers to the specific airport of the Castroville Municipal Airport (CVB) for which these rules are adopted.

Section 1. Use of Airport

The Castroville Municipal Airport is a general aviation airport, and open to the public. No person, partnership, firm, association, corporation or entity, incorporated or otherwise, shall use the Airport for any commercial activity, unless approved by a written permit, adopted resolution, and/or signed lease from the City Council or its duly authorized agent.

Section 2. General Rules and Regulations

The following rules and regulations shall be observed in the use and operation of the Airport:

Rule 2-1. Federal Air Traffic Rules of the Federal Aviation Administration (FAA) for aircraft operated within the United States, and presently or hereafter effective, are hereby referred to, adopted, and made a part hereof as though fully set forth and incorporated herein.

Rule 2-3. Registration – Each person owning an aircraft based at the Airport, or any person based and receiving flight instruction toward an FAA rating at the Airport shall register at the office of the Airport Manager their name, address, telephone number, aircraft model, aircraft registration "N" number, or make and model of aircraft for those aircraft not requiring registration (ultralight), and the name, address, and telephone number of their next of kin or person to be notified in case of an accident or emergency.
Chapter 18 and TXDoT R&R

Rule 2-3. Licensed Pilots – Only aircraft with current and correct FAA Certificates of Registration and Airworthiness and persons holding valid and current airman and medical certificates issued by the FAA, for those flight operations requiring medical certificates, shall be authorized to operate aircraft upon the Airport except as provided in these rules and regulations and the ordinance adopting these rules and regulations. This limitation shall not apply to students-in-training under licensed instructors or to public aircraft of the Federal government or of a State, Territory, or political subdivision thereof, or to aircraft licensed by a foreign government with which the United States has a reciprocal agreement covering the operation of such licensed aircraft. Use of the Airport by ultralight aircraft (FAR 103) and light sport aircraft in the weight shift control and powered parachute class and shall be in accordance with FAA Order 5190.6 (latest change) and appropriate FARs Part 61 and 103 and any other rules established by the City.

Rule 2-4. Safeguard of Persons and Property – The Airport Manager shall at all times have authority to take necessary and legal actions to safeguard any person, aircraft, equipment, or property at the Airport.

Airport. Such prohibition shall not apply to a passenger under the care of a medical doctor and accompanied by a doctor, nurse, or caretaker.

Rule 2-16. Foreign Objects – No foreign objects, including bottles, cans, scrap, nuts, bolts, nails, or any object that may cause damage to an aircraft, shall be left upon any part of the surface area of the Airport. Individuals are encouraged to pick up such foreign objects when observed and place them in a trash receptacle.

Rule 2-17. Litter - No boxes, crates, cans, bottles, paper, tall grass, weeds, unusable airplane parts or wreckage, scrap wood or metal, discarded airplane or automobile tires, trash, or other litter shall be permitted to accumulate in or about a hangar, building, or other leased space. If such trash and litter is permitted to accumulate around a privately owned, rented, or leased hangar / building, the Airport Manager shall notify the hangar / building owner, renter or lessee by registered letter to remove the offending litter. If within ten (10) work days after receipt of the letter the hangar/building owner, renter, or lessee has not removed the trash and litter as directed, the Airport Manager may have the area cleaned and the cost for such cleaning shall be charged to the hangar/building owner, renter, or lessee.

Rule 2 – xxx Storage of Non-Aviation Equipment - Storage of non-aviation equipment, such as automobiles, boats, or farm equipment, in a private hangar or conducting of non-aviation business in any structure must be incidental to the aviation activity. Outside storage of non-aviation equipment is not authorized and any such non-aviation equipment not capable of movement under its own power will be towed away and held for towing and storage charges at the owner's expense. Chapter 18

Section 3. Ground Operations

Rule 3-1. Ground & Vehicular Traffic – No person shall operate a vehicle on the Airport except in accordance with the following rules, and all federal, state, and local law:

- A. Only vehicles registered with and authorized by the Airport Manager may operate on the Airport apron, taxiway, or runway. All other vehicular traffic will use roads, streets, avenues, and alleys to move about the airport. Chapter 18
- B. All vehicles shall yield right of way to aircraft in motion and emergency vehicles.
- C. No vehicle except ground service and emergency vehicles shall approach so close to any aircraft with running engine(s) as to create a hazard.
- D. Any vehicle authorized to operate on the Airport runway, apron or taxiway shall display a rotating or steady beacon mounted on top of the vehicle, or flag mounted on a staff and attached to the rear of the vehicle that complies with FAA Advisory Circular 150/5210 (latest change). For apron only, vehicles must have their vehicle emergency lights (flashers) in operation. Vehicles on taxiways and runway must have a rotating or steady beacon mounted on top of the vehicle.
- E. All vehicles authorized to operate on the runway or taxiways are encouraged to be equipped with a two-way radio monitoring the local Castroville UNICOM frequency of 122.8.. XXXX TXDOT recommended adjusted to non-control tower airport.

Rule 3-2. Speed Limits - All vehicles shall be operated within the posted speed limits at the Airport. The maximum speed limit for all vehicles in the airside area, with the exception of authorized municipal vehicles in the performance of their official duties, is fifteen (15) miles per hour, unless posted otherwise

Section 4. Airport Security

Rule 4.1 Security – All tenants are responsible for reporting all suspicious persons and unauthorized activities which threaten the safety of the tenants and the Airport

B. Aircraft will be taxied at a safe and prudent speed and in such manner as to be under the control of the pilot in command at all times.

C. Aircraft not equipped with adequate brakes will not be taxied near buildings or parked aircraft unless an attendant (wing-walker) is at a wing of the aircraft to assist the pilot.

D. Aircraft shall not taxi onto the runway from the apron and taxiway area if there is an aircraft approaching to land or on the ground in takeoff position. Aircraft waiting on the taxiway for another aircraft to take off or land will remain behind the runway holding position markings.

E. Aircraft shall not be taxied by engine power into or out of any hangar.

F. Aircraft will not be operated on the sod or ground areas of the Airport except for designated parking and taxiway areas. Chapter 18

Rule 5-6. Authority to Suspend Operations – The Airport Manager may suspend or restrict any or all operations whenever such action is deemed necessary in the interest of safety.

Rule 5-7. Standard Traffic Pattern and Altitude, Non-Towered Airports – All flight activity will adhere to FAA Advisory Circular 90-66A (latest change) "Recommended Standard Traffic Patterns and Practices for Aeronautical Operations at Airports without Operating Control Towers"; also depicted in the Aeronautical Information Manual. Helicopters will operate as to not obstruct the normal traffic pattern. The use of standard traffic patterns does not alter the responsibility of each pilot to see and avoid other aircraft. Chapter 18 has pattern altitudes listed. Recommend we leave in the new piston and turbine altitudes.

Rule 5-xxx Takeoffs on Other Than Runways – Takeoffs or landings shall not be made on the apron, parking ramp, taxiway, or any area other than designated runways by airplanes, gyroplanes, powered lift, balloons, airships, ultralights, or light sport aircraft except by prearranged permission from the Airport Manager. Helicopters may operate to and from designated helicopter landing areas. Chap 18

Rule 5-xxxx Preferred Runway - If the winds are calm or at a ninety (90) degree crosswind to Runway 34/16, the preferred take off and landing runway is 16. Chap 18

Rule 5 - xxxxx Altitude and Noise of Engines - No aircraft shall be operated over the city and Medina Valley Independent School District complex at an altitude of less than 1,000 feet AGL. Aircraft engines shall not be operated in those areas in such a manner as to distract, excite, or disturb persons on the ground regardless of altitude. Chapter 18

Rule 5-8. Student Training, Local Operations

Flight instructors shall avail themselves and their students of all rules and regulations, including local rules and FARs in effect at the Airport.

Rule 5-9. Agricultural Spraying Operations - Ag operations shall be accomplished in accordance with the standards of the Environmental Protection Agency and the Texas Commission on Environmental Quality in an area and manner so designated by the Airport Manager. Each Ag operator shall be responsible for the cleanup of any hazardous chemical spills on Airport property caused by the Ag operator. All Ag operators should contact the Airport Manager to inquire and inform of any requests, changes, designated areas, etc.*****

Rule 5-10. Special Procedures

E. Aviation or auto fuels shall not be stored within a hangar or building except in approved five (5) gallon or smaller containers manufactured and marked for such purpose, or in accordance with lease terms.

F. Persons or businesses wishing to dispense fuel into their privately owned aircraft shall not be denied; however, they must meet all reasonable requirements the City places on other fuel suppliers, public or private. Private fueling facilities located on leased property must be installed and the fuel dispensed in accordance with all rules applicable to aircraft fueling and fire safety contained herein.

G. Fuel spills in excess of one gallon must be reported to the Airport Manager and immediate action taken by the spilling entity to clean up the spill in accordance with all local, state, and federal regulations. The clean-up must be made using proper cleaning materials. A spill kit specifically for use in cleaning fuel spills is recommended and encouraged.

Rule 6-2. Fuel Flowage Fee - Any person, corporation, or business entity of any kind, or any person acting for or through them, who receives fuel for a fuel storage tank or who receives fuel obtained from a source not on the Airport and directly fills that fuel into any aircraft on the Airport may be required to pay the amount per gallon of fuel as determined by the City Council and included in the City of Castroville Adopted Comprehensive Fee Schedule. ****

Payment to the City of all fuel flowage fees due must be made not later than the fifteenth (15th) day of the month following the date of the fuel delivery.

Payment of fuel flowage fees shall be accompanied by a report on a form approved by the Airport Manager that indicates the amount of fuel delivered to the airport during the preceding month.

Military aircraft conducting operations which require fueling from U.S. Government facilities are exempt from fuel flowage fees.

Rule 6-3. Fire Safety

A. Every person using the Airport or its facilities in any manner shall exercise the greatest care and caution to avoid and prevent fire.

B. Smoking or open flame within fifty (50) feet of any fuel tank, fuel pump, or fuel truck is prohibited.

C. Hangar entrances must be clear in a manner such that emergency or fire / rescue personnel and equipment can immediately access the hangar without hindrance.

D. The floors in all buildings shall be kept clean and free of oil. Volatile or flammable substances shall not be used to clean floors, walls or any portion of a hangar structure.

E. The Airport shall supply and maintain to City owned hangars such adequate and readily accessible fire extinguishers as may be required by applicable fire codes and regulations. Each fire extinguisher shall carry a suitable tag showing the date of most recent annual inspection.

F. Compressed flammable gas shall not be kept or stored upon the Airport, except at such place as may be designated by the Airport Manager.

G. No flammable substance shall be used for the cleaning of any aircraft part or anything inside a hangar, T-hangar, or other building upon the Airport.

H. No one shall smoke or ignite a match or lighter in any building, hangar, or public ramp area except in posted "Designated Smoking Areas" identified by the Airport Manager. Chapter 18

Section 7. Lease of Airport Property and Construction on Airport

Chapter 18 need to resolve whether there is the option to remove or if the structure must stay and be taken by the city.

F. Leased land from which any building, hangar, or structure is removed, after due notice will be cleared, cleaned, and put back in its original or acceptable condition.

Rule 7-3. Assignment and Sub-letting – Without the prior written consent of City Council, the leased premises or any rights there under (except to a leasehold mortgagee as herein provided) may not be assigned. Any assignment or subletting shall be expressly subject to all the terms and provisions of the original lease.

Rule 7-4. Flying Clubs - A Flying Club ("Club") shall meet the following standards:

A. At the time of applying for a lease, license, permit or agreement to operate at the Airport, the Club shall furnish the Airport Manager with a copy of its documents of organization; the Club's list of members, including names of officers and managers; evidence of required insurance; a description of all aircraft used; evidence that such aircraft are properly certificated; evidence of ownership of such aircraft; and any operating rules of the Club.

B. All aircraft used by the Club shall be owned by the Club or leased exclusively by written agreement to the Club, and all ownership or lease rights to such aircraft must be vested on a pro-rata basis in all of the Club's members. The property rights of the Club members shall be equal, and no part of any revenues received by the Club shall inure to the direct benefit of any member (e.g., by salary or bonus). The Club shall not derive greater revenue from the use of its aircraft than the amount necessary for the operation, maintenance and replacement of its aircraft and facilities.

C. The Club's aircraft shall not be used by any persons other than the Club's members and shall not be used by any person for hire, charter, or air taxi. Flight instruction may be given in Club aircraft.

Rule 7-5. Environmental Issues and Indemnification - Any tenant of the Airport, its agents, employees, independent contractors, or sub lessee shall not install, store, use, treat, transport or dispose of any chemical materials not in compliance with those allowed by state and federal agencies. The amounts of allowable chemicals stored should not exceed the state or federal requirements, whichever is lower.

Rule 7-6. Environmental Cleanup Laws – An Airport tenant will, at their own expense, comply with all existing or hereafter enacted laws relating to Hazardous Materials (collectively, "Cleanup Laws") in effect at the time of the lease, and all future laws thereafter. An Airport tenant will, at their own expense, make all submissions to provide all information to, and comply with all requirements of the appropriate governmental authority (the "Authority") under the Cleanup Laws. Should any Authority require that a cleanup plan be prepared and that a cleanup be undertaken because of the existence of Hazardous Materials which were installed, stored, used, treated, transported, disposed of or discharged on the leased premises, by an airport tenant, its agents, employees, independent contractors or sub lessees during the term of a lease, the Airport tenant will prepare and submit the required plans and financial assurances in accordance with such Cleanup Laws. The Airport shall be indemnified and held harmless from and against all obligations, damages, injunctions, fines, penalties, demands, claims, costs, expenses, actions, liabilities, suits, proceedings and losses of whatever nature (including, without limitation, attorneys' fees and court costs), and all cleanup or removal costs and all actions of any kind arising out of or in any way connected with the installation, storage, use, treatment, transporting, disposal or discharge of Hazardous Materials in or on the leased premises by an Airport tenant.

Section 9. Conflict of Rules and Regulations

If and where there are conflicts in the rules and regulations prescribed herein and the FAA's Federal Aviation Regulations (FAR), the latter shall prevail. If and where there exists a conflict between any of the rules or regulations prescribed herein and any other City rules applicable to the same area, the more stringent limitation, or requirement shall govern and prevail.

Section 10. Penalty for Violation

The Airport Manager may deny use of the Airport for a period not exceeding fifteen (15) days for any person violating or refusing to comply with any of the rules or regulations prescribed herein pending a hearing by the City Council. Upon such hearing, such person may be deprived of the further use of the Airport and its facilities for a period of time as may appear necessary for the protection of life and property. Any violation of these rules and regulations shall be a misdemeanor, and upon conviction, be punishable by a fine not exceeding two-hundred (\$200) dollars, and each day a violation continues to exist shall constitute a separate offense. This section is cumulative of all other penalties for violation of Federal, State, and local laws, rules, regulations, ordinances, and orders. Citation for violation or issuance of a violation ticket of any of the rules and regulations prescribed herein may be made by any authorized police officer. The Airport Manager or City Council may request authorized police officers to investigate any suspected violation of these rules.

Section 11. Severability

If any of the provisions of these rules and regulations or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of these rules and regulations which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 12. Emergency Enactment

The immediate operation of the provisions of these rules and regulations is necessary for the preservation of the public health, public safety, and general welfare. An emergency is hereby declared to exist, and these rules and regulations shall be in full force and effect from and after the enabling ordinance passage by the City Council of the City of Castroville, Texas and publication and posting as required by law.



AGENDA REPORT

DATE: October 7, 2025

AGENDA OF: October 14, 2025

DEPARTMENT: City Council

SUBJECT: Airport Courtesy Car Use Policy

RECOMMENDED MOTION:

Airport Advisory Board develop a courtesy car use policy recommendation and submit to City Council.

BACKGROUND

The Castroville Airport has provided a courtesy car for transit general aviation pilots for many years. A courtesy car was only intended for immediate local area use so pilots could go into Castroville for meals and to visit our town. They were not intended to be taken for overnight stays or trips into San Antonio. Very local use only.

Traditionally small airports without access to rental cars have used hand-me-down vehicles from other city departments or donated vehicles to minimize the cost to the airport. Here in Castroville, these cars were normally City police vehicles that were retired from police patrol use. They are not normally of rent car quality but are suitable for the intended use.

The cost to the airport to maintain the courtesy vehicle will reduce the profit on fuel the transit pilot's purchase which reduces funds for operations. The cost to the user is to just purchase aircraft fuel and to refill the courtesy vehicle after use leaving it in the condition found.

With the expansion of services such as Lyft and Uber that are available to transit pilots and the possibility of delivered and retrieved rental cars, the need for airport courtesy cars has considerably lessened. Any crew/passengers coming to Castroville for business purposes will usually make arrangements for transportation as there is no guarantee the courtesy car will be available.

Request the Airport Advisory Board develop a recommended policy for short term use of courtesy cars and submit that to City Council.

FISCAL IMPACT/SOURCE OF FUNDING: N/A
Budgeted ☐ Requires Budget Amendment

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

ATTACHMENTS:

Submitted by: Councilmember Lee



Agenda Report

Agenda of: October 14th, 2025

Department: Parks & Recreation

Subject: Declare Surplus Vehicles & Equipment

Recommended Motion:

CONSENT: Adopt a Resolution declaring various vehicles & equipment to be surplus property and authorizing the City Administrator to dispose of such property in a manner which is beneficial to the city.

Background:

City departments have reviewed their current fleet and equipment and identified multiple vehicles and machinery that are no longer cost-effective to repair or maintain. These items have reached the end of their useful life and are recommended to be declared as surplus.

Summary of Surplus Items:

Airport Department

- 2004 Dodge Ram Dakota
- 2004 Ford Crown Victoria
- 2013 Chevrolet Tahoe

Parks & Recreation Department

- 2012 Dodge Ram 2500
- 2012 Herbicide Sprayer

- Police Department

- 2005 Smart Signal Speed Trailer

- Public Works Department

- 2011 Ford F-350
 - 2013 Dodge Ram 1500

Fiscal Impact: Unknown cost to dispose/have auctioned off.

Attachments: Resolution & Vehicle & Equipment Surplus Backup

Urgency (0-5 = Low Urgency to High Urgency): 4

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

Submitted by: Jonah Chang, Director of Parks & Recreation

RESOLUTION NO. R2025- XXXX

A RESOLUTION OF THE CITY OF CASTROVILLE, TEXAS, DECLARING VARIOUS VEHICLES AND EQUIPMENT TO BE SURPLUS PROPERTY AND AUTHORIZING THE CITY ADMINISTRATOR TO DISPOSE OF SUCH PROPERTY IN A MANNER WHICH IS BENEFICIAL TO THE CITY AND AUTHORIZING ANY ADDITIONAL ACTIONS REASONABLY NECESSARY TO DISPOSE OF THE SURPLUS PROPERTY

WHEREAS, the City owns several pieces of property which have been replaced, are obsolete or are not currently used by the City, as further described in Attachment A, and incorporated herein for all purposes;

WHEREAS, such property has no value or limited value to the City, and

WHEREAS, because the property is no longer needed but may still has some value, the City deems the property to be surplus personal property;

WHEREAS, the appropriate City staff members have evaluated the need for and the value to the City of each piece of equipment and have recommended disposal of the items.

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

Section 1. The recitals contained in the preamble hereof are found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. The City Council declares the items listed in Attachment A as surplus property and authorizes the City Administrator to dispose of the property in a manner which is beneficial to the City.

Section 3. The City Administrator is hereby authorized to execute any documents and take actions as reasonably necessary to dispose of the surplus property

Section 4. This Resolution is effective from and after its final passage..

PASSED AND ADOPTED, this 14th day of October, 2025.

Bruce Alexander, Mayor

Attest:

Debra Howe, City Secretary

EXHIBIT A
SURPLUS PROPERTY LIST

Vehicles & Equipment

2004 Dodge Ram Dakota

2013 Chevrolet Tahoe

2004 Ford Crown Victoria

2012 Dodge Ram 2500

2012 Herbicide Sprayer

2005 Smart Signal Speed Trailer

2011 Ford F-350

2013 Dodge Ram 1500

City of Castroville Surplus Vehicles:

Airport Department:

The vehicles given to the airport for courtesy vehicles are unreliable hand me downs from the police department. Visiting pilots need & expect reliable transportation, not drive at your own risk. Although I cannot find any maintenance records, the airport budget does not support high dollar repairs, putting good money after bad. In FY25, the Ford Crown Victoria and the Chevrolet Tahoe left pilots stranded. I do not believe the vehicles are salvageable and would be recommended for surplus.

- **2004 Dodge Ram Dakota**
 - Worn out, body damage, transmission problems.
- **2013 Chevrolet Tahoe**
 - Driver's door & seat broken, drivability unreliable, decommissioned police vehicle, high mileage.
- **2004 Ford Crown Victoria**
 - Drivability unreliable, decommissioned police vehicle, high mileage.

Parks & Recreation Department:

- **2012 Dodge Ram 2500**
 - Current Mileage: 65k
 - This vehicle was transferred from the Public Works Department- Electric to the Parks & Recreation Department(PARD.) PARD used this vehicle for a short period of time until a replacement truck was purchased. PARD had a 2022 Ford F-150 on order and once the F-150 was received, the Dodge was retired.
 - The truck is not salvageable due to the ongoing maintenance costs; in addition, this truck has received numerous transmissions and would not be a good idea to continue to sink money into it.
- **2012 Herbicide Sprayer**
 - This piece of equipment has not been in service for over 9 years. At one point, there was someone on staff certified to broadcast chemicals. Since there has not been anyone on staff to keep up with the maintenance and we do not have any records of the last time this machine was calibrated, I believe this machine is salvageable.

Police Department:

- **2005 Smart Signal Speed Trailer**

- After reviewing this piece of equipment, it would not be recommended as salvageable. The machine is 20 years old and is difficult to find parts due to its age. The cost of a new radar trailer is approximately \$8,500 and this trailer would most likely need all new parts & equipment.

Public Works Department:

- **2011 Ford F-350**

- Current Mileage: 208K
- This vehicle was traded from the Airport Department to the Streets Department. When Mr. Kirkpatrick was still here, he & Mr. Fredrickson decided that streets could better utilize this vehicle, and the airport would be better suited using the 2018 Chevy Silverado single cab. This truck has had 2+ engines repaired/replaced since the transfer from the original owner. The original owner also replaced the engine 2 times, in total this truck has received 5 engines and currently requires a new engine.
- This truck is not recommended for salvage and recommended for surplus due to the number of engines that have been replaced on this truck & the continued maintenance costs. It would not be advisable to continue to sink money into this asset.

- **2013 Dodge Ram 1500**

- Current Mileage: 65k
- The 2013 Dodge had an issue with power steering. I'm not sure what other issues it has, but I don't think it's worth the additional repair costs.



2004 Dodge Ram Dakota

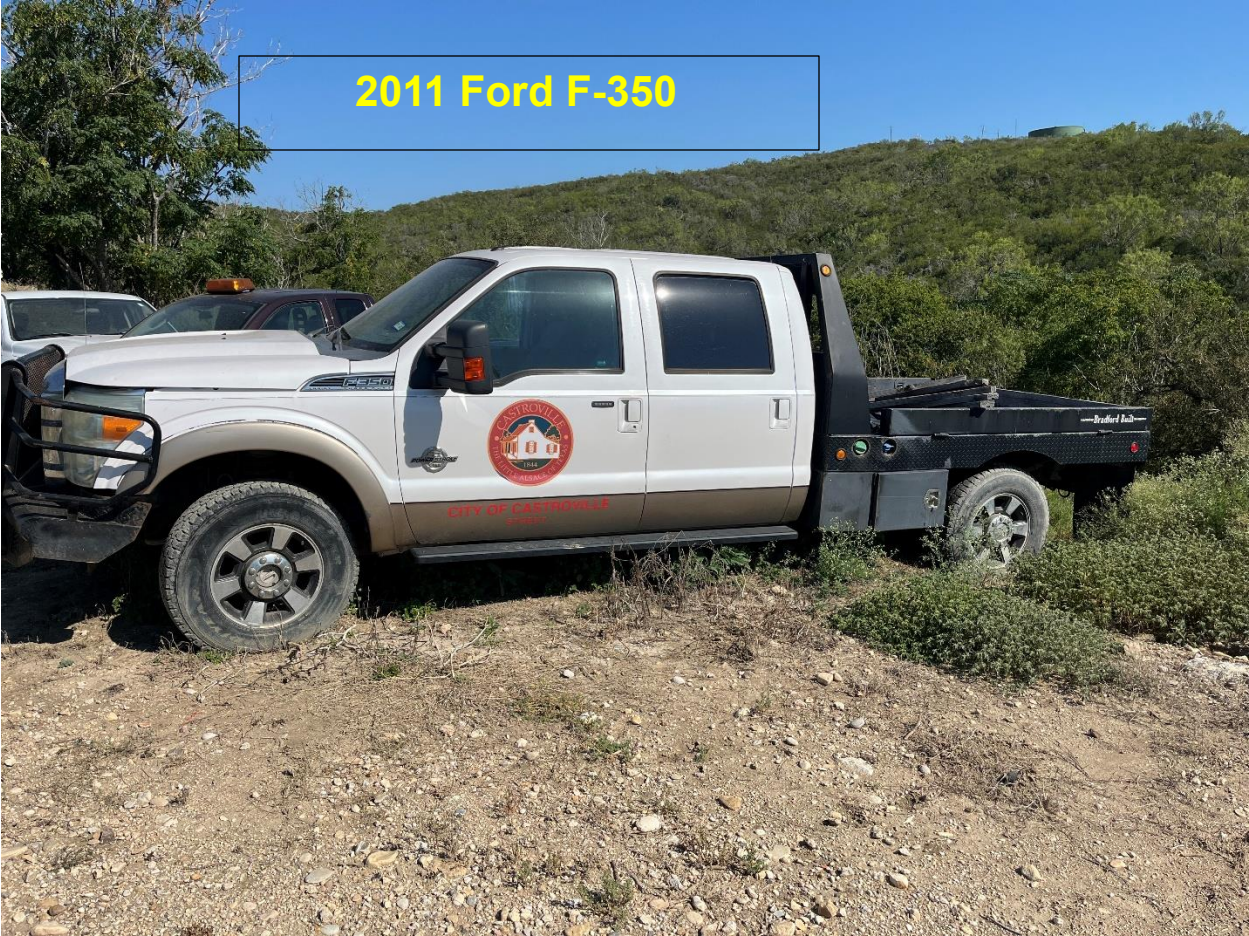


2013 Chevrolet Tahoe











CITY COUNCIL AGENDA REPORT

DATE: October 7, 2025

AGENDA OF: October 14, 2025

DEPARTMENT: Administration

SUBJECT: Discussion and possible action regarding the fees for credit card services at the City's payment kiosk.

RECOMMENDED MOTION: I move to direct City Staff to prepare a formal recommendation and ordinance to implement a kiosk user fee designated to recover all or a portion of the City's processing costs.

BACKGROUND: In Fiscal Year 2022, the City of Castroville implemented a 24-hour self-service payment kiosk to provide residents with convenient, around-the-clock access for making utility payments. Since implementation, the City has absorbed all credit card processing and service fees for kiosk transactions.

As kiosk use has increased, the total cost to the City has grown substantially. The current service charge averages \$3.00 per \$100 in credit card transactions (approximately 3.4–3.5 percent).

For comparison:

- Customers who pay online are charged 2.5% of the payment amount, plus a \$1.25 processing fee that goes directly to Tyler Technologies (Incode).
- Customers who pay in person at City Hall using a credit or debit card are also charged a 2.5% transaction fee at the time of payment.

Below is a fiscal-year breakdown of kiosk credit card transaction volumes and associated City-paid service charges:

Fiscal Year	Total Credit Card Payments Collected	Kiosk Service Charge Fees	Average Rate (%)
FY 2022 (Inception – Sep 2022)	\$ 1,274	\$ 42	3.30 %
FY 2023 (Oct 2022 – Sep 2023)	\$ 368,989	\$ 12,972	3.52 %
FY 2024 (Oct 2023 – Sep 2024)	\$ 658,657	\$ 23,031	3.50 %
FY 2025 (YTD Oct 2024 – Aug 2025)	\$ 741,145	\$ 25,704	3.47 %
Total to Date	\$ 1,770,666	\$ 61,749	3.46 %

Since inception, the City has paid roughly **\$61,700 in kiosk processing fees** on behalf of customers.

DISCUSSION: Councilmember Lee has requested that the City Council discuss and consider options to recover some or all of these kiosk operating costs. Mayor Alexander agrees that the kiosk should include a fee structure to at least offset the City’s ongoing expenses.

Staff seeks Council input and direction on the following potential recovery options:

1. Full Cost Recovery: Passing on the total processing fee (approximately 3.5%) to kiosk users.
2. Partial Cost Recovery: Implement a flat or reduced percentage-based fee that recovers a portion of the City’s cost.
3. Hybrid Approach: Maintaining the City-paid costs for debit transactions but pass on credit card fees only.

Council input will help guide staff in drafting a formal recommendation or ordinance amendment for future consideration.

FISCAL IMPACT/SOURCE OF FUNDING: The City has absorbed approximately **\$61,749** in kiosk fees since FY 2022. Any future cost-recovery model could reduce annual General Fund expenses by **\$20,000–\$26,000**, depending on kiosk usage and the adopted fee structure.

☐ Budgeted ☐ Requires Budget Amendment

ATTACHMENTS:

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

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

Submitted by: Leroy Vidales



Agenda Report

Agenda of: October 14, 2025
Department: Mayor
Subject: Payment Kiosk at the Library

Recommended Motion: Motion to assess user fees to each customer per transaction at the payment Kiosk located at the library at a level that pays for the service provided.

Background:

The city entered into an agreement with AdComp Systems Group on April 06, 2022 to provide for a Kiosk to be located at the library for the payment of utility bills and court fines. The initial term of the agreement was for one year from the first transaction through the Kiosk. The agreement remains in effect unless either party provides a 30-day notice to terminate the agreement.

The agreement assesses a user fee of \$3 per \$100 per credit card transaction payable to ADCOMP.

Fiscal Impact:

It is my understanding through individuals that use the Kiosk that the city does not currently assess any user fees to credit card transactions made at the Kiosk. This practice costs the city \$3 per \$100 per transaction. For example; a \$350 utility bill paid at the Kiosk costs the city \$12 in user fees paid to ADCOMP. The city currently budgets funds to operate the Kiosk that should be assessed as user fees to persons that choose to use the Kiosk to pay utility bills and/or court fines.

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

Source of Funding:

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

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

Submitted by: Mayor Alexander



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: MARCIA S IZAGUIRRE Email: marciasizaguirre@gmail.com

Home Address: 1821 San Jacinto St Mailing Address: same

City: Castroville Tx Zip: 78009 City: _____ Zip: _____

Home Telephone: 830 538 6499 Cell/Business Telephone: 305 632 1310

Resident of Castroville for 12+ years Voter District: # 2 Resident of Texas for 12+ 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:

1st Choice: Library Board 2nd Choice: _____

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

N/A

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 have no conflict of interest.

I developed my love for books at a young age. The public library became an icon in my life. As a journalist my thirst for learning taught me the importance of a place where knowledge is accessible to all.

LIBRARY BOARD

July 2026 - 2027

Position #	Member/Address	Appointed	Phone #	Email Address	Term Expiration
1.	Michelle M. Estrada 211 Geneva Ct. Castroville, Texas 78009	March 2025	(c) 210-722-8156	yellehs52@gmail.com	2026
2.	Bertha Benedetti 4176 CR 271 Mico, Texas 78056	March 2025	830-931-3868 (c) 210-459-3269	benedetibertha@gmail.com	2026
3.	Julieanna Renner-Ramirez 321 CR 4614 (P.O. Box 1626) Castroville, Texas 78009	April 2025	(406) 270-6516	1946JGR872@gmail.com	2027
4.	Shari Biediger 1809 San Jacinto Castroville, Texas 78009	September 2025	(c) 210-875-0443	sharibiediger@att.net	2027
5.	Crystal Stutes (Chair) 816 Lafayette Castroville, Texas 78009	October 2023	(c) 210-378-2966	crystal.stutes@gmail.com	2026
<u>Alternates:</u>					
1.	Kelly Hoog 274 Private Rd. 4731 Castroville, Texas 78009	July 2024	830-931-4649	justri@gmail.com	2026

OPEN

2027

Student Rep: Open

Council Liaison: Councilmember Robert Lee

Updated 10-05-2025



CITY COUNCIL AGENDA REPORT

DATE: October 09, 2025

AGENDA OF: October 14, 2025

DEPARTMENT: City Secretary

SUBJECT: Application submitted for open position on City Boards and Commissions

RECOMMENDATION: Consider and take appropriate action on appointing Marcia Izaguirre to fill the Library Advisory Board Alternate position #2 for a term ending June 2027.

BACKGROUND:

The City Boards and Commissions with the exception of the Historic Landmark Commission has terms ending June 30th of each year. The city has received a request from Ms. Izaguirre to be considered for a position on the Library Advisory Board.

Library Board –Alternate #2 (2027)

FISCAL IMPACT/SOURCE OF FUNDING:

None.

Submitted by:



ATTACHMENTS/ADDITIONAL INFORMATION:

Submitted email request

Boards and Commission Roster



Agenda Report

Agenda of: October 14, 2025

Department: Mayor

Subject: Terminate Bond Counsel

Recommended Motion:

Motion to terminate the professional services agreement with bond counsel firm McCall, Parkhurst & Horton.

Background:

A potential/perceived conflict of interests is believed to exist between the City of Castroville and McCall, Parkhurst & Horton related to development, PID's and TIRZ agreements entered into between the City of Castroville and various developers.

Fiscal Impact:

There is no immediate impact as the city is not currently considering the issuance of debt that requires the review of Bond Counsel.

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

Source of Funding:

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

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

Submitted by: Mayor Alexander



Agenda Report

Agenda of: October 14, 2025

Department: Mayor

Subject: Request for Qualifications for Bond Counsel

Recommended Motion: Consent agenda item.

Motion to direct staff to seek requests for qualifications for Bond Counsel services for the City of Castroville.

Background:

This is a professional service provided to the city. The Professional Procurement Act has a process to follow to fill this position.

Fiscal Impact:

There is no immediate impact to the city. The city is not currently considering the issuance of debt that requires the review of Bond Counsel.

☐ Budgeted ☐ Requires Budget Amendment

Source of Funding:

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

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

Submitted by: Mayor Alexander



Agenda Report

Agenda of: October 14, 2025
Department: Mayor
Subject: Rescind Development Agreement Policy

Recommended Motion:

Motion to rescind the Development Agreement Policy approved by City Council on August 27, 2024

Background:

The current development agreement policy adopted by city council on August 27, 2024 does not reflect the development requirements of both the Comprehensive Zoning Ordinance or Subdivision Ordinance.

The current Development Agreement Policy was written to support the proposed Unified Development Ordinance in anticipation of adopting the UDO.

City Council voted against the UDO, negating the purpose and need for the current Development Agreement Policy.

Planning & Zoning Commission is working a new Development Agreement Policy inline with current ordinances for City Council review and consideration.

Fiscal Impact:

None at this time.

☐ Budgeted ☐ Requires Budget Amendment

Source of Funding:

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

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

Submitted by: Mayor Alexander



Agenda Report

Agenda of: October 14, 2025

Department: Mayor

Subject: Rescind Ordinance 2021-009 Amending the Subdivision Ordinance for Platting Procedures

Recommended Motion:

Motion to adopt an ordinance to rescind ordinance 2021-009 Subdivision, Article III, Procedures, Section 100-23 Submission of Preliminary Plat, d. exceptions adopted May 15, 2021

Background:

Prior to the 2021 amendment, all preliminary and final plats were reviewed ad approved by both the Planning & Zoning Commission and City Council for compliance with all city ordinances and/or development agreements prior to recording a final plat accepting the development by the city.

The amendment adopted on May 15, 2021, removed oversight of the Planning & Zoning Commission and City Council for Final Plat approval when the development is subject to a development agreement.

In general, the preliminary plat process is approval to proceed with a development, the final plat process ensures that all components of the preliminary plat and development agreements are fully complied with. Oversight is needed of both the P&Z and City Council to ensure everything that has been agreed to has been accomplished prior to recording a final plat.

Fiscal Impact:

None at this time.

☐ Budgeted ☐ Requires Budget Amendment

Source of Funding:

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

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

Submitted by: Mayor Alexander

ORDINANCE NO. 2021-009

AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE OF THE CITY OF CASTROVILLE, TO AMEND ARTICLE II (“PROCEDURES”) ALLOWING A FINAL PLAT BE SUBMITTED IN LIEU OF PRELIMINARY PLAT IF PART OF A DEVELOPERS AGREEMENT AND PROVIDING FOR A PROCESS AND REGULATIONS APPLYING TO THOSE PLATS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Castroville (“City”) is a general law municipal corporation organized under the constitution and the general laws of the State of Texas; and

WHEREAS, in the exercise of its lawful authority, the City may enact ordinances to promote and protect the health, safety and welfare of the public; and

WHEREAS, the City may, pursuant to Chapter 212 of the Texas Local Government Code (“Chapter 212”) after a public hearing thereon, establish by ordinance general rules and regulations governing subdivision plats and development of land with its corporate limits and area of extraterritorial jurisdiction in order to promote the health, safety, morals or general welfare of the City, and to promote the safe, orderly and healthful development of the City; and

WHEREAS, the City has adopted Chapter 100 of its Code of Ordinances regulating subdivisions and development within the City’s jurisdiction; and

WHEREAS, the City Council hereby finds and determines that amending platting regulations and allowing for a more streamlined process for those plats submitted for review as part of a Development Agreement promotes the health, safety, morals or general welfare of the City, and promotes the safe, orderly and healthful development of the City; and

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

Section 1. The City of Castroville Subdivision Ordinance, adopted as Ordinance No. 2002-003, is hereby amended as follows. Article II (“Procedures”), Section 100-23 (“Submission of Preliminary Plat”) is amended to add the following [revisions are noted as underlined]:

(d) Exceptions:

(1) A Final Plat in accordance with Section 100-25, along with Construction Plans, may be submitted in lieu of a Preliminary Plat if it submitted as pursuant to a previously approved Developer's Agreement and appropriate surety are submitted along with the application.

Section 2. The City of Castroville Subdivision Ordinance, adopted as Ordinance No. 2002-003, is hereby amended as follows. Article II (“Procedures”), Section 100-25 (“Submission of Final Plat”), Subsection A (“Procedures for submission”) is amended to read as follows:

(a) Procedures for submission. No final plat shall be considered unless a preliminary plat has first been submitted to and approved by the planning and zoning commission and the city council, except otherwise specified in Section 100-23. The final plat and accompanying data shall conform to the

preliminary plat as conditionally approved by the commission, incorporating any and all changes, modifications, alterations and corrections required by the commission and council. The subdivider shall provide the following no later than 31 calendar days prior to the commission's consideration of the final plat:

- (1) Fifteen copies of the final plat, plus one 8½ × 11 black and white copy suitable for making overhead.
- (2) Three detailed sets of plans and specifications bearing the seal and signature of a registered professional engineer, together with detailed cost estimates of all subdivision improvements.
- (3) A digital file of the final plat in a format specified by the city.

The subdivider shall submit to the city administrator a formal application for final plat approval, accompanied by payment of the appropriate filing fee established by city council, also accompanied by payment of the appropriate impact fees established by the city's impact fee ordinance. The application and all required payments shall be submitted no later than seven calendar days prior to the commission meeting at which the final plat is to be considered

Section 3. 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 part of the judgment and finding of the City Council.

Section 4. Should any article, section, part, paragraph, sentence, phrase, clause, or word of this Ordinance, or any appendix thereof, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provisions herein continue to be held unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

Section 5. It is officially found, determined, and declared 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, as required by Chapter 551, Texas Government Code, as amended.

Section 6. This Ordinance shall become effective upon passage by the City Council of the City of Castroville, Texas.

PASSED AND APPROVED this 25th day of May, 2021.


DARRIN SCHROEDER, Mayor

ATTEST:


DEBRA HOWE, City Secretary



Agenda Report

Agenda of: October 14, 2025

Department: Administration

Subject: Discussion and possible action to adopt revisions to the City of Castroville Personnel Policies

Recommended Motion: I move to adopt the personnel policy revisions as presented.

Background: The City's Personnel Policies were last comprehensively updated in 2014. Since that time, a number of changes in federal and state law, as well as City Council and administrative practices, necessitated revisions. The attached proposed draft Personnel Policies incorporates all required legal updates, Council-directed policy changes, and administrative clarifications. These changes have been reviewed against the Texas Municipal League Employment Law Handbook and ADP best practices to ensure compliance and consistency.

Major Revisions Include:

- Expanded Equal Employment Opportunity protections per federal and Texas law.
- Expanded Family and Medical Leave Act (FMLA) and added Pregnant Workers Fairness Act (PWFA) accommodations.
- Addition of whistleblower protections (Texas Government Code Ch. 554).
- Clarified overtime rules (holiday hours count, sick/vacation do not; police excluded).
- Adjusted police holiday pay from 8 to 12 hours per holiday.
- Added longevity pay and certification pay policies.
- Removed any language allowing appeals to the mayor and city council.
- Removed compensatory time section due to ADP system limitations.
- Corrected vacation accrual schedule.
- Updated holiday schedule, removed holiday leave credit.
- Added inclement weather/emergency response provisions (including double-time Emergency Response Pay).
- Added communicable disease/COVID-19 protocols based on CDC/DSHS guidance.
- Updated job titles in Scope section.

Fiscal Impact: Minimal. Longevity pay, certification pay, police holiday pay, and emergency response pay policies are already in practice and accounted for in the adopted budget. No new costs are anticipated.

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

Source of Funding: Account Code: N/A

Attachments: Executive Summary, Draft Personnel Policy

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

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

Submitted by:

Executive Summary – Personnel Policy Revisions (2014 to Draft v4)

The City of Castroville Personnel Policies have undergone their first major revision since 2014. This document summarizes the key changes incorporated into Draft v4, including those required by federal and state law, those recommended by the Texas Municipal League (TML), and those adopted by administrative or Council direction to improve operations.

1. Federal and State Law Driven Changes

- **Equal Employment Opportunity (EEO):** Expanded protected classes per federal and Texas Labor Code (disability, pregnancy, genetic information, gender identity, sexual orientation, veteran status, hairstyle protections).
- **Family and Medical Leave Act (FMLA):** Expanded detail to include eligibility, intermittent leave, restoration rights, and required notices (federal law).
- **Pregnant Workers Fairness Act (2023):** Added requirement for reasonable accommodations and lactation breaks (federal law).
- **Whistleblower Protections:** Incorporated protections under Texas Whistleblower Act (Gov't Code Ch. 554).
- **First Responder Leave:** Added quarantine, mental health, and line-of-duty illness leave in line with Texas statutes.
- **Overtime Calculation:** Clarified compliance with FLSA; holiday hours included for hourly staff (except police), sick/vacation excluded.
- **OSHA/Safety Programs:** Referenced Hazard Communication, PPE, Confined Space, Lockout/Tagout, Bloodborne Pathogens, and Driving Safety compliance.

2. Council/Administrative Policy Updates

- **Longevity Pay:** Updated provisions to reflect current practice and equity goals.
- **Certification Pay:** Added policy for professional certifications to improve recruitment and retention.
- **Police Holidays:** Increased from 8 to 12 hours per holiday to reflect equity with other schedules.
- **Compensatory Time:** Removed due to ADP system limitations and audit compliance concerns.
- **Vacation Leave:** Corrected gaps in accrual schedule for years of service.

- **Holiday Schedule:** Updated annually; clarified that the City no longer credits separate holiday leave.
- **Inclement Weather/Emergency Situations:** Incorporated new provisions for closure, admin leave, and emergency response pay (double time for called-in employees).
- **Communicable Disease/COVID-19 Protocols:** Added detailed exposure response policies in line with CDC and Texas DSHS guidance.

3. Best Practices and Clarifications

- **At-Will Employment:** Clarified orientation period does not change at-will status.
- **Discipline:** Modified from rigid progressive discipline to a flexible model allowing management discretion.
- **Pay Transparency:** Affirmed employees may discuss wages/working conditions consistent with NLRA protections.
- **Sick Leave Documentation:** Limited to 3+ consecutive days unless otherwise required, reducing risk of leave law violations.
- **Social Media/Technology Use:** Narrowed restrictions to protect confidential information and city reputation without infringing employee rights.
- **Removed any language allowing appeals to the Mayor and City Council consistent with legal counsel's advice.**

These revisions bring the City of Castroville's Personnel Policies into compliance with current legal standards, address administrative needs identified since 2014, and modernize the handbook to reflect best practices for municipal government operations.

CITY OF CASTROVILLE
PERSONNEL POLICIES AND PROCEDURES

Adopted March 26, 2012
Revised March 25, 2014

INTRODUCTION

This document sets forth the policies and procedures governing all City of Castroville regular full-time, part-time and temporary employees and is not intended to cover every aspect or situation that might occur. For the purpose of this document, the term City will be used to refer to the City of Castroville. The language used in this document is not intended to create, nor is it to be construed to constitute a contract between the City and any one or all of its employees. This document replaces all administrative rules, regulations and policies adopted prior to the date of this document. The City reserves the right to deviate or depart from, make exceptions to, interpret and apply any of its policies and policy provisions, including those in this document as it sees fit based on particular facts or changing conditions or as it otherwise determines for any reason in its sole judgment. If any conflict arises with these policies and procedures, Texas or Federal law governs respectively, unless such documents specifically state that it is subordinate to these policies and procedures.

Employees have a very important role in the success of the City of Castroville. Through a desire to serve, and with pride in one's job, each employee can contribute to ensuring the City of Castroville remains and improves as a great place to live, work, shop and invest.

The purpose of these rules and policies is to promote a high degree of understanding, cooperation and efficiency among all employees and to provide a good working relationship within a uniform personnel manual.

CHAPTER 1. SCOPE OF PERSONNEL POLICIES AND PROCEDURES

This document sets forth the Personnel Policies and Procedures governing all City regular full-time, part-time and temporary employees. These policies and procedures replace all administrative rules, regulations and policies adopted prior to the date of this document. If any conflict or inconsistency arises with these policies and procedures, Texas or Federal law governs respectively, unless such documents specifically state that it is subordinate to these policies and procedures.

CHAPTER 2. ORGANIZATIONAL STRUCTURE

SECTION 2.01 City Council

The City Council is the policy-making authority of the City of Castroville. The City Council has the authority to set policy on pay rates, working conditions and employee benefits as they find to be in the public interest.

SECTION 2.02 City Administrator

The City Administrator is responsible for the effective administration of personnel policies and procedures and may delegate such functions as deemed necessary. The City Administrator may adopt, amend or rescind administrative procedures or rules and regulations to implement the provisions of these policies and procedures.

SECTION 2.03 Department Directors

Department Directors are responsible for the day-to-day administration of these Personnel Policies and Procedures. A Department Director may make departmental rules and regulations that govern the conduct and performance of employees. The City Administrator is responsible for reviewing departmental rules for consistency with these policies and procedures. Departmental rules and regulations are published and distributed. They have the full force and effect of rules of that particular department. Disciplinary action, as outlined in Chapter 20, may be based upon violation of any such rule and/or regulation.

SECTION 2.04 Human Resource Functions

The Administrative Services Director is responsible for administering and coordinating the human resource activities of the City.

CHAPTER 3. EQUAL OPPORTUNITY/ACCESSIBLE EMPLOYER

The City is an Equal Opportunity Employer. The City provides equal employment opportunities to all employees and applicants for employment without regard to the person's race, creed, sex, national origin, religion or age (as defined by law), or any other non-merit factor, except when specific age, sex or physical requirements constitute a bona-fide occupational qualification (BFOQ).

The City is also an accessible employer and makes reasonable accommodations to maintain accessible working conditions

CHAPTER 4. TYPES OF EMPLOYMENT

The City hires employees in several different employment types as defined below.

SECTION 4.01 Regular Full-Time Employee

Regular full-time employees are scheduled to work forty (40) hours during the workweek in a budgeted position on a continuous basis and receive benefits as further defined in this document. Regular full-time employees may work a different work period, other than a forty hour workweek, for example law enforcement.

SECTION 4.02 Regular Part-Time Employee

Regular part-time employees are scheduled to work on average at least 20 hours but fewer than 40 hours during the work week in a budgeted position on a continuous basis and do not receive employee benefits, except as defined by the Texas Municipal Retirement System (TMRS). See TMRS policies for details. These employees may be in exempt or non-exempt positions.

SECTION 4.03 Temporary Employee

Temporary employees may work full-time or part-time and are hired for a specific period of time or for a special job, task or project that is intended to be of limited duration, such as summer months or holidays. Specific budgeted positions do not exist for these employees. These employees work for a specified hourly wage and are not eligible for employee benefits; except as defined by the Texas Municipal Retirement System (TMRS). See TMRS policies for details.

SECTION 4.04 Emergency Temporary Appointments

During an emergency the City Administrator may immediately fill positions without regard to normal selection and hiring processes. These appointments will not exceed 30 working days.

CHAPTER 5. CLASSIFICATION SYSTEM

SECTION 5.01 Job Classification Plan

The Administrative Services Director administers and maintains the classification plan for all positions. The classification plan groups together positions that may be similar in nature, have approximately the same level of difficulty and responsibility, require comparable skills, knowledge and abilities at the time of recruitment, and that may be fairly compensated by a general range of pay.

SECTION 5.02 Job Descriptions

Job descriptions are written and outline the duties, required skills, knowledge and abilities, education and experience requirements, and essential job functions for each job. Job descriptions are meant to include essential job functions but may not be inclusive of all job duties. Employees are entitled to have a copy of the job description for their current position.

SECTION 5.03 Compensation Pay Plan

The purpose of the Compensation Pay Plan is to ensure that the City is able to attract, retain and motivate employees through a compensation plan that is fair, representative of ability and performance, and promotes the City's goals and overall vision.

The City Administrator is responsible for the development of a uniform and equitable Compensation Pay Plan that consists of minimum and maximum pay rates for each classification, subject to the approval of the City Council.

In reviewing salary ranges, consideration is given to the following:

1. Internal alignment
2. Salary survey results
3. Labor market
4. Other benefits received by employees
5. Information on pay adjustments being given in survey jurisdictions for the same period
6. The City's funding ability

SECTION 5.04 Position Reviews

Position reviews may occur if the nature and duties of a position have changed significantly over a period of time. The Administrative Services Director periodically reviews positions and job descriptions to ensure they are accurate and up to date. Position review requests are usually conducted during the budget process each year.

CHAPTER 6. RECRUITMENT - HIRING PROCESS

Applicants may be recruited from existing employees, outside applicants or both. Job announcements state the application deadline or "Open Until Filled". The hiring authority determines the preferred means of recruitment and the application deadline.

SECTION 6.01 In-House Recruitment

Position vacancies are advertised to City employees only. When recruitment is from employees only, the job announcement indicates so and is posted for a minimum of five (5) working days. Interested employees may apply for in-house position vacancies by submitting an application and/or resume as directed in the job announcement.

SECTION 6.02 Open Recruitment

Position vacancies may be advertised on the Internet, in the local paper, etc. These positions are posted for a minimum of ten (10) working days. Applicants, including City employees, may apply for positions by submitting an application and/or resume as directed in the job announcement.

SECTION 6.03 Position Announcements

Announcements of all job openings are distributed to inform interested and qualified applicants and contain the following information when applicable:

- Job title;
- The type of recruitment (in-house or open recruitment);
- Essential job functions including major job duties and requirements;
- Time, place and manner of making application;
- Application closing date or "Open Until Filled"; and
- The statement "An Equal Opportunity Employer" appears on all advertising.

SECTION 6.04 Rejection of Applicants

Applications may be rejected for the following reason(s):

- The applicant does not meet the stated qualifications for the position;
- The application form is incomplete;
- The application form is found to contain false or intentionally misleading statements of material fact;
- The applicant has a record of unsatisfactory employment;
- The applicant has been convicted of a crime that would preclude the applicant from effectively performing the duties of the position applied for; or
- Other valid circumstances that indicate the applicant is unfit for the employment sought.

SECTION 6.05 Selection Process

Applicants for all City positions undergo an appropriate selection process. The process may consist of any or all of the following: A written test of knowledge, a skills or performance examination, an assessment of capabilities needed for the position, a verbal interview, reference checks, physical fitness test, medical examination, drug/alcohol test or any other appropriate selection process. These are designed to determine as closely as possible the applicant's ability to perform the essential job functions and duties of the position.

CHAPTER 7. AT WILL EMPLOYMENT

Employment with the City is defined "At Will" which means that employment may be terminated at any time, at the will of either party, with or without notice and with or without cause, for any reason or for no reason at all. Employment is for an indefinite period of time and progressive disciplinary procedures as outlined in this document do not imply an employment contract.

CHAPTER 8. APPOINTMENT AND CHANGES IN EMPLOYEE STATUS

SECTION 8.01 Orientation Period

The purpose of the orientation period is to provide an opportunity for the supervisor to train, observe and evaluate the employee's performance. The orientation period begins with the date of employment and has a minimum duration of 6 months. During the orientation period, the employee may be terminated. Employees in this orientation period have no appeal rights for termination.

A performance appraisal is completed by the supervisor at least ten (10) working days prior to the end of the employee's first six months of service. Informal evaluations may be done at any time if necessary or advisable to give the employee feedback sooner.

Upon completion of the final performance evaluation, the supervisor recommends one of the following to the Department Director:

1. That the employee be granted regular status;
2. That the employee's orientation be extended for a period not to exceed six months;
3. That the employee be demoted; or
4. That the employee be terminated.

Action "3" or "4" may be taken at any time during the first six months of employment. If no action is taken by the end of the sixth month of continuous service, the employee is automatically granted regular status.

Employees who are hired to attend and successfully complete classes or training as a condition of employment prior to performing the essential job functions of the positions they were hired for, will serve their six (6) month orientation period after completion of classes or training, for example, Police Cadets.

SECTION 8.02 Promotional Orientation Period

Employees who are promoted within the organization are subject to a six (6) month promotional orientation period that begins with the effective date of the promotion. The purpose of the promotional orientation period is to provide an opportunity for the supervisor to train, observe and evaluate the employee's performance.

A performance appraisal is completed by the supervisor prior to the end of the employee's promotional orientation period. Informal evaluations may be done at any time if necessary or advisable to give the employee feedback sooner.

If the employee does not satisfactorily meet the performance standards of the position, the:

1. Orientation period may be extended 3 more months;
2. The employee may be demoted back to their previous position and rate of pay if it is available and the Department Director agrees to accept the employee, or
3. The employee is terminated.

SECTION 8.03 Promotions

Promotions occur as a result of an employee applying and being selected for a position in a higher pay range. Employees are encouraged to apply for internal promotions.

SECTION 8.04 Transfers

A transfer is the assignment or movement of an employee from one position to another position in the same job classification or pay range in the same or different department. A transfer may be made for administrative reasons or upon written request from the employee for an available opening. The employee must possess the minimum qualifications for the new job. Department Directors may transfer employees in their department within the same classification. Any other

transfer from one classification to another or from one department to another must be approved by the City Administrator.

SECTION 8.05 Demotions

Demotions may be either voluntary or involuntary and occur at the discretion of the City Administrator:

1. When the employee's position is eliminated due to a change in organization, funding, or a reduction in workforce;
2. Upon written request of the employee and if the employee meets the minimum qualifications for the position;
3. When it is documented that an employee is unable to satisfactorily perform the duties and responsibilities of their position and is reduced from their current rate of pay and pay range to a lower pay range and job classification; or
4. When the seriousness of an infraction of the Personnel Policies and Procedures is such that disciplinary action must be taken.

SECTION 8.06 Reinstatement

When it is in the best interest of the City, an employee who resigns in good standing may be reinstated to the employee's former position if it is available. Reinstatement is allowable within three months following the resignation without the employee being required to go through the selection process, provided the person remains qualified to perform the essential functions and duties of the position. Employees who resign their employment with the City a second time are not eligible for reinstatement. Tenure or length of service with the City for purposes of length of service and leave calculation do not accrue during the period the employee is gone. However, upon reinstatement, length of service will resume without loss of tenure gained prior to the employee's resignation. Leave balances are not reinstated.

Employees not eligible for reinstatement under the above provisions are eligible to submit an application. If the previous employee is rehired, the employee is treated as a newly hired employee and is required to successfully complete the orientation period. Employees who were previously employed by the City in a regular position for more than five continuous years will have their prior service credited toward their total length of service for leave benefits after the employee has completed twelve continuous months of service in the new position.

CHAPTER 9. PAY AND PAY CHANGES

SECTION 9.01 Employee Appointment Rate

Employees are normally hired at the minimum of the pay range. With written documentation, employees may occasional be hired above the minimum of the pay range if their skills and knowledge are sufficient to allow them to immediately begin performing at a very skilled level or if market conditions warrant a higher salary level as approved by the City Administrator.

SECTION 9.02 Appointment or Separation on a Holiday or Weekend

Unless it is a normal scheduled workday, appointments and separations of duty are not effective on designated City holidays or on weekends.

SECTION 9.03 Pay Days

Employees are paid on a bi-weekly system, twenty-six (26) times in a calendar year. If payday falls on a holiday, payday is the previous regular workday.

SECTION 9.04 Payroll Deductions

The City deducts from each employee's paycheck those amounts required by law such as: Social Security Taxes, Federal withholding income taxes, retirement contributions, and other amounts authorized in writing by the employee. Mandatory deductions may also include those ordered by a court.

SECTION 9.05 Pay Changes

The City provides various types of salary increases to recognize employee performance, market conditions, internal equity, etc. The City Administrator is responsible for administering pay changes and salary increases within established personnel policies, subject to funding as approved in the budget process. The City Administrator may utilize any one or combination of the following policies for administering pay changes or salary increases.

SECTION 9.06 Merit/Performance Increases

Merit/Performance increases are awarded to employees in recognition of their work performance. A merit/performance increase cannot increase any employee's salary beyond the maximum of the position's pay range.

Employees are usually eligible to receive merit increases after the required six (6) month orientation period in the current position is successfully completed. Employees are then eligible to receive merit/performance increases on their anniversary date, which is twelve (12) months of continuous service in their current position.

Each time an employee is promoted to a new position, a new evaluation date is established. These employees are eligible for merit/performance increases after their six (6) month promotional orientation period is successfully completed and then after twelve (12) months in the new position.

A written performance evaluation for each employee must be completed prior to recommendation for a merit/performance increase. Merit/performance increases are effective on the first day of the pay period following final authorization.

SECTION 9.07 Uniform Salary Adjustment/Compensation Pay Plan Adjustment

During the budget process the City Council may authorize uniform salary adjustments to employees' base rate of pay and changes to the compensation pay plan. Factors such as the Consumer Price Index, inflation and market conditions are considered in setting a specific percentage or dollar amount increase. If a uniform salary adjustment is granted, all employees will receive an adjustment to their base rate of pay so long as they do not exceed the maximum of their pay range. When changes are made to the compensation pay plan, only employees whose pay is below the minimum of the pay range will be moved to the minimum of the pay range for their position.

SECTION 9.08 Lump Sum Adjustments

There may be times when it is appropriate for an employee to receive a one-time lump-sum salary adjustment. Specific reasons for such adjustments must be documented and follow any applicable laws and/or statutes. These adjustments may also be given to employees who have reached the maximum pay of their respective pay grade in lieu of a raise.

SECTION 9.09 Other Salary Adjustments

The City recognizes that other pay adjustments may be necessary at times to address issues of internal equity, competitive market forces or other relevant factors. The City Administrator may authorize other salary adjustments.

SECTION 9.10 Longevity

The City values retaining good employees and recognizes regular full-time employees who have completed one year of continuous service by granting longevity pay of ~~\$3.00 per month for each full month of continuous service~~ \$100 per year for each full year of continuous service. Longevity pay is paid the first Friday in December for service earned through the end of the current calendar year. Employees terminating before the first Friday in December are not eligible for longevity pay.

12 months	1 year of service	\$36 \$100
24 months	2 years of service	\$72 \$200
36 months	3 years of service	\$108 \$300
48 months	4 years of service	\$144 \$400
60 months	5 years of service	\$180 \$500
72 months	6 years of service	\$216 \$600
84 months	7 years of service	\$252 \$700
96 months	8 years of service	\$288 \$800
108 months	9 years of service	\$324 \$900
120 months	10 years of service	\$360 \$1,000
132 months	11 years of service	\$396 \$1,100
144 months	12 years of service	\$432 \$1,200
156 months	13 years of service	\$468 \$1,300
168 months	14 years of service	\$504 \$1,400

There is no maximum number of years of longevity pay. ~~The maximum number of years longevity pay is calculated on is 14 years; the maximum paid is \$504.~~

SECTION 9.11 Professional Certification Pay

Employees may qualify for certification pay if they earn a job related certification or license from a professional association or agency that is higher than the level required for the position they hold. The City Administrator determines whether or not to accept any certification for pay purposes on a case by case basis. The certification must require significant study and/or testing of the employee's skills or knowledge.

Level I	\$25 per month
Level II	\$50 per month
Level III	\$75 per month
Level IV	\$100 per month

~~No combination of certification pay will exceed \$100 per month per employee.~~

PUBLIC WORK CERTIFICATE PAY

Water/Wastewater Department

Class D	\$86.66 per month
Class C	\$173 per month
Class B	\$260 per month
Class A	\$346 per month

Electric Department

Level I Merchant	\$86.66 per month
Level II Merchant	\$173 per month
Level III Merchant	\$260 per month
Journeyman lineman	\$346 per month

Equipment Operator \$346 per month with approved training (must be in job description and attend training courses).

Commercial Driver License A \$346 per month
Commercial Driver License B \$173 per month

Customer Service Inspection	\$43 per month
Backflow Prevention Assembly Tester	\$43 per month
Onsite Sewage Facilities	\$43 per month
License Irrigator	\$43 per month

These certification pay does not stack and only increases by license upgrade.

POLICE DEPARTMENT CERTIFICATE PAY

Basic Certificate	\$50 per month
Intermediate Certificate	\$75 per month
Advance Certificate	\$100 per month
Masters Certificate	\$150 per month
Advance Tele-communications License	\$100 per month

SECTION 9.12 Pay Upon Promotion

It is the intent of the City to offer a pay increase for promotions. If the employee's annual salary is less than the minimum of the new pay range, the employee's salary is increased to that amount or by 5% whichever is greater. If the employee's annual salary is higher than the minimum of the new range, the employee's annual salary is increased by 5% or to the maximum of the pay range,

whichever is less. Promoted employees are not eligible for merit increases until they have been in the position for at least six months.

SECTION 9.13 Acting Pay

Under certain circumstances, an employee may be eligible for acting pay, when the employee has been appointed to assume the duties of a higher level position on a temporary basis for a minimum of 30 consecutive days. Acting pay is retroactive to day one after the completion of 30 consecutive days. The employee may be eligible for:

1. A minimum of 5% increase in pay not to exceed the maximum of the pay range for the higher position,
2. Up to the minimum of the pay range for the higher position, or
3. A maximum of 25%, as long as the amount is within the pay range of the higher position.

Upon completion of the temporary assignment, the employee is returned to their original position at the previous pay rate.

SECTION 9.14 Pay Upon Transfer

When an employee is transferred to a position in the same pay range, the employee's pay remains the same.

SECTION 9.15 Pay Upon Demotion

When an employee is demoted either involuntarily or voluntarily to a lower paying position, the City Administrator determines whether the employee's pay remains the same or is decreased immediately. If the employee's pay is above the maximum of the lower pay range, the employee's salary is reduced to the maximum of the lower pay range. In the case of a voluntary demotion, the employee's rate of pay will be adjusted so as not to create internal equity issues in the new position.

SECTION 9.16 Pay Upon Reclassification

When an employee's job has been reviewed and it is reclassified to a higher pay range, the employee's pay remains the same unless their pay is lower than the minimum of the new pay range. If the employee's pay is lower than the minimum of the new pay range, the employee is moved to the new minimum effective the first workday of the pay period following approval of the reclassification.

When an employee's job has been reviewed and it is reclassified to a lower pay range, and the employee pay is higher than the maximum of the new pay range, the employee's pay is frozen until the maximum of the new pay range equals or exceeds the employee's pay

SECTION 9.17 Effective Date of Pay Changes

Pay changes are effective the first day of a pay period following final approval of the changes.

CHAPTER 10. PERSONNEL RECORDS

SECTION 10.01 Content

The Administrative Services Director maintains the official personnel files for all employees. Personnel files include: application forms, performance evaluation forms, pay increase forms and other such documents that track an employee's employment history and job status. Unless otherwise required by law, official personnel files are confidential and may not be used or divulged for purposes unconnected with official business unless the employee involved has granted written permission or as required by law. All inquiries regarding present or former employees, whether verbally or in writing; must be referred to Administrative Services.

Upon employment, each employee is expected to provide certain personal information such as, but not limited to, home telephone number, date of birth and person to contact in case of an emergency. Such information is maintained in the employee's file but is kept confidential in accordance with legal requirements.

SECTION 10.02 Accessibility

Employees have the right to reasonable inspection of their official personnel file during normal business hours. This can be done by scheduling an appointment through Administrative Services. A member of the Administrative Services staff is required to be present when an employee reviews their personnel file.

CHAPTER 11. HOURS OF WORK AND OVERTIME

SECTION 11.01 Normal Hours of Work

City Hall is open from 8:00 a.m. – 5:00 p.m., Monday through Friday (excluding holidays). Employees are expected to be at their work location and ready to begin work at the beginning of their work schedule. The City also observes a flexible work schedule in some departments.

SECTION 11.02 Work Week

Except as otherwise specified, the normal workweek is 40 hours per week, exclusive of meal breaks. The workweek begins at 12:01 a.m. Saturday and terminates at midnight on Friday. Department Directors are responsible for establishing daily work schedules.

SECTION 11.03 Work Period

Law enforcement employees follow an 86 hour work period in 14 days.

SECTION 11.04 Non-Exempt Employees

Non-exempt employees are in positions that do not meet the Administrative, Executive or Professional designations of FLSA.

SECTION 11.05 Overtime

Non-exempt employees are paid 1 ½ times their regular rate of pay for actual hours worked over 40 hours in the workweek **holidays are included in calculating overtime, other types of paid leave, such as vacation and sick leave are not included in calculating overtime.** Non-exempt Law Enforcement employees are paid 1 ½ times their regular rate of pay for actual hours worked over 86 hours in a 14 day work period. Other types of paid leave, such as vacation **and** sick **and** **holiday** leave are not included in calculating overtime; this includes Law Enforcement employees.

The minimum standards for the City's overtime calculations are the basic standards set forth in the Fair Labor Standards Act.

All employees are required to work overtime when necessary as determined by their Department Director. Specific overtime assignments are rotated and allocated as evenly as possible among employees qualified to do the work. Employees are expected to respond to reasonable requests to work overtime and may be subject to disciplinary action for failing to stay or report for overtime work.

Department Directors are responsible for controlling overtime and compensatory time costs within the department and to control early or late departures of employees. All overtime must be approved in advance by the supervisor.

Example 1: An employee has worked 40 hours by the end of the day on Thursday and is scheduled to work on Friday. The employee may be given Friday off. The employee is credited with 40 hours of pay for that workweek.

Example 2: An employee has worked 34 hours and is scheduled to take 8 hours of vacation leave during the workweek.

34 hours regular pay for hours worked	34
6 hours regular pay for vacation leave	<u>6</u>
	Hours 40

The vacation leave is adjusted to reflect the forty (40) hour workweek

Example 3: An employee took 8 hours of sick leave and worked forty (40) hours based on departmental needs during the workweek. The employee is not charged with 8 hours of sick leave and is paid 40 hours of regular pay.

40 hours regular pay for hours worked	40
No sick leave is charged	<u> </u>
	Hours 40

Example 4: A law enforcement officer worked 86 hours based on departmental needs during the work period (14 days). The employee is paid 86 hours at their regular rate of pay.

Example 5: A law enforcement officer has worked 80 hours and is scheduled to take 8 12 hours of vacation leave during the work period (14 days). The employee is not charged with 8 12 hours of vacation leave and is paid 86 hours at their regular rate of pay.

80 hours regular pay for hours worked	80
No vacation leave is charged	<u>6</u>
6 hours regular pay for vacation leave	Hours 40 86

Example 6: A law enforcement officer has worked 90 hours during the work period (14 days). The employee is paid 86 hours at their regular rate of pay and 4 hours at ~~1 ½ times their regular rate of pay.~~ their overtime rate.

86 hours at the employee's regular rate of pay	86
4 hours at 1 ½ times the employee's regular rate of pay	<u>4 6</u>

Overtime hours at overtime rate

Hours 90 92

~~SECTION 11.06 — Compensatory Time for Non-Exempt Employees~~

~~Non-exempt employees are entitled to compensatory time when the employee has actually worked more than 40 hours during the workweek and the workload does not permit the employee to take time off during the workweek. The Department Director must authorize all compensatory time in advance. The employee accrues compensatory time at the rate of one and one-half (1½) times for the hours worked over 40 during the workweek. The maximum accrual is 60 hours. Any accrued compensatory time over 60 hours is paid to the employee.~~

~~SECTION 11.07 — Compensatory Time for Non-Exempt Law Enforcement Employees~~

~~Non-exempt law enforcement employees are entitled to compensatory time when the employee has actually worked more than 86 hours in a 14 day work period and the workload does not permit the employee to take time off during that work period. The Police Chief must authorize all compensatory time in advance. The employee accrues compensatory time at the rate of one and one-half (1½) times for the hours worked over 86 during the work period. The maximum accrual is 60 hours. Any accrued compensatory time over 60 hours is paid to the employee.~~

SECTION 11.08 Travel Time for Non-Exempt Employees

Non-exempt employees are eligible for compensation for the time they spend traveling. The compensation a non-exempt employee receives depends upon the kind of travel and whether the travel time takes place within normal work hours or outside normal work hours.

“Normal work hours” for the purpose of this policy are defined as 8:00 a.m. to 5:00 p.m. or the regular work hours for that employee. This definition applies to normal workdays (Monday through Friday) and to weekends (Saturday and Sunday).

A. Travel Time Defined

“Travel time” is defined as the time an employee arrives at the airport to the time the employee reaches their destination. If an employee is traveling to a location, then the destination is either the hotel or the work site (if the employee travels directly from the airport to work). If the employee is returning home from a location, the destination is the airport of final arrival.

Travel between home and work or between the hotel and work site, is considered normal commuting time and is not eligible for compensation.

If an employee requests a specific travel itinerary or mode of transportation that is different from the one authorized by the City, only the estimated travel time associated with the itinerary and mode of transportation that has been authorized is eligible for compensation.

B. Travel Time Within Normal Work Hours

Any portion of authorized travel time that takes place within normal work hours on any day of the week, including Saturday and Sunday, is treated as work hours. Travel time within normal hours is paid at the employee's regular hourly rate and is factored into overtime calculations. For example if the employee worked 34 hours and had 6 hours of travel time during the work week,

the employee would be paid for 40 hours at their regular rate of pay. If the employee worked 36 hours and had 6 hours of travel time during the work week, the employee would be paid for 40 hours at their regular rate of pay and 2 hours would be paid as overtime at the rate of 1 ½ times the employee's regular rate of pay.

When an employee travels between two or more time zones, the time zone associated with the point of departure is used to determine whether the travel falls within normal work hours.

C. Travel Time Outside Normal Work Hours

Any portion of authorized travel time (with the exception of driving time) that takes place outside of normal work hours is considered to be outside travel hours. Travel time spent outside regular work hours as a passenger on an airplane, train, boat, bus, or automobile is not compensable hours and is not included in overtime calculations. However, the time spent when an employee is the driver or is required to ride as an assistant or helper and is working while riding, except during bona fide meal periods or when the employee is permitted to sleep in adequate facilities, is considered work hours and is factored into overtime calculations. For example if the employee worked 36 hours, had 8 hours of travel during normal work hours and 6 hours of travel time outside normal work hours in the work week, the employee would be paid for 40 hours at their regular rate of pay and 4 hours would be paid as overtime at the rate of 1 ½ times the employee's regular rate of pay. The 6 hours of travel time outside normal work hours is not compensable.

SECTION 11.09 Stand By Pay

The vital nature of certain City services requires that some employees be available in an "on call" or "standby" status in the evenings and over holidays and weekends to ensure the continuity of those vital services. Employees who are on-call are required to maintain the "on-call" phone and to respond immediately when notified to report to work. Response time should not exceed twenty (20) minutes. The employee who is on-call is not restricted to a specific location provided the employee can meet the twenty (20) minute response time. When non-exempt employees are assigned to be on-call for a particular week, the person(s) designated, as on-call will automatically be paid for eight hours at the regular, straight-time hourly rate of pay for any on-call week and four additional hours at the straight rate for any holiday during the on-call period. If there is a second employee in the same department also scheduled for on-call, but only as a backup to the primary on-call employee, the second employee will automatically be paid six (6) hours at the regular straight-time rate of pay for any on-call week and three (3) additional hours at the straight-time rate for any holiday during the on-call period.

SECTION 11.10 Exempt Employees

Employees classified as exempt are expected to work in excess of a 40-hour workweek as needed to complete normal duties. This includes attendance at meetings or travel beyond regular business hours; which is not compensable and is considered a condition of employment. Exempt employees do not accrue compensatory time.

Exempt employees are in positions that meet the Administrative, Executive or Professional designations of the Fair Labor Standards Act.

SECTION 11.11 Breaks

A. Rest Break

Employees who are not permitted to leave their work station to take care of personal needs may be granted a recognized 15 minute rest break every 4 hours in the morning and afternoon to take care of personal needs, for example: get coffee, go to the restroom, make personal phone calls or get a drink of water.

B. Meal Break

Employees who work in excess of four (4) hours each day may take an unpaid meal break. The length of the meal break is normally 1 hour. Meal breaks are, to the extent possible, scheduled close to the middle of the shift. Transportation to and from meal breaks begin and end during the unpaid meal break. Unused meal breaks may not be used to shorten the workday.

Law enforcement officers who are scheduled to work patrol and have the opportunity may take a 30-minute meal break with pay.

CHAPTER 12. EMPLOYEE BENEFITS

SECTION 12.01 Benefits

The City may offer regular full-time employees enrollment in a health benefit plan, life insurance with accidental death and dismemberment, Texas Municipal Retirement System (TMRS) and other benefit plans. Refer to the benefit plan document(s) for specific details.

SECTION 12.02 Leaves

A. Vacation Leave
Revised March 25, 2014

Regular full-time employees accrue vacation leave after the completion of their first full pay period. Vacation leave is then accrued on a biweekly basis. Vacation leave cannot be taken, nor will it be paid upon separation during the first six months of continuous employment. The maximum vacation leave accrual at any time is 320 hours. Accruals in excess of this amount are automatically forfeited.

After Completing	Bi-weekly	Yearly
1 year - 5 years	3.08 hours	10 days
6 5 years – 9 10 years	3.69 hours	12 days
10 years - 14 15years	4.62 hours	15 days
15 years - 20 years	6.15 hours	20 days
20 years +	7.69 hours	25 days

Employees continue to accrue vacation leave at their regular rate or on a prorated rate while on paid leave. Vacation leave does not accrue when an employee is not in a paid status. Unpaid leave status does not constitute a break in service for vacation accrual rate determination

purposes. An employee returning to work from unpaid leave status will resume vacation accrual at the rate provided for based on credited service before and during the unpaid leave.

Vacation leave must be requested in advance and be approved before taken. Vacation leave may be taken in a minimum of 1 hour increments. Failure to receive approval in advance of leave may result in leave without pay. Employees cannot take more vacation leave than they have accrued.

Upon termination, regular full-time employees with at least 6 months of continuous service are paid for accrued vacation leave up to the maximum of 320 hours at a rate based upon the employee's final hourly pay rate. Vacation leave cannot be used to extend an employee's termination date or in lieu of a notice of resignation or retirement.

B. Vacation Leave Buy Back

An employee with a minimum of 80 hours of accrued vacation leave may sell 40 hours of vacation leave back to the City. Vacation Buy Back may be done once each calendar year and must be approved by the City Administrator.

C. Sick Leave

Revised March 25, 2014

The primary purpose of sick leave is to allow regular full-time employees to accrue leave time so that if the employee or a member of their immediate family suffers an illness, has a doctor's appointment that requires an absence from work, the employee's income can continue at a normal level. Sick leave should not be used casually.

Regular full-time employees, including Law Enforcement, accrue sick leave after they have completed their first full pay period. Sick leave is accrued at 3.69 hours per pay period. Sick leave cannot be taken during the first three months of employment. The maximum accrual is 720 hours at any time. Employees continue to accrue sick leave at the regular rate or on a prorated rate while on paid leave. Sick leave does not accrue when an employee is not in a paid status.

1. Accrued sick leave may be used in one-half (1/2) hour increments.
2. Employees using sick leave must call their supervisor and report their absence within the first half-hour (1/2) of work or earlier if prescribed by their department policies.
3. For absences in excess of 3 days employee is required to provide medical documentation.
4. For leave of absence requested in advance a doctors note is required upon his return to work.
5. Employees who transfer from one department to another for any reason maintain their accrued sick leave balances.
6. Employees are not permitted to engage in any employment or business outside their regular City duties while receiving sick leave benefits.
7. An employee under suspension without pay forfeits any claim to sick leave for the duration of the suspension.
8. Employees are not paid for accrued sick leave upon separation from employment.

Immediate family member includes spouse, own parents, child, and stepchild.

D. Sick Leave Bank

A Sick Leave Bank program is established to provide continuation of income for qualified employees who have exhausted all of their accrued benefit leave (sick leave, compensatory time, holiday, and vacation time) and require leave due to a personal medical emergency or to care for an immediate family member who has a medical emergency. The Administrative Services Department will maintain the Sick Leave Bank. The transfer of earned sick leave to the Bank is entirely voluntary and may be done at any time.

Full time regular employees with 12 months of continuous service are eligible to apply for the sick leave.

(i) Definitions

Medical emergency is a serious, extreme, severe, catastrophic, or life-threatening medical condition of an employee or immediate family member that requires an employee's absence from duty for a prolonged period of time. The condition should be such that:

- requires the services of a licensed medical provider,
- prevents the employee from working,
- forces the employee to utilize all accrued leave time, and
- causes the employee to lose compensation.

Immediate family member includes spouse, own parents, child, and stepchild.

(ii) Donation Procedures

1. Employees who desire to donate earned sick leave must do so by using the Donation Form.
2. Minimum sick leave contribution is two (2) hours, so long as the employee maintains a minimum balance of 10 days (80 hours) of sick leave.
3. Employees donating sick leave must have accrued the requested amount of sick leave at the time of the donation.
4. The maximum annual donation of sick leave to the Sick Leave Bank is 96 hours per employee.
5. Employees may not designate the recipient of donated sick leave.
6. Once sick leave has been donated to the Sick Leave Bank, it will not be returned to the employee who donated the sick leave. However, that employee may request sick leave from the bank in time of need.
7. Employees absent taking leave from the Sick Leave Bank are considered for all purposes as if on earned sick leave, and may be subject to leave under the Family and Medical Leave Act (FMLA).

(iii) Request for Use of Sick Leave Donation

1. An employee who has exhausted all accrued benefit time (sick leave, compensatory time, holidays, and vacation leave) is eligible to apply for and receive transfers from the Sick Leave Bank.
2. Employees desiring to request the use of voluntary sick leave donation must complete the request form available in Administrative Services.

3. The request form must be signed by the supervisor and submitted to the Administrative Services Director for consideration and approval.
4. By requesting donated sick leave, the employee must share the minimum amount necessary of their personal information, and including personal health information. This information will be kept confidential. A physician's written statement may be required.
5. Applicants for donated sick leave will not be discriminated against for not having contributed to the Sick Leave Bank.
6. The City Administrator has final approval on all voluntary sick leave donation requests.
7. If an employee is unable to make a request on their behalf, the supervisor of the employee may make a written request on the employee's behalf.
8. Eligibility will be based on the definition of a serious health condition from the Family and Medical Leave Act.
9. Approved transfers from the Sick Leave Bank will be made at the end of each payroll-reporting period to cover absences for the specified illness or injury during that reporting period until the total approved transfer is reached.
10. Any benefit time (sick leave, compensatory time, holidays, and vacation leave) earned by the employee will be used and exhausted prior to the bi-weekly transfer from the Sick Leave Bank.
11. An employee is eligible to apply to the Sick Leave Bank even if the employee has previously received a transfer from the bank.
12. Employees drawing leave from the Bank will have a limit of 30 days in any 12-month period plus two (2) weeks for each year of service with the City up to a combined total of 1040 hours of individual sick leave and sick bank leave.
13. Sick leave acquired from the Sick Leave Bank will not be paid to an employee who subsequently leaves City service or to the estate of a deceased employee. Any unused balance will be returned to the Sick Leave Bank.

(iv) Decision/Notification

1. Each request is reviewed and considered individually. In general, an employee must not be able to attend work due to a medical emergency as defined within this document.
2. A lesser number of hours than requested by the employee may be granted.
3. Notification of approval or disapproval of leave from the Sick Leave Bank is made by the Administrative Services Director to the employee as well as the employee's immediate supervisor.
4. The employee may also request an unpaid leave of absence in accordance with any current policy.

The City Administrator may terminate the program if it is determined that it is not in the best interest of the City. If the Sick Leave Bank program is terminated, the remaining leave in the bank will be used until depleted.

(v) Termination of Donated Sick Leave

Use of the Sick Leave Bank ends when the maximum donated leave time is exhausted, the employee returns to their regular work schedule, terminates employment, retires, or dies.

(vi) Abuse of Sick Leave Bank

Inappropriate use or abuse of sick leave and/or donated sick leave by an employee may be subject to disciplinary action, up to and including termination, and/or denial of use of paid sick leave and/or donated sick leave.

E. Holidays

The following days are observed as paid City holidays for regular full-time employees:

1. New Year's Day
2. Martin Luther King Jr. Day
3. Presidents' Day
4. Good Friday
5. Memorial Day
6. Independence Day
7. Labor Day
8. Columbus Day
9. Veteran's Day
10. Thanksgiving
11. Day After Thanksgiving
12. Christmas Eve
13. Christmas Day
14. New Year's Eve Day
15. One Floating Holiday (Employee's choice with supervisor's approval)

If a holiday occurs on a Saturday, it will be observed on the Friday before. If a holiday occurs on a Sunday, it will be observed on the Monday after.

The floating holiday must be scheduled and approved in advance and must be used within the calendar year. New employees hired before October 1st are granted one floating holiday for the calendar year. Floating holidays cannot be carried over from one calendar year to the next if not used.

Regular full-time employees earn eight hours per holiday, regardless of their normal work schedule. Law Enforcement employees are earn twelve hours per holiday, regardless of their normal work schedule.

~~When employees are scheduled to work on a holiday as part of their normal work schedule, they receive their regular rate of pay for hours worked and are credited with holiday leave to be taken at a later date within the work period. If the workload does not permit, the employee may accrue up to 3 days of holiday leave to be used at a later date as approved by the Department Director. The maximum holiday leave accrual is 3 days. Employees are paid holiday leave at their regular rate of pay for holiday leave over 3 days.~~

When employees are on some type of approved paid leave that includes an observed holiday; the holiday counts as a day of holiday leave. Employees in a non-paid status that includes an observed holiday do not receive holiday or accrue holiday leave.

F. Religious Holidays

Religious holidays not observed by the City may be granted as vacation leave, compensatory time or leave without pay upon advance request and approval of the Department Director and Administrative Services Director.

G. Leave Without Pay

Consistent with the leave policies, employees are placed on leave without pay for short periods of time when the employee does not have sufficient leave time to cover the absence. Leave without pay can be excused or unexcused.

H. Leave of Absence

Leaves without pay may be granted in increments of up to 30 days, not to exceed 3 months in duration. The request must be submitted in written form and approved through the Department Director and the City Administrator. The City will make efforts to place a returning employee in the same position at the time the leave was granted, but reserves the right to reassign the employee according to business requirements and the employee's job qualifications and ability to perform the essential functions of the position. If the employee does not return at the agreed upon time, the employee will be considered to have voluntarily resigned their employment.

Leave benefits and seniority credits are not accrued during this period of time. Pay increases and performance evaluation dates are adjusted according to the length of leave of absence. Employees may be required to contribute towards their insurance benefits.

I. Administrative Leave

The City Administrator may grant up to fifteen (15) working days of administrative leave to relieve an employee from work with or without pay. Administrative leave may be used when it is in the best interest of the City, when an employee investigation is being conducted or when warranted by unforeseen circumstance not otherwise provided for in these policies.

The City Administrator may grant up to ten (10) working days of administrative leave per calendar year with pay when an exempt employee has been required to work considerably more hours on a regular basis than the normal work hours.

J. Job Injury Leave

If an employee has been disabled due to an on-the-job injury or illness and is entitled to receive benefits under the Workers' Compensation Law of the State of Texas for temporary partial disability or temporary total disability, work time missed is recorded as job injury leave.

Job injury leave terminates after ninety (90) calendar days or as it applies below.

1. On the date a ruling of permanent disability is made;
2. When the employee is released to return to work;
3. At such time as the employee is declared capable of performing their normal duties by a designated physician.

Employees who exhaust the 90 calendar days of job injury leave may be eligible to continue to receive compensation at the rate set out by the Workers' Compensation Law of the State of Texas.

The City will make efforts to place a returning employee in the same position at the time the leave occurred, but reserves the right to reassign the employee according to business requirements and the employee's job qualifications and ability to perform the essential functions of the position. If a position for which the employee is qualified is not available, the City is not obligated to create or make such a position available.

K. Military Leave

Employees who voluntarily or involuntarily perform service in the United States uniformed services are granted military leave without pay in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and state law. The employee is required to provide a copy of the military notice to the supervisor and Administrative Services, unless the employee is unable to provide such notice because of "military necessity".

Employees who have military reserve obligations are granted a maximum of fifteen (15) calendar days of paid military leave per fiscal year. The employee must furnish a copy of the military orders to the Department Director. Pay is calculated at the employee's regularly scheduled work hours and base pay rate in effect on the date the Military Leave is granted.

Employees returning from military leave are required to report for duty per the following:

- Service less than 30 days – Employees must report at the beginning of the first regularly scheduled workday after release from service, allowing eight (8) hours for travel or rest.
- Service 31 - 180 days – Employees must request reemployment and report to work no later than fourteen (14) days following completion of military service.
- Service over 181 days – Employees must request reemployment and report to work no later than ninety (90) days following completion of military service.

An employee is generally allowed up to five (5) years total (cumulative) of military leave and may not be eligible for reemployment thereafter.

An employee returning from military leave from the uniformed services with a dishonorable or bad conduct discharge is not eligible for reemployment.

L. Family/Medical Leave

Regular full-time and regular part-time employees may be eligible for Family/Medical Leave, subject to the following rules established by the Federal Family/Medical Leave Act of 1993 and revised January 2008.

Family/Medical Leave is an approved leave of absence available to employees who have been employed for at least 12 months and have provided at least 1250 hours of service during the previous 12 months at the time the leave is requested.

An eligible employee may take up to a maximum of 12 weeks of Family/Medical Leave in any 12-month period for any of the following circumstances:

- Birth of the employee's child;
- Placement of a child with the employee for adoption or foster care;
- When the employee is needed to care for the physical or mental needs of the employee's child, spouse, or parent who has a serious health condition;

- When the employee is unable to perform the essential functions of the position because of the employee's serious health condition.
- "Qualifying exigency" arising out of a covered family member's active duty or call to active duty in the Armed Forces in support of a contingency plan.

An eligible employee may take up to a maximum of 26 weeks of Family/Medical Leave in any 12-month period for any of the following circumstance:

- To care for a covered family member, kin or nearest blood relative who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces and is unable to perform the duties of the member's office, grade, rank or rating.

Spouses employed by the City are entitled to a combined maximum total of 12 workweeks of leave (rather than 12 weeks each) for the birth or adoption of a child or placement into foster care of a child. Leave for birth or adoption (including foster care placement) must conclude within 12 months of the birth or placement.

Parents or spouses who both work for the City are each entitled to 12 workweeks of leave to care for a sick child or because of the illness of the other spouse.

An eligible employee is entitled to 12 or 26 workweeks of leave as described above during any 12-month period measured from the first day Family/Medical Leave is taken. The next 12-month period begins the first time Family/Medical Leave is taken after completion of any previous 12-month period.

The following words and phrases, as used in the application and interpretation of the Family/Medical Leave Policy are defined as:

- "Child", "Son" or "Daughter" means a biological, adopted, foster child, step child, legal ward or child of a person standing in loco parentis (i.e., in the place of a parent) who is under 18 years of age or 18 years or older if the child is incapable of self-care because of a mental or physical disability.
- "Serious Health Condition" means an illness, injury, impairment, or physical or mental condition involving either inpatient care at a hospital, hospice, residential medical care facility or continuing outpatient treatment by a health care provider for more than three days (i.e., a doctor of medicine or osteopathy authorized to practice medicine, surgery, or other person determined by the Secretary of Labor to be capable of providing health care services).
- "Unmarried domestic partners" and "in-laws" do not qualify as spouses or parents for Family/Medical Leave.

An employee must first use and exhaust all available and accrued paid leaves, unless provided for in other benefit plans. The use of paid leave is included in the maximum 12 or 26 week period allowed as Family/Medical Leave. Any remaining Family/Medical Leave beyond applicable paid leave as mentioned above is without pay.

The employee may be required to provide medical or active duty/Armed Forces certification to support a claim for leave for an employee's own serious health condition or to care for a seriously ill child, spouse, parent or service member. For the employee's own medical leave, the medical

certification must include a statement that the employee is unable to perform the essential functions of the position. For leave to care for a seriously ill child, spouse, parent or service member, the medical certification must include an estimate of the amount of time the employee is needed to provide care.

If medically necessary for a serious health condition of the employee or the employee's child, spouse, parent or service member, leave may be taken on an intermittent or reduced work schedule subject to the provisions of this policy. If the leave is requested on an intermittent or reduced basis for planned medical treatment, the employee may be transferred temporarily to an available alternate or part-time position or to a schedule that better accommodates an intermittent or reduced work schedule. The employee's current hourly rate of pay remains the same for hours actually worked, regardless of the temporary employment transfer to a different position or schedule.

When the need for leave is foreseeable, such as the birth or adoption of a child or planned medical treatment, the employee must provide reasonable prior notice and make efforts to schedule leave so as not to disrupt work operations. In cases of illness, the employee is required to report at least every 30 calendar days on their leave status and intention to return to work.

Employees who are granted an approved leave of absence must continue to pay their portion of the health and/or optional/supplemental benefit(s) premium(s). The City continues to pay its portion of employee's premium(s). Non-payment of premiums results in the cancellation of benefits.

If an employee elects not to return to work upon completion of an approved unpaid leave of absence, The City will recover the cost of any payments made to maintain the employee's insurance, for example health premiums, from the employee, unless the reason the employee does not return is due to the continuation, recurrence, or onset of a serious health condition that would entitle the employee to leave under FMLA, or to other circumstances beyond the employee's control.

The employee must submit a completed request for Family/Medical Leave Form to their supervisor. The form is then forwarded to Administrative Services for processing. If possible, the form should be submitted 30 days in advance of the effective date of the leave.

The use of Family/Medical Leave is not considered negatively or held against the employee as it relates to evaluations, promotional considerations or any other employment factors. No supervisor will interfere with, restrain or deny employees their rights under this policy; nor will an employee be discharged or discriminated against based on the employee's use of Family/Medical Leave.

M. Jury Duty/Court Appearance Leave

Employees who are required to miss work in order to serve as a juror or who are subpoenaed to appear as a witness in court receive their normal compensation. It is the responsibility of the employee to provide a copy of the notice to the employee's supervisor as far in advance as possible and to present certification of the dismissal date and time upon the employee's return to work to be eligible for paid Jury Duty/Court Appearance Leave.

If the employee is released from jury or witness duty by a Judge or the Central Jury Room Manager at a time where 50% or more of the employee's regularly scheduled work hours remain;

the employee is required to report to work at the City for the balance of that regular scheduled work day.

Jury duty/court appearance leave may not be used in any instance when an employee is a plaintiff or defendant in a court action, unless the employee's involvement arises as a result of the employee's job duties or responsibilities.

N. Bereavement Leave

In the event of a death in the employee's family, a regular full-time employee may be granted up to ~~three~~ five work days of bereavement leave with pay. This pay is for the time actually lost from regularly scheduled work on the day of the death and the days following to attend the funeral and handle the personal affairs ~~of the deceased~~. For the purpose of bereavement leave, the definition of family includes the employee's or their spouse's: child(ren) parents, brother(s), sister(s), grandparent(s), grandchild(ren), or "half" or "step" relationships. It also includes any relative living in the employee's household who is dependent on the employee for care.

If additional time off is needed due to unique circumstances, earned vacation time or compensatory time may be used or leave without pay may be granted upon approval by the employee's supervisor. Documentation may be required to verify the death of an immediate family member as described above and approve funeral leave.

O. Election Leave

Employees are encouraged to vote in all elections. Employees should make an effort to vote before or after work, during the lunch break, by early voting or through the absentee ballot alternative. If employees cannot vote during these times, a maximum of up to two hours election leave is allowed upon advance approval of their supervisor. Election leave is a non-paid leave. Employees may request vacation leave or compensatory time.

CHAPTER 13. EMPLOYEE SAFETY AND ACCIDENT PREVENTION

SECTION 13.01 Safety Goals

It is the City's goal to maintain a safe working environment for its employees, citizens, vendors, suppliers and visitors.

SECTION 13.02 Employer's Responsibilities

The City is responsible for providing a reasonably safe and healthy working environment for employees. In an effort to do so, the City provides specialized safety equipment and training for employees as deemed necessary in accordance with City policy. Supervisors are responsible for addressing such reports immediately and taking steps to correct problems or violations.

SECTION 13.03 Employee's Responsibilities

All employees are responsible for observing safe work practices at all times and are expected to conform to safety rules and regulations as set out by the City. Questions concerning proper safety methods, noticed safety problems or violations should be referred immediately to the employee's supervisor. Failure to properly wear and utilize equipment may result in disciplinary action

SECTION 13.04 Seat Belts/Cell Phones

All drivers and passengers of City vehicles and personal vehicles used for City business are required to use safety seat belts as equipped for the particular vehicle.

Cell phone use is not permitted while operating a City vehicle unless it is required for public safety.

SECTION 13.05 Driving Records Check

Driving records may be obtained prior to employment or at any time during employment.

Employees, who operate a vehicle for City business on a frequent basis or when such operation is an essential function of the job must immediately notify their supervisor if their driver's license has been suspended, revoked or denied.

If an employee receives a traffic citation that may result in the employee's driving privileges being suspended, and driving is an essential function of the job, the employee must notify their supervisor immediately. If the traffic citation is received during non-work hours, the employee must notify their supervisor at the beginning of their next work day or within three days of the issuance of the ticket, whichever is first. If the traffic citation requires an appearance at court, the employee must notify their supervisor of the status of the citation the next working day after the court proceeding.

If an employee occasionally operates a vehicle for City business, prior to such operation, the employee must advise their supervisor if the employee's license is under suspension, revocation, denial or if the employee has received a traffic citation that may result in the employee's driving privileges being suspended.

The City periodically requests driver's license information from employees so that driving record information can be obtained. An unsatisfactory driving record may be a factor in determining an employee's ability to perform their job and may be grounds for disciplinary action or termination.

SECTION 13.06 Use of City Vehicles ***Revised March 25, 2014***

Designated employees may be authorized to use City vehicles to conduct official City business. Personal use is prohibited with the exception of incidental personal use. The City reserves the right to search those vehicles at any time, for any purpose. Employees have no expectation of privacy in City vehicles.

All City employees who operate City vehicles must:

1. Maintain a clean driving record and be insured while performing duties for the City.
2. Obey all traffic laws while operating the vehicle. Fines resulting from violation of motor vehicle regulations are the responsibility of the employee and will be paid by the employee. Failure to pay such fines by the payment due date may result in revocation of vehicle privileges and or/or termination of employment.
3. Have in their possession at all times, their valid Texas Driver's License and City vehicle proof of insurance.

4. Take precautions to ensure the safety and security of City vehicles. This includes, but is not limited to locking doors and/or compartments and properly parking vehicles in accordance with applicable laws and ordinances.

SECTION 13.07 Take-Home Vehicles

Revised March 25, 2014

Certain employees may be identified by the Department Director and approved by the City Administrator as requiring a vehicle on a twenty-four (24) hour on call basis. Authorization, given by the City Administrator of a take-home vehicle will be based solely on the best interest of the City. Eligibility requirements:

1. The employee performs an essential and/or strategic function and/or facilitates specific departmental emergency operations; or
2. The employee is the primary operator of the vehicle during standard working hours; and
3. The employee resides within the City limits of Castroville or has a required response time as approved by the City Administrator; and
4. The employee is authorized to drive a City vehicle; and
5. The employee has been assigned use of a take-home vehicle by the Department Director and the City Administrator.

Employees authorized to use take-home City vehicles, who submit leave notices for three (3) or more consecutive workdays must leave their assigned take home vehicle and keys at their work station for use by other City employees during such periods. This includes law enforcement officers or other employees who work four days/ten hour shifts (4/10's) and have three (3) consecutive days off.

Employees given the use of a take-home City vehicle must ensure that there is adequate and safe parking for such vehicles. Marked law enforcement take-home vehicles must be visible from the street.

City departments may have additional requirements or rules for use of City vehicles as approved by the City Administrator.

The City reports personal use of a government-owned vehicle as a taxable fringe benefit as required by the Internal Revenue Service.

SECTION 13.08 On-the-Job Accidents and Injuries

An employee who receives an injury while working for the City may be entitled to benefits under the Worker's Compensation Law of the State of Texas. Benefit coverage provides for payment of medical expenses and partial salary continuation for work related illness and/or injury. Employees may elect to supplement their worker's compensation pay by using sick leave or other accrued leave in order to receive their regular rate of pay.

All employees are required to immediately notify their supervisor and the City Secretary whenever an accident or injury/illness occurs on the job.

SECTION 13.09 Alcohol/Drug Free Workplace Policy

A. Overview

While at work, each employee has the responsibility to deliver services in a safe, efficient and conscientious manner. In order to perform a job in the safest manner possible, employees must be able to work in an alcohol/drug free work environment and be free from the effects of alcohol and other job-impairing substances while on the job. Accordingly, the use, sale, distribution, possession or being under the influence while on the job of alcohol or an intoxicating liquor, controlled substance, drugs not medically authorized or any other substances that impairs job performance or poses a hazard to the safety and welfare of the employee, visitors, clients or other employees, is strictly prohibited and may result in disciplinary action, up to and including termination.

Definitions

1. Alcohol: means any beverage, mixture or preparation containing ethyl alcohol (ethanol).
2. Controlled Substance (Drug): means any drug, controlled substance, inhalant (abuseable glue or aerosol paint), or perception altering substance, including but not limited to marijuana, hashish, cocaine, heroin, morphine, codeine, opiates, amphetamines, barbiturates, hallucinogens, phencyclidine (PCP) and inhalants.
3. Urinalysis Test: means screening by a laboratory designated by the City for drugs in a urine specimen provided by an applicant or employee.
4. Blood Test: means a screening by a laboratory designated by the City for alcohol in a blood specimen provided by an employee
5. Breathalyzer Test: is a test to confirm the specific level of alcoholic beverage present in the body.
6. Intoxication: any level of mental or physical impairment resulting from the introduction of alcohol or a controlled substance.
7. Positive Test Result For Alcohol: means having a reportable blood alcohol concentration (BAC) level in the body of .02 as determined by a blood and/or Breathalyzer test.
8. Positive Test Result for Drugs: means having a "reportable level" of a drug in the body as determined by a urinalysis and/or blood test.
9. Reasonable Suspicion: a conclusion based on personal observation of specific, objective instance of employee conduct, that an employee is unable to satisfactorily perform assigned job duties due to the suspected use of controlled substances or alcohol. Such inability to perform may include, but is not limited to: a pattern of abnormal or erratic behavior, physical symptoms (i.e. glassy or bloodshot eyes, slurred speech, odor, unsteady gait, poor coordination or reflexes) or direct observation of controlled substance or alcohol use. Information provided by a reliable and credible source of possession of controlled substances or alcohol will also constitute a basis for reasonable suspicion.
10. Testing Facility: means a hospital, clinic or laboratory approved by the City.

B. Notification

City rules and regulations prohibit the use or possession of controlled substances or alcohol while on duty, on City property or in a vehicle while conducting City business. Violation of these rules and regulations will subject the employee to discipline, that may include termination.

Based on reasonable suspicion, an employee is requested to submit to testing for controlled substance and/or alcohol use. Prior to such testing, employees are required to sign a form consenting to testing.

C. Prohibited Conduct Relating to the Use of Alcohol and Controlled Substances

Employees Will Not:

1. Have a breath alcohol concentration as determined by an Evidential Breath Testing (EBT) device or a laboratory analysis of a blood specimen of .02 or greater while on duty.
2. Test positive, equal to or exceeding the maximum levels for a confirmatory test as established by the Federal Department of Health and Human Services, for a controlled substance.
3. Report for duty or return to duty exhibiting the odor of alcohol or a controlled substance.
4. Be under the influence of alcohol or a controlled substance, or exhibit any element or the appearance of intoxication.
5. Possess, use or distribute alcohol or controlled substances while on duty, while in a City vehicle or while in a privately owned vehicle operated for City business.
6. Consume any alcoholic beverage or controlled substance immediately before or following their tour of duty at their work-site.
7. Refuse or fail to comply with the requirements, referrals or time frames within this policy.

D. Procedures for Reasonable Suspicion Testing of Employees

1. When there is reasonable suspicion that an employee has ingested, inhaled or injected a drug or has ingested an alcoholic beverage when reporting for work or while on duty:
2. The employee is prohibited from working or continuing to work.
3. The supervisor or manager requests a personal observation and review of specific objective instances of employee conduct to confirm that reasonable suspicion exists.
4. The employee is immediately transported for testing to the appropriate testing facility. After testing, arrangements are made for safe transportation to the employee's residence or a place selected by a relative of the employee.

E. Disciplinary Actions Relating to the Use of Alcohol and Controlled Substances in the Workplace

1. Employees who refuse to consent or submit to a drug or alcohol test are terminated.
2. Employees who produce a positive test result for drugs or alcohol, or who otherwise violate this policy are subject to disciplinary action, up to and including termination.

F. Drug and Alcohol Policy for Safety Sensitive Positions

(i) Scope

All employees in safety-sensitive positions are required to comply with Federal safety standards as regulated by the Department of Transportation (D.O.T.). Safety-sensitive positions include the following:

Public ~~Services~~ Works Director
 Assistant Public Works Director
 Community Services Director

Street Crew
 Building & Maintenance Crew
~~Utility Superintendent~~
~~Meter Reader~~
 Water ~~Operator~~ Department Crew
~~Utility Worker~~
~~Electric Line Services~~
 Electric ~~Helper~~ Department Crew
 Wastewater Plant ~~Operator~~ Crew
~~Customer Services~~
~~Utility Billing Clerk~~
~~Technical Services Clerk~~
~~Public Works Secretary~~

Additional safety-sensitive positions may be added by the City as prescribed by the Department of Transportation.

(ii) Prohibited Conduct

1. Employees in safety-sensitive positions are prohibited from reporting to work, performing safety-sensitive duties, or having any controlled substance present in their body while in the employ of the City.
2. Employees in safety-sensitive positions are prohibited from reporting to work within 4 hours after consuming alcohol.
3. Employees in safety-sensitive positions are prohibited from consuming alcohol while at work, including while performing safety-sensitive functions.
4. Employees in safety-sensitive positions are prohibited from possessing alcohol while on duty.
5. Employees in safety-sensitive positions are prohibited from reporting to work or performing safety-sensitive functions while having an alcohol concentration of .02 or greater.
6. Employees in safety-sensitive positions are prohibited from leaving the scene of an accident, without a valid reason as determined by the Department Director or designee, before arranging to have both a controlled substance and alcohol test performed.
7. Employees in safety-sensitive positions are prohibited from consuming alcohol after an accident unless:
 - a. Eight hours have expired.
 - b. The employee has been tested.
 - c. The City has determined that the employee's performance could not have contributed to the accident.
8. Excluded from this policy are prescribed controlled substances when used by the person for whom prescribed and when used in the manner, combination and quantity prescribed.

Employees who are using prescribed controlled substances that may affect their ability to perform their job in a safe manner are required to notify their supervisor prior to performing their job duties.

(iii) Consequences of Violation of this Policy

In accordance with this policy and as provided by the D.O.T. regulations, any violation may result in disciplinary action up to and including termination.

1. Alcohol

The City will not hire applicants who test with an alcohol concentration of .02 or greater and applicants are not eligible to reapply for any City position for 90 days after a positive result.

If an employee in a safety-sensitive position has an alcohol concentration of .02 or greater, the employee will be removed from performing their safety-sensitive duties and will be placed on accrued leave, or leave without pay if no accrued leave is available, for 24 hours or until further administrative or disciplinary action is taken.

To be eligible to return to work after a test indicating an alcohol concentration of .04 or greater, the employee must be evaluated by a Substance Abuse Professional (SAP). If the SAP determines that additional treatment is necessary, the employee must complete such treatment. In addition, the employee will be subject to follow-up testing as described in this policy.

2. Controlled Substance

The City will not hire applicants who test positive for controlled substances and applicants are not eligible to reapply for any City position for 90 days after a positive test.

If an employee in a safety-sensitive position is requested to submit to a controlled substance test under the reasonable suspicion or post-accident circumstances as described in this section, or in conjunction with reasonable suspicion, the employee will be suspended from job duties and placed on leave with pay pending the results of the testing.

If an employee in a safety-sensitive position tests positive for a controlled substance, the employee will be removed from performing their safety-sensitive duties and will be placed on accrued leave, or leave without pay if accrued leave is not available, for 24 hours or until further administrative or disciplinary action is taken.

To be eligible to return to work after a positive controlled substance test, the employee must be evaluated by a SAP. If the SAP determines that additional treatment is necessary, the employee must complete such treatment. In addition, the employee will be subject to follow-up testing as described in this policy.

(iv) Treatment Costs

Treatment costs prescribed by the Substance Abuse Professional (SAP) or other assessment, referral or rehabilitation sources will be the responsibility of the employee. Evaluation by and compliance with any treatment prescribed by the SAP does not exclude an employee from disciplinary action and does not guarantee an employee will be returned to work following a violation of this policy.

(v) Substance Screening**1. Applicants**

Applicants for safety-sensitive positions will undergo a test for the presence of controlled substances and alcohol prior to being hired or promoted by the City. Failure to test will result in withdrawal of the application.

2. Employees**(a) Pre-Promotion Testing**

Employees who have been conditionally selected for promotion into a safety-sensitive position will undergo a test for the presence of controlled substances and alcohol prior to being promoted. Employees who are in safety-sensitive positions and who test positive for a controlled substance or an alcohol concentration of .02 or greater will automatically be disqualified for promotion and subject to disciplinary action. Employees who are not in safety-sensitive positions and who test positive for a controlled substance or an alcohol concentration of .02 or greater are not eligible to reapply for promotion to a safety-sensitive position for a period of 90 days. Refusal of any employee to test will result in withdrawal of the application for promotion.

(b) Post-Accident Testing

Employees in safety-sensitive positions are required to submit to a controlled substance test and an alcohol test after an accident as defined below.

- When the accident results in a fatality.
- When the accident results in injury requiring medical treatment within two hours.
- When the employee receives a moving traffic citation.
- When the accident results in physical damage to a vehicle requiring it to be towed.
- When the accident results in damage to property estimated to be equal to or greater than \$1,000.

Any employee who is seriously injured and cannot provide a specimen at the time of the accident, or who is otherwise unable to comply with the controlled substance and/or alcohol concentration testing, will provide the necessary authorization for obtaining hospital reports, law enforcement reports and other documents that would indicate whether there were any controlled substance in the employee's system and/or the employee's alcohol concentration.

3. Reasonable Suspicion Testing

An employee in a safety-sensitive position will be required to submit to controlled substance and/or alcohol testing upon reasonable suspicion to believe the action(s), appearance or conduct of the employee on duty is indicative of the use and/or presence in the employee's body of a controlled substance or alcohol.

4. Random Testing

Safety-sensitive employees are subject to controlled substance and alcohol testing at any time on a random basis as a term and condition of holding a safety-sensitive position.

Random testing is reasonably spread throughout the year and is unannounced to ensure that no employee receives advanced knowledge of the time of testing. All safety-sensitive employees have an equal chance of being selected each time a random selection is made.

The number of controlled substance tests conducted annually equals or exceeds 50% of the number of safety-sensitive positions subject to testing. The number of alcohol tests conducted annually equals or exceeds 25% of the number of safety-sensitive positions subject to testing.

5. Return to Duty and Follow Up

Any employee who has been required to or voluntarily undergoes rehabilitation for substance abuse must submit to a controlled substance test and an alcohol test and provide negative test results before returning to work. In addition, the employee is subject to at least 6 unannounced tests over the 12 months following the employee's return to work. Unannounced testing will be conducted for at least 12 but not more than 60 months following the safety-sensitive employee's return to work.

6. Refusal to Test

Refusal to submit to testing is a violation of this policy and subjects the employee to disciplinary action up to and including termination. The following behavior constitutes a refusal:

1. Refusal to take the test.
2. Inability to provide sufficient quantities of breath or urine to be tested without a valid medical explanation.
3. Tampering with or attempting to adulterate the specimen or collection procedure.
4. Not reporting to the collection site in the time allotted.
5. Leaving the scene of an accident without a valid reason before the tests have been conducted.

(vi) Testing Procedures

1. Controlled Substances

Controlled substance screening is conducted in a laboratory certified by the Department of Health and Human Services (DHHS) and in accordance with the Procedures for Transportation Workplace Drug Testing Programs. These procedures include split sampling which provides that a urine sample be split into two separate containers.

The substance screen tests for the following drugs: marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

Any positive initial test is confirmed by a gas chromatography and a mass spectrometry (GC/MS) test.

The City contracts with a Medical Review Officer (MRO) who receives the laboratory results of the testing procedure. The MRO is a licensed physician with knowledge of substance abuse disorders and the appropriate medical training to evaluate positive test results, medical histories and any other relevant biomedical information. The MRO

reviews all medical records made available by the testing individual when a confirmed positive test may have resulted from legally prescribed medication.

The MRO is the sole custodian of the completed individual test results. The MRO informs the City of test results only; that is, whether the test results were positive or negative. The laboratory maintains custody of the physical samples.

After receiving notification of a verified positive test, an employee may request that the split sample be analyzed. Such requests must be made within 72 hours of notification of the verified positive test. If a timely request is made, the sample is tested at another DHHS certified laboratory. The employee is responsible for reimbursing the City for the cost of that test.

2. Alcohol Testing

Alcohol testing is conducted by a Breath Alcohol Technician (BAT) using an Evidential Breath Testing Device (EBT). The employee provides a breath sample. If the employee's alcohol concentration is greater than .02, a second breath sample is obtained and a confirmation test is performed.

(vii) Training Requirements

Each supervisor is required to receive a minimum of 60 minutes of training on alcohol misuse and 60 minutes of training on controlled substance use each year. The training covers the physical, behavioral, speech and performance indicators of probable alcohol misuse and use of controlled substance.

Each employee in a safety-sensitive position or who is hired, transferred or promoted into a safety-sensitive position is required to receive a copy of the City's Drug and Alcohol policy for Safety-Sensitive Position and additional educational materials concerning the use of alcohol and controlled substances.

SECTION 13.10 Prohibited Weapons In The Workplace

To maintain a safe workplace, the City prohibits the carrying of a handgun, firearm or weapon of any kind into buildings owned or controlled by the City and in vehicles owned by the City.

Specifically prohibited on City premises are:

1. Any type of firearm
2. A knife with a blade over 5 ½ inches
3. "Brass knuckles" or "knuckles" made of any other hard substance
4. A throwing knife, dagger or switchblade
5. Any other weapon made illegal as described in the Texas Penal Code, Section 46.01

Violation of this policy may result in disciplinary action, up to and including termination.

Nothing in this Section shall prohibit an employee in lawful possession of a firearm from transporting or storing a firearm in a locked, privately owned vehicle in a parking area owned by the City and designated for employee parking

SECTION 13.11 Tobacco-Free Workplace Policy

To provide a healthy, comfortable, protective and safe work environment for employees, volunteers, citizens, vendors, suppliers and visitors, tobacco usage in all forms, such as smoking and chewing tobacco are prohibited in any City owned or leased building and in all City owned, leased or rented vehicles at any time or at any location. This includes, but is not limited to heavy equipment and motorcycles.

Tobacco usage is also prohibited within 15 feet of building entrances, unless it is designated as an outside tobacco area.

CHAPTER 14. HARASSMENT PREVENTION

The City is committed to providing a work environment that is free from harassment or intimidation from any employee, supervisor, manager, vendor, supplier, visitor or other non-employee work contact.

SECTION 14.01 Definition of Harassment

Harassment is defined as unwelcome or unsolicited verbal, physical or sexual conduct that:

- Is made a term or condition of employment,
- Is used as the basis for employment decisions, like pay, promotion or job assignments,
- Interferes with the employee's work performance, or
- Creates an intimidating, hostile or offensive working environment.

Examples of what may be considered harassment, depending on the specific facts and circumstance, include but are not limited to the following:

Verbal and Non-Verbal Harassment: Derogatory, vulgar or degrading comments regarding a person's race, sex, religion, ethnic heritage or physical appearance, or the distribution or posting of similar written or graphic material that is offensive in nature.

Physical Harassment: Hitting, pushing or other aggressive physical conduct or threats to take such action.

Sexual Harassment: Unwelcome or unsolicited sexual advances, demands for sexual favors, or other verbal or physical conduct of a sexual nature. Behavior that may, depending on the circumstances, be considered sexual harassment includes unwanted touching, holding, grabbing, hugging or other unwanted physical contact. In addition, offensive language or jokes, whistles or "cat calls", staring at a person's body, offensive gestures or motions, or distributing or displaying sexually oriented cartoons, pictures, calendars or other objects may be considered sexual harassment.

Retaliation: Demonstrating hostility toward, alienating or otherwise taking unfriendly action against an employee for complaining about or reporting the behaviors described above.

SECTION 14.02 Reporting Process

If an employee believes harassment has occurred or witnessed what is believed to be harassment of or by another employee(s), immediate action should be taken by:

- Identifying the offensive behavior to the harasser and requesting that it stop.
- Discussing the concern as soon as possible with a supervisor, or manager whom the employee feels comfortable talking with about the problem.
- Contacting the Administrative Services Director or the City Administrator to report the complaint/incident when the employee is not comfortable talking directly to the harasser or employee's supervisor or Department Director.
- In the event a complaint is against the City Administrator, the complaint should be forwarded to the Mayor.

There is no requirement for the form or content of a harassment complaint. The complaint may be verbal or written. It is recommended that as much information as possible be provided regarding the offending incident or conduct; such as: what happened or is continuing to happen, the person(s) causing the harassment, time(s), place(s), and if available the names of witnesses, etc.

SECTION 14.03 Supervisor Responsibility

Supervisors are responsible for the conduct of all employees. As part of this responsibility they must take steps to eliminate any harassment and counsel or discipline employees as necessary to correct inappropriate behavior. Supervisors who are aware of or should have known of harassment by employees or non-employees and who do not take immediate action to correct the situation are subject to disciplinary action. Allegations of harassment are dealt with in strict confidence.

When a supervisor is notified of alleged harassment, the supervisor is required to promptly notify their Department Director and Administrative Services Director for a determination as to how the investigation is made. The complaint is promptly and thoroughly investigated. The investigation may include interviews with individuals directly involved and where necessary, with employee(s) who may have observed the alleged harassment or who may be similarly situated. The complaint, investigative steps and findings are documented as thoroughly as possible.

Response — All employees filing a complaint regarding harassment are to receive either a verbal or written response to their complaint.

SECTION 14.04 Disciplinary Action

If the investigation indicates that harassment or retaliation against complainant(s), witness(es) or person(s) who participate in the investigation occurred, appropriate action up to and including termination is taken.

Employees who file a harassment complaint that is groundless and brought in bad faith, or brought for the purpose of humiliating others, are subject to disciplinary action up to and including termination.

CHAPTER 15. COUNCIL – STAFF INTERACTION

SECTION 15.01 Background and Purpose

The purpose of this policy is to guide City employees in the relationships and interactions with the Mayor and City Council. The Mayor and Councilmembers do not surrender their rights as a citizen upon taking the oath of office. They are free to make inquiries and to request service like other taxpayers and residents of the City of Castroville. Because of their position, however, their inquiries and requests take on a special nature that can easily be misconstrued and lead to problems if they are not handled thoroughly.

The Mayor and City Council are the policy makers for the City. They have the important task of establishing the vision for the community and providing the means to see it accomplished. To carry out their vision, the Council approves an annual budget and adopts policies that set boundaries in which employees must operate. To do their job effectively, they rely on employees to provide them with complete and accurate information.

The effectiveness of the City Administrator is directly related to the quality and flow of information that passes between the City Council and the employee. Information must pass through lines of communication that are fair, clear, consistent, and open. If not, the effectiveness of the whole organization will suffer.

SECTION 15.02 Directives

A. Equal Treatment

All Councilmembers will receive the same information about a matter, particularly as it relates to business items for consideration as a body. No one will receive different or special information that would tend to put one Councilmember at an advantage over the others. To avoid such problems and in general, employee reports will be prepared for the entire City Council.

B. Favoritism

All Council inquiries and requests are to be handled professionally and courteously. Individual Councilmembers may have more of an interest in some departmental functions than others; however, that should not cause employees to show special deference to certain Councilmembers. Every Councilmember is to be treated equally, and no favoritism is to be demonstrated. Employees will be cooperative and responsive.

C. Lobbying of Councilmembers

Employees will not lobby individual Councilmembers to support a project, budget request, etc. Employees will operate on the principle that the best idea for continuous improvement of citizen and community service should prevail. Proposals or programs must stand on their merits. Employees may offer their personal viewpoint when asked directly by a Councilmember. Staff should make known all their concerns and insights on an issue to the City Administrator.

D. Council Orders

The Council sets policy as a body. No Councilmember, as an individual, can issue an order that contradicts a policy that has been approved by the majority of the City Council. Once the City

Council issues a policy, it is the City Administrator's responsibility to determine how it is to be carried out and by whom.

If a Councilmember or a group of Councilmembers make an order that contradicts established policy or instructions from the City Administrator, the employee will immediately relay their concern to the City Administrator. The City Administrator will address the concerns in a professionally responsible manner in keeping with the City ordinances, state/Federal law, past practices, and generally accepted ethical standards.

E. Utilization of Resources

Staff resources are limited. They are devoted to carrying out the priorities and programs determined by the entire City Council. As a result, the staff cannot pursue special projects or interests of individual Councilmembers. If a request from a Councilmember will require a special research effort, staff will report that request to the City Administrator. The City Administrator will determine if the request will serve the interest of the City and/or if the request needs to be considered by the entire City Council.

F. Staff Work in Progress

There are always a number of policy proposals under review prior to presentation to the City Council for a decision. While these matters are in process at the staff level, it is inappropriate for staff to consult with individual Councilmembers on their preference for possible recommendation. This does not apply when Councilmembers have been identified to assist staff in developing recommendations.

G. Council-Staff Contact

It is of the utmost importance that all communication between the staff and City Council be conducted in a manner that is fair, clear, open and consistent. When the staff communicates with the City Council outside of these basic principles, the integrity of the entire organization is compromised. Therefore, it is critical that all contact with Councilmembers that involve policy and/or operational issues be reported to the City Administrator the same day, if possible. If it is not possible, then the report should be given within 24 hours.

Furthermore: Unless first approved by the City Administrator, a staff member may not initiate a contact with a Councilmember(s) to discuss a policy issue or an operational issue. If a request by a Councilmember requires anything more than a very basic exchange of factual information, the request should first be directed to the City Administrator before a response is given. A staff member will never speak negatively or disparagingly about another staff member(s) with a Councilmember. The City Administrator expects that all staff members will comply with this policy and will not permit an activity that the City Administrator or Council does not condone.

H. Communication – News Media Policy

Employees are extremely important in fostering public relations. It is the policy of the City to remain open and accessible to the media. The following guidelines shall be followed:

- Employees may provide factual information related to an incident or in response to a question to the media if they feel comfortable doing so.

- Employees may refer a media question to their supervisor if they are unsure of the appropriate response or if they do not feel comfortable answering the question.
- Employees shall report all media contacts to their supervisor immediately.
- Supervisors shall report all media contact to their Department Director immediately.

CHAPTER 16. EMPLOYEE PERFORMANCE APPRAISALS

SECTION 16.01 Purpose of Performance Appraisals

Performance appraisals are conducted to give employees feedback on their overall job performance. The performance appraisal interview establishes a time when employees and supervisors can meet to assess compliance with City core ideologies, work performance, work goals and personal development goals. The appraisal is intended to give the employee and the City information that assists the employee in becoming a more effective worker.

Written performance appraisals are conducted on an annual basis. Informal appraisals and work discussions may occur on a more frequent basis. The supervisor may delay completion of a performance appraisal due to a pending disciplinary review.

SECTION 16.02 Supervisory Responsibilities

When conducting performance appraisals, supervisors are responsible for objectively evaluating the employee's job performance throughout the evaluation period. Supervisors are responsible for the validity of the justification of performance ratings. If an employee has a history of good work performance, the appraisal should reflect the same. If the employee's work history has been unsatisfactory or shows a pattern of performance or attendance problems, the appraisal should reflect those facts.

CHAPTER 17. MISCELLANEOUS REGULATIONS

SECTION 17.01 Public Relations

All employees of the City are hired to perform a service for the citizens of Castroville. Creating and maintaining a good relationship with the public is critical to City operations.

City employees are expected to treat all citizens equally and respond to the public with respect. It is a policy of the City to make every effort to be receptive to a citizen's comments and concerns.

SECTION 17.02 Dress Code

Employee safety is the first priority and employees are to dress appropriately for their individual job assignments. Business casual is permitted in the office area. Employees are expected to dress in a manner that is neat, clean and appropriate for their specific job and work environment. Employees who are required to wear uniforms and/or safety gear are to wear them appropriately.

Unusual circumstances, such as weather conditions, special work assignments, medical reasons, worksite conditions and/or non-normal working hours may be sufficient reasons to grant exceptions.

Employees in violation of this policy may be sent home. Under such circumstances, nonexempt employees will not be paid for work time missed. Employees whose dress and appearance do

not meet the standards of sound judgment and are not appropriate for their job and work environment are subject to disciplinary action.

SECTION 17.03 Conduct

City employees are prohibited from engaging in any conduct, on or off-duty, that could reflect unfavorably upon the City. Employees must avoid any action that might result in, or create the impression of, using their position for private gain, or giving preferential treatment to any person or company while conducting City business. It is the responsibility of all employees to observe rules and regulations adopted for the orderly, proper, efficient and safe operation of City functions.

SECTION 17.04 Inclement Weather/Emergency Situations

Employees are expected to report to work as scheduled at all times, to include periods of inclement weather, unless directed not to do so by the City Administrator. In the event of official City closures, the City Administrator will determine the amount and type of leave to be deducted for each event.

Essential personnel are designated by their Department Directors, by virtue of their specialized function or necessary skills are essential to the department's operational needs during inclement weather or emergency situations and are therefore required to report for duty.

Non-exempt employees who are unable to arrive at work or must leave before the end of their scheduled work day due to severe weather conditions must notify their supervisor ~~and must take authorized vacation leave, accrued compensatory time, or leave without pay for the portion of the work day missed.~~

Upon direction of the City Administrator, regular full-time and part-time employees who are sent home may be given credit for having worked the number of hours in the employee's regular scheduled work day. This time will be recorded as administrative leave and will not be considered for any overtime compensation.

SECTION 17.05 Open Communications

The City maintains an "open door" policy to encourage employees to discuss issues, problems or suggestions without fear of retaliation. This process is to help the City remain a positive, productive and enjoyable place to work.

The following steps are recommended, however employees may contact another supervisor or manager, up to and including the City Administrator without fear of retaliation.

Employees should first meet with their supervisor to discuss the issues, problems or suggestions. This provides an opportunity for the employee and supervisor to gain additional information and eliminate any misunderstandings; however, if the employee does not feel comfortable discussing the situation with the supervisor, the employee may contact their Department Director or the Administrative Services Director.

If the supervisor is unable to settle the matter, the employee may contact their Department Director or the Administrative Services Director.

The last step is to contact the City Administrator to discuss the issues, problems or suggestions.

The design of this policy is to encourage employees to be direct and address issues, problems or suggestions without having to be anonymous. The ability to speak directly with the City Administrator without fear of retaliation supports this “open door” policy.

CHAPTER 18. RESTRICTED ACTIVITIES

Certain activities, by virtue of their relationship to the City service or to the unique characteristics of the City, must be regulated or restricted. These activities include, but are not limited to the following:

SECTION 18.01 Outside Employment

Outside employment includes, but is not limited to, other employment, the ownership or operation of a business, employment as a consultant or advisor, or employment with another local governmental entity. Such employment must not conflict with the performance of assigned City duties nor be in competition with the City.

Outside employment must be reported to and may be authorized by the City provided that the employment does not affect or interfere with any City programs.

Employees desiring to engage in outside employment must submit a written notification to their Department Director and the City Administrator, stating the type of work to be performed, the employee's business agency or organization and the hours of work. In cases where the outside employment is deemed a conflict of interest, a written response stating the reason or justification for not authorizing the request is provided.

SECTION 18.02 Nepotism

To avoid any real or apparent conflict of interest or any situation that may suggest a conflict of interest, no person is hired into a position and thereafter promoted, transferred or demoted to a position in a department where an employee would be in a position of supervising or being supervised by a member of their family that is related by blood or marriage.

No person within any degree of the relationship defined below to the Mayor, any member of the City Council, or the City Administrator will be appointed to or hired for an office, position, clerkship, and/or other service of the City wherein the individual would be a full-time, part time. **This policy does not apply to temporary or seasonal employment.**

The following defines the relationships between relatives by blood (consanguinity) and by marriage (affinity).

Consanguinity (Blood Relationship)	Affinity (Marriage Relationship)
First Degree	First Degree
Second Degree	Second Degree
Mother	Wife
Father	Husband
Sister	Mother-in-law
Brother	Father-in-law
Daughter	Daughter-in-law

Son	Son-in-law
Grandmother	Stepmother
Grandfather	Stepfather
Granddaughter	Stepson
Grandson	Stepdaughter
Uncle	Sister-in-law
Aunt	Brother-in-law
Niece	Spouse's Grandparent
Nephew	Spouse's Grandchild
First Cousin	Step-Grandparent
Aunt/Uncle's Child	Spouse's Stepsiblings

Common Law or “informal” marriages, as recognized by the State of Texas are also included for purposes of this policy.

Other conflicts that must be avoided are when immediate family members working together are involved in checking, processing or verifying each other’s work.

In the event two employees become related and one of the above situations occurs, one employee must resign or transfer to another position consistent with this policy, within 30 calendar days after the occurrence of such a change in status

Employees hired before the effective date of this policy that are found to be in violation of this policy but are not otherwise in violation of any other City or departmental policy, rule, policy, or procedure are grandfathered in their current positions.

SECTION 18.03 Political Activity

Any funds provided from or through the City are not to be contributed to or used for the conduct of political activities or the benefit of any candidate for public office, partisan or non-partisan; nor is any employee to be assigned to work for or on behalf of any partisan activity or candidate.

The following actions are strictly prohibited and appropriate disciplinary action is taken:

1. Working or directing other staff to work on any political activity on paid time.
2. The use of City facilities or equipment paid for in whole or in part with City contract funds for political purposes. This includes the use of space, office equipment and telephones during regularly scheduled work hours, as well as after regular work hours.
3. The implicit or explicit coercion of employees to work on political activities on their own time.
4. The use of City rank or title to assist any public official or candidate in any election at any time.
5. Engaging in any political activity while wearing City uniforms or driving City vehicles.
6. Campaigning for and/or assisting in the election of any public official running for public office during work hours.

SECTION 18.04 Confidential Information

Confidential and proprietary information is information that is not generally known by non-City personnel or knowledge that is obtained as a result of employment with the City. Confidential information includes but is not limited to social security numbers, unpublished financial data, etc.

The use or disclosure of confidential information for the benefit of any employee or any employee's friend, relative, spouse or other acquaintance that might in any way injure, hinder or compromise the City is prohibited. Violation of this policy may result in disciplinary action up to and including termination.

SECTION 18.05 Conflicts of Interest/Gifts and Gratuities

It is considered a potential conflict of interest for any employee to give or receive gifts of more than nominal value (generally \$50 or less unless occurring on a continuing and frequent basis) that are in any way connected with business relationships, or to loan or borrow from individuals or concerns that do business with the City, except normal and customary financial services from banks or other financial institutions, and include but not limited to the following:

- to accept compensation from outsiders for services or time that the employee is being paid by the City;
- to use or reveal outside the City (without appropriate authority and/or specific authorization) confidential information concerning the City;
- to use or permit others to use City employees, materials, or equipment improperly for personal purposes;
- to speculate or deal in securities or acquire an interest in a firm with which the City, to your knowledge, is negotiating or contemplating negotiating a business relationship;
- to do business within the City, directly or indirectly, on terms different than those offered to all employees;
- to serve as an officer, director, employee or a consultant of, or receive income from, any enterprise doing business with the City, or seeking to do so;
- to speculate or deal in materials, equipment, supplies or products purchased by the City, or for which any negotiations to purchase are pending or may reasonably be anticipated, or to receive any compensation, gift, bonus, gift certificate, or commission from an outsider in connection with any such transaction;
- to be a giver or receiver of a bribe, kick-back or pay-off;

CHAPTER 19. INFORMATION TECHNOLOGY

The City provides employees with personal computers that may include access to e-mail and the Internet for the purpose of performing their jobs more efficiently. This technology is provided by the City at its own expense and its use and all related resources are restricted to City business. All work done using this technology is and remains the property of the City. It is not intended for use in connection with employee's personal business, private or non-business matters, to solicit business for a non-work related venture or for any personal cause, including political or religious issues.

Employees do not have the right of privacy with respect to software, data, information, files, e-mail or the Internet and are strictly prohibited from printing, displaying, downloading or sending any sexually explicit images, messages, cartoons or jokes. This includes excessive messages with little information that slows down productivity and clogs the system or non-work related activities, such as chat rooms. Inappropriate or abusive use of computer technology may result in disciplinary action up to and including termination. Any information stored on City equipment is subject to review or audit at any time.

SECTION 19.01 Electronic Mail

Electronic mail (e-mail) is used to facilitate business-related communication between employees and other businesses outside the organization. The use of e-mail is considered the same as creating or sending a business letter or office memo and is structured in a professional manner that represents the employee and the City. They are not the private property of any employee. The City reserves the right to review, audit, intercept, access and disclose all messages created, received or sent over the electronic mail system for any purpose.

SECTION 19.02 Internet Usage

Access to the Internet is provided to employees in certain positions in order to utilize its resources for conducting City business. The City reserves the right to review and monitor employee's Internet access. Employees are not permitted to download, display or disseminate materials that may be considered obscene, racist, sexist or otherwise offensive.

CHAPTER 20. DISCIPLINE

SECTION 20.01 Overview

It is the responsibility of all employees to observe City policies, procedures, rules and regulations. Procedures have been established for handling disciplinary measures of reprimand, suspension and discharge. Wherever practical, discipline is progressive; however, any disciplinary measure may be used in any given situation where deemed appropriate.

Reasons for disciplinary action include, but are not limited to the following:

1. Insubordination;
2. Demonstrated incompetence or inefficiency in the performance of job duties;
3. Failure to follow directions or instruction or to carry out assigned duties;
4. Carelessness, negligence or misuse of City property or funds;
5. Theft or intentional destruction of City property or funds;
6. Neglect or refusal to comply with a lawful directive;
7. Being under the influence of intoxicants or drugs while on duty or possessing such substances on City property;
8. Indulging in offensive conduct or using offensive or abusive language in public or at the work site;
9. Conviction of a felony or misdemeanor that has a harmful effect on work operations or the employee's ability to carry out their job duties or subjects the City to increased liability for the employee's actions;
10. Deliberate or careless conduct endangering the safety of the employee or other employees;
11. Inducing or attempting to induce any employee to commit an unlawful act in violation of City rules, regulations or official policy;
12. Using, threatening or attempting to use personal influence in an effort to secure special consideration as an employee;
13. Falsification of employment application, personnel records, time cards, or other City records;
14. Abuse of any type of paid or unpaid leave or other benefit program;
15. Habitual absenteeism or excessive tardiness;
16. Smoking in unauthorized areas;
17. Violating a safety rule or practice;

18. Leaving assigned work area without prior authorization by the supervisor;
19. Violation of a departmental rule, regulation, order or professional ethics;
20. Quitting work early without authorization to do so;
21. Leaving the work site during working hours without authorization from the supervisor;
22. Lying to supervisors or falsifying records with respect to official duties, including work duties and discipline;
23. Discussing with unauthorized persons any confidential information gained through employment with the City;
24. Indulging in offensive conduct, on or off-duty, which reflects unfavorably upon the City or which subjects the City to increased liability for the employee's actions;
25. Engaging in an unlawful act while on duty or while representing the City;
26. Threatening another employee with bodily harm;
27. Physical attacks on supervisors or co-workers;
28. Creating or contributing to unsanitary conditions, including spitting of tobacco on the floor, throwing cigarette butts on the floor or ground;
29. Posting or removing notices, signs or writing in any form on bulletin boards on City property without proper authorization;
30. Failure to maintain required licenses or certifications;
31. Operation of a vehicle for City business if driver's license is suspended or revoked;
32. Failure to notify supervisor of driving violation within three days of receipt of the violation if operation of a vehicle for City business is an essential function of the job;
33. Any employee absent from work for three consecutive days without notification of such absence is deemed to have abandoned their job and is terminated, unless extenuating circumstances require a lesser action;
34. Refusal to sign a performance impairment exam consent form and/or submit to alcohol/drug testing;
35. Failure to comply with the City's Drug/Alcohol Free Workplace Policy;
36. Possession of weapons on City property;
37. Failure to comply with the City's Prohibited Weapons Policy;
38. Harassment, sexual or otherwise, or the use of offensive or abusive language or conduct, including but not limited to racial or ethnic slurs or other discriminatory slurs; or
39. Failure to comply with the City's Harassment Prevention Policy.

SECTION 20.02 Disciplinary Action

Disciplinary action may be taken for any of the reasons outlined in the above section or for any other cause that warrants such action. The degree of discipline is reasonably related to the seriousness of the offense and takes into consideration the employee's past record. Wherever practical, discipline is progressive; however, any disciplinary measure may be used in any given situation.

A. Verbal Reprimand

Whenever grounds for less severe disciplinary action exist, and the supervisor determines that more severe action is not immediately necessary, the supervisor verbally communicates to the employee the deficiency and when appropriate, tells the employee how to correct the deficiency. The supervisor also states that failure to remedy the deficiency may result in more severe disciplinary action.

B. Written Reprimand

A supervisor may initiate a written reprimand in situations where a verbal reprimand has not resulted in improvement or where stronger initial action is warranted. The written reprimand identifies

- the offense(s),
- the necessary corrective action(s) to be made by the employee,
- the time period in which the employee must accomplish the corrective action and
- that further action may be taken if the problem is not corrected.

A signed copy of the written reprimand must be included in the employee's personnel file. The employee's supervisor must sign the written reprimand.

The employee may submit a written response to the written reprimand for inclusion in the employee's personnel file.

C. Suspension

When a written reprimand(s) has not corrected a problem, or when a more severe infraction occurs, the supervisor may recommend to the Department Director that the employee be suspended without pay. Suspensions are generally used for rule infractions rather than as a step in progressive discipline for cases of incompetence. Suspensions normally do not exceed 15 working days.

In cases of gross misconduct, the Department Director may immediately suspend the employee with or without pay.

D. Reduction In Pay

When previous disciplinary action(s) has not corrected the problem, or when a more serious infraction occurs, an employee's pay may be reduced to a lower amount.

E. Demotion

When previous disciplinary action(s) has not corrected the problem, or when a more serious infraction occurs, an employee may be demoted.

Employees demoted for disciplinary reasons are placed on a 6-month orientation period in the new position.

F. Dismissal

The Department Director with prior notification to the City Administrator may dismiss an employee for disciplinary reason(s); however the City continues to maintain its right for at-will employment even if an employee is terminated for cause. Employees on their original orientation period may be dismissed with or without cause.

CHAPTER 21. GRIEVANCE AND APPEAL PROCESS

It is the policy of the City to provide employees with avenues for the presentation of grievances and appeals.

SECTION 21.01 Purpose

The grievance process provides employees with a formal mechanism to resolve disputes concerning disciplinary actions, employment practices, or violations of established personnel policies in a fair and timely manner.

SECTION 21.02 Definition

A grievance is a written complaint by an employee regarding an alleged violation, misinterpretation, or inequitable application of City policy or procedure that directly affects the employee's terms or conditions of employment. Complaints related to discrimination, harassment, or retaliation are handled separately under applicable state or federal laws.

SECTION 21.03 Procedure

A. Step 1 – Department Level Review

The employee must submit the grievance in writing to their immediate supervisor within **five (5) working days** of the event giving rise to the complaint. The supervisor shall meet with the employee and provide a written response within **five (5) working days**.

B. Step 2 – Department Director Review

If not resolved, the employee may appeal to the Department Director within **five (5) working days** of receiving the supervisor's response. The Department Director shall review and respond in writing within **ten (10) working days**.

C. Step 3 – Administrative Appeal Officer Review (Final Step)

If still unresolved, the employee may file a final written appeal to the **Administrative Appeal Officer**, designated by the **City Administrator**, within **five (5) working days** of the Department Director's decision.

The Administrative Appeal Officer shall conduct a meeting with the employee (and optional representative or witness) and render a written decision within **fifteen (15) working days** of the hearing.

This decision shall be final and binding.

CHAPTER 2. SECTION 20.04 Finality of Decision

The decision of the Administrative Appeal Officer constitutes the City's **final administrative action**.

There shall be **no further appeal** to the Mayor, City Council, or any elected body.

CHAPTER 3. SECTION 20.05 Representation

Employees may be accompanied by one representative or witness during the appeal hearing. Employees and the City are not required to record the hearing; however, the employee may record the proceedings if they choose, consistent with state law.

CHAPTER 22. SEPARATION - TERMINATION

Employees terminating their employment are required to turn in all keys, uniforms, material, cell phone, equipment, or other City property by their last day of employment. Failure to do so may result in legal action.

SECTION 22.01 Voluntary

A. Resignations

Employees resigning from City service are requested to submit a resignation in writing and give a minimum of ten working day notice.

B. Retirements

Employees retiring from the City are eligible for benefits as provided for by the Texas Municipal Retirement System (TMRS.)

SECTION 22.02 Involuntary

A. Dismissal

Employees may be dismissed for the following reasons:

1. Inability to perform the job;
2. Disciplinary action;
3. Incapacity and/or results of medical/psychological evaluations;
4. Extended leave and/or
5. Elimination of position.

B. Reduction in Force

The City in its sole discretion determines whether a reduction in force is necessary as a result of lack of work, lack of funds, curtailment of operations or programs or other circumstances in its best interest. The City Administrator authorizes all reductions by the number of positions in each classification by department, group, or office. If it is determined that a reduction in force is necessary, employees are laid off in the following order.

- Part-time/Temporary employees;
- Employees who have not completed their orientation period;
- Regular full-time employees whose performance reviews document poor or inadequate performance; or
- If two or more regular full-time employees have the same performance and attendance ratings, seniority is the determining factor.

Nothing in this policy prevents an employee's hours of work from being adjusted in lieu of, or in addition to layoffs. A regular full-time employee to be laid off may be considered for transfer or demotion to other vacancies if the employee has the ability and qualifications to satisfactorily perform the new job. An employee has the right to refuse the transfer. If the employee accepts the transfer, the employee forfeits all recall rights to the previous position.

Regular full-time employees laid off are placed on a recall list for a period of one year. After one year from the date of layoff all recall rights are terminated.

C. Recall

Recall rights apply to the following situations if the position(s) becomes available within the one-year recall period and provided the employee has the ability and qualifications to satisfactorily perform the job.

1. Recall to the employee's former position — such recall occurs in reverse order of layoff, not including part-time or temporary employees.
2. Recall to a vacant full-time position within the same classification.
3. If an employee is recalled to a position other than previously occupied, the employee has the right to refuse the recall. If an employee accepts the recall, the employee forfeits all other recall rights to any other position.
4. Regular full-time employees who are eligible for recall are given 14-calendar day notice of recall. The recall notice is sent by certified or registered mail. The employee must notify Administrative Services of their intent to return within three days of receipt of such notice of recall. It is the employee's responsibility to provide the City with the most current and correct mailing address.

Tenure or length of service with the City, for purposes of fringe benefit calculation does not accrue while an employee is on layoff status. However, upon recall to work, tenure or length of service resumes without loss of tenure gained prior to layoff. Amounts of earned but unused vacation leave are paid out consistent with current benefit plans to eligible employees at the time of layoff.

DEFINITIONS

Appeal: The right of a regular full-time employee to file an appeal from an action relating to a written reprimand, pay increase or decrease, suspension, involuntary demotion or dismissal, except that employees serving their original orientation period may not appeal dismissals.

Benefits: Vacation, holiday, sick leave, health insurance, life insurance, retirement and any other financial or economic benefits that are offered by the City of Castroville.

Birth of a Child: For a woman giving birth, an initial leave request, either before or after the birth, is usually treated as a request for disability. Since a “normal” birth may result in six weeks of leave due to a disability, any additional leave requested would be due to the birth of a child as provided for under Family/Medical Leave.

Bona Fide Occupational Qualification: A qualification requirement for a job that is made in “good faith” and is designed to insure that applicants have the necessary skills and knowledge to perform the job.

Break in Service: Any lapse of working time between the official separation of any employee and subsequent rehiring.

Call Back: An unscheduled or emergency return to work outside of normal hours or on a holiday or day off as directed by the supervisor

City Administrator: The Chief Administrative Officer of the City, or designee, appointed by the City Council.

City Council: The policy making body of the City of Castroville.

Classification (Class): Positions that are similar in nature, have approximately the same level of difficulty and responsibility, require comparable skills, knowledge and abilities at the time of recruitment and may be fairly compensated by a general range of pay.

Compensatory Time Earned: The time earned by non-exempt employees as defined under the Fair Labors Standards Act

Compensatory Time Used: The hours absent from duty granted to compensate for authorized overtime worked.

Demotion: The assignment of an employee from one classification to another classification having a lower maximum salary rate.

Department Director: An individual, or designee, who is regularly responsible for directing the overall operation of a department as designated by the City Administrator.

Disciplinary Action: A verbal reprimand, written reprimand, pay reduction, suspension, involuntary demotion or dismissal.

Dismissal: The involuntary separation from employment.

Employee: A person on the payroll of the City of Castroville, except for City Council who are elected officials.

Employment Date: The date an employee is hired in a regular full-time/part time or temporary position.

Essential Function (Essential Job Function): The fundamental duties of a position that the employee must be able to perform with or without reasonable accommodation and without undue hardship to the employer. An essential job function is one that is so critical it cannot be eliminated from the job description without significantly changing the position's role and contribution to the City.

Examination: A written, verbal, physical, skill, performance, psychological or other job related test or review specifically used to assist in evaluating an applicant's ability to perform the essential functions and duties of a particular job.

Exempt Position: Employees in exempt positions that spend the majority of their work time in administrative, supervisory or managerial duties. Exempt positions are not eligible for overtime compensation and meet the Fair Labor Standards Act definitions for exemptions.

Family: The definition of family for bereavement leave includes spouse, child, parent, brother, sister, grandparents or grandchildren of an employee or employee's spouse. It also includes any relative living in the employee's household who is dependent on the employee for care. For purposes of Family/Medical Leave, see the definition of "immediate family".

Full-time Position: One where the employee is scheduled to work 40 hours per week or another approved full-time schedule.

Grievance: A complaint to management about conditions of work, work relationships or the interpretation or application of policies, rules or regulations adopted to cover personnel practices.

Hiring Authority: The person that makes the hiring decision. The City Administrator has the final approval for all positions except the City Attorney, Municipal Judge and City Secretary.

Holiday, Designated: The period between 12.01 a.m. and the following midnight of the date on which the observed holiday falls. All eligible employees receive 8 hours of leave for the holiday.

Immediate Family for FMLA: The employee's spouse, child(ren), mother, father or covered service member.

Internal Alignment: The internal ranking of classifications based upon factors such as level of responsibility, skills, level of education, knowledge and authority.

Job Announcement: A posted announcement of a position vacancy that is to be filled.

Job Description: A written statement of the essential job functions, general characteristic duties, responsibilities and qualification requirements of a job.

Job Audit: A fact finding investigation of the work performed by an employee in a given position, including work processes, material processed, actions taken, tools used and supervision received

for the purpose of analyzing the duties and evaluating the difficulty and responsibility of the position.

Layoff: A separation from City service because of a shortage of funds or materials, organizational restructure, or elimination of an employee's position for other reasons beyond the control of the employee.

Layoff Unit: A City department, division, section or similar organizational unit considered for layoff purposes.

Leave: An approved absence from work.

Maternity: See birth of a child

Minimum Qualifications: The qualifications contained in the job description that a person must possess in order to qualify or compete for a given class of positions within the City.

Non-Exempt Position: Positions that do not meet the definition of Administrative, Executive, Professional or Supervisor as designated by the Fair Labor Standards Act and earn compensatory time or overtime pay at the rate of time and one half for actual hours worked in excess of 40 hours in the work week, or actual hours worked in excess of 86 hours in a 14 day period for police (Law Enforcement).

On Call: Being at an available place for a designated period of time or utilizing a pager that would not require limitation on activity and movement of the employee.

Orientation Period: The 6 month period of time beginning with the initial hiring of a person or the rehiring of a previous employee after a break in service in excess of 3 months.

Original Appointment: The initial hiring of a person or the rehiring of a person after a break in service in excess of three months.

Outside Employment: Any work performed on a recurring or sporadic basis for monetary compensation for an employer other than the City; including self-employment.

Overtime: Time paid at one and one half (1 ½) times the employee's base rate when employees exceed 40 actual hours worked during the 40 hour work week, or Law Enforcement employees exceed 86 actual hours worked during the designated 14 day period.

Pay Decrease: A decrease in pay that may result from reclassification, demotion, unsatisfactory performance or disciplinary action.

Pay Increase: Movement from one pay rate in a pay range to a higher pay rate within the same pay range.

Pay Period: The work period that the employee's earnings are calculated.

Pay Plan: The schedule of pay ranges for each classification (or positions) in the classification plan.

Pay Range: The range of pay rates for jobs.

Pay Rate: A specific rate of pay within a pay range.

Performance Appraisal: An appraisal that is placed in the employee's file. The appraisal is completed on an approved form signed by the employee, the employee's immediate supervisor, the Department Director and Administrative Services Director.

Promotion: The result of an employee applying and being selected for a position in a higher pay range.

Promotional Orientation Period: The six month period of time beginning when the employee is promoted into a new position.

Reasonable Accommodation: Changes that can be made to a position to create opportunity for a qualified applicant or employee with a disability that does not cause undue hardship for the City.

Reassignment: The change of duties of an employee in a position or the movement of an employee from a position in one classification to a different position in the same classification within the same organizational unit.

Reclassification: The significant change in duties actually performed by an employee that result in a change in the employee's classification. A reclassification can result in a title change only, creation of a new classification at the same pay range, or a change in classification with a different pay range.

Regular Full-time Employee: An employee in a budgeted full-time position with benefits, regardless of whether the employee is in the original orientation period.

Resignation: The voluntary separation of an employee from the City.

Retirement: Refer to retirement/pension policies for information regarding retirement benefits.

Separation: The termination of employment by reason of failure to satisfy the orientation period, disqualification, layoff, resignation, retirement, dismissal or death.

Standard Work Week: A 40 hour workweek for employees, does not include Law Enforcement.

Suspension: An involuntary absence with or without pay imposed on an employee as a disciplinary action, or during civil or criminal proceedings.

Temporary Employee: An employee who works for a specific period of time or for a special job task or project that is intended to be of limited duration, such as summer months or holidays. The employee may work full-time or part-time during that period of time.

Transfer: The movement of an employee from one position to another position of the same classification or pay range in the same or different department.

Undue Hardship: An act requiring a significant expense or difficulty for the City.

Vacancy: An authorized budgeted position that is not occupied.

Verbal Reprimand: A verbal statement telling an employee about a violation or failure to perform and advising the employee of the consequences of repeated acts or omissions. A verbal warning does not become a written reprimand merely because the supervisor makes a note of the event.

Work Days: The established or scheduled days an employee works.

Work Period: The total scheduled workdays in a 14 day period for Law Enforcement.

Workweek: The total scheduled workdays in a seven-day period.

Workers' Compensation: Benefits received by an employee who is injured while carrying out assigned duties as determined by the Worker's Compensation Act of the State of Texas.

Written Reprimand: A written statement of specific charge(s) of violation(s) or failure(s) to perform, or the acts that such charges are based on and a warning of the consequences of repetition.

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Draft v4.1 – Legal/Compliance Updates (Redlined):

CHAPTER 3. Equal Opportunity: Expanded protected classes to include disability, pregnancy, gender identity, sexual orientation, genetic information, veteran status, citizenship, and hairstyle protections in addition to existing classes.

CHAPTER 12. Leave: Expanded Family and Medical Leave Act details (eligibility, intermittent leave, restoration rights, notice requirements). Added Pregnant Workers Fairness Act (reasonable accommodations for pregnancy/childbirth) and lactation breaks.

NEW SECTION: Whistleblower Protections: Employees are protected under Texas Government Code Ch. 554 from retaliation for reporting violations of law to appropriate authorities.

NEW SECTION: First Responder Leave: Includes quarantine leave, mental health support, and line-of-duty illness/injury leave provisions as required by Texas statutes.

CHAPTER 13. Safety: Added obligation to comply with OSHA standards including Hazard Communication, PPE, Confined Space, Lockout/Tagout, Bloodborne Pathogens, and Driving Safety.

CHAPTER 14. Harassment Prevention: Expanded definitions, clarified multiple reporting avenues, and prohibition of retaliation.

~~CHAPTER 20. Discipline: Progressive discipline will follow a rigid sequence of verbal, written, suspension, and termination steps.~~

CHAPTER 20. Discipline: Discipline may include, but is not limited to, verbal/written warnings, suspension, demotion, or termination, depending on circumstances.

CHAPTER 7. Employment Status: Clarified that the orientation period does not alter at-will status.

CHAPTER 22. Pay Transparency: Employees may freely discuss wages and working conditions consistent with NLRA protections.

~~CHAPTER 12. Leave: Employees may be required to provide a doctor's note for any absence.~~

CHAPTER 12. Leave: Employees may be required to provide a doctor's note for absences exceeding three consecutive days, or as otherwise required by law.

~~CHAPTER 15. Technology Use: Employees shall not post any comments about the City on social media.~~

CHAPTER 15. Technology Use: Employees may not disclose confidential information or make postings that damage the City's reputation. This policy shall not restrict employees' rights to discuss wages or working conditions.



CITY COUNCIL AGENDA REPORT

DATE: September 17, 2025

AGENDA OF: September 23, 2025

DEPARTMENT: District 4

SUBJECT: Discussion and possible action on traffic control and traffic calming measures in District 4

RECOMMENDED MOTION: I move to table this item until the first meeting in October.

BACKGROUND: Due to unplanned events in my personal life, I was unable to complete the presentation materials for this item in time for the rest of Council to review them. Out of respect for the rest of Council and a desire to ensure you have time to review materials before discussion begins, I requested to move the agenda item until the next meeting. Unfortunately, the agenda had already been posted. My recommendation is to table this item. For reference, it will refer to three things:

1. Changing the traffic control signage at the intersection of Country Lane and Village Path
2. Changing the traffic control signage at the intersection of May St and Sunnyland Dr
3. Possible low-cost traffic calming pilot projects in the Country Village Area

FISCAL IMPACT/SOURCE OF FUNDING: ☐ Budgeted ☒ Requires Budget Amendment

ATTACHMENTS: None

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

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

Submitted by: David Merz, Jr.

CITY OF CASTROVILLE

Traffic Calming Policy

June 24, 2014

This document has been generated as a means of memorializing the rationale, process and engineering specifications which make up the City's "Traffic Calming Policy". It is not intended to be an absolute set of rules, but rather a guideline to be followed when responding to traffic calming related issues. In Castroville, the City Council is the final authority for such improvement decisions because they are charged by State law, as a type A General Law City, with the ultimate responsibility for the guardianship on behalf of the public, for all public rights-of-ways within the City boundaries (with the exception of State Highways).

Traffic calming is a proactive attempt to improve the livability of residential neighborhoods. It is an attempt to physically change the character of streets, improve safety and encourage drivers to obey the speed limit. Traffic calming utilizes a variety of physical devices to alter the geometry of a street as well as create visual narrowing to slow down traffic. The following policy has been developed to address traffic speed issues in our neighborhoods.

It is the intention of the City of Castroville Traffic Calming Policy to address traffic problems and concerns on residential streets. While not intended to make streets play areas for children or adults, calming traffic intends to generally improve safety for pedestrians, bicyclists, and others who travel along or across our streets.

A. RATIONALE

Funding a traffic calming program with the limited resources of the City is difficult. Therefore, the following recommendation has been established. When the affected residents desire to change the characteristics of a street in an attempt to slow traffic, without a documented speed problem, they will be responsible for funding the out of pocket costs of such changes. This methodology is consistent with the City's Subdivision Ordinance.

Normally, a subdivision developer will select the construction type of new neighborhood streets at the time the land is platted and the development is created. The developer then pays for the initial construction. Once the street improvements are built to proper standards, the City will accept the streets for maintenance.

In the case where a documented speed problem does exist, staff will make recommendations on how to best begin the process of eliminating the problem. Less expensive solutions such as *speed monitoring and display equipment* (a temporary device that is primarily used to educate motorists regarding the fact that they may be significantly exceeding the posted speed limit), *increased patrol* (traditional enforcement activity on the part of the Castroville Police Department intended to modify behavior to result in a safer situation for all drivers and

neighbors) and *sign improvements and pavement markings* (if necessary, City staff will install additional signing or striping in the area) should be considered first. The City staff will wait a minimum of forty-five days and a maximum of six months, and then conduct another speed data collection. The data will then be analyzed to determine if the traffic calming measure(s) taken were successful. If the measure(s) were successful, then the traffic calming process will end at that point. If those measures do not work then physical changes should be considered to slow traffic. With approval from Council, City staff will include a budget line item in the following year's budget to cover the estimated cost of those improvements; unless, the City Council directs that the improvements be funded from the current year's budget.

Prior to making any permanent changes to the street, the following procedure has been established to guide the process.

B. PROCEDURE

The definition of the impact area needs to be large enough to cover the residents directly impacted by the improvements, but also must consider that traffic calming is intended to address the needs of the neighborhood and not those of through traffic.

The impact area will be defined as the properties within one block of an intersection project, and all properties fronting the study block of the street in the case of a project at the mid-block of a street. In addition, roads that have their sole access through the study block will be included in the impact area such as dead end streets, which intersect an affected block.

If a neighborhood has an established, active homeowners association, all properties within that association will be included in the impact area. In cases where the street, in the study area, is on the boundary of the association, the study area will not include the entire association, but shall be defined as mentioned in the above paragraph.

C. PROCESS

When the City receives a request for a traffic calming study, the requesting party or association will be required to obtain signatures of a majority of properties within the impact area.

When the required signatures have been presented to the City, a traffic speed survey will be performed on the study street(s). All speed surveys will be conducted while local schools are in session and when weather conditions do not indirectly affect the speed of vehicles in the study area. Staff will schedule the speed surveys so the data can be tabulated and a project can be designed with ample time to include the project in the following year's budget request to City Council; unless, directed otherwise by City Council.

A speeding problem is defined as the 85th percentile speed being 5 MPH or more over the posted speed limit in both directions. If the speed survey indicates a problem, City staff will submit to City Council the findings and make a recommendation on how best to proceed to

begin the process of calming traffic. If the speed survey data collected indicates no speeding problem within the study area, no improvements will be budgeted by the City. If the residents within the study area are still interested in traffic calming improvements without supporting data, they may choose to pay for the improvements including the cost for design, oversight implementation of the improvements and any required project contingency funds as defined in a specific plan developed by City staff with City Council approval of that plan. In formulating the specific plan, City staff shall adhere to the Manual on Uniform Traffic Control Devices (MUTCD) or its equivalent. For the City to approve a project with no supporting speed data there must be documented 80% support from the affected neighborhood.

The traffic calming tools to be considered in the development of a plan are:

1. Sign Improvements and Pavement Markings
2. Increased Enforcement
3. Speed Monitoring and Display Equipment
4. Raised Crosswalks
5. Speed Humps and Tables
6. Pedestrian Improvements
7. Curb Extensions (Bump Outs)
8. Landscape Medians
9. Roundabouts

Speed humps will only be used on local streets, and should not be considered on restricted streets or "residential collector" streets. Restricted streets are defined as streets that allow emergency vehicles to reach all parts of the City without delay.

The City staff will schedule a neighborhood meeting inviting all residents in the impact area to attend. The preliminary plans will be discussed and input from the residents will be considered before developing a final plan. At that point in the process, the plan will be presented to the City Council for consideration. If City Council approves the plan, City staff will include the project estimate in the next year's budget for possible funding; however, the plan may be funded from the current year's budget if approved by the City Council.

The construction of the plan will be scheduled into the next year's budget work program for the Public Services Department, unless directed otherwise. The Department will perform any project components that they are able to. All other work will be contracted out during that year's Street Improvement Program and incorporated into the project scope. In the event that a documented speeding problem exists, the City will attempt to fund all traffic calming improvements in a timely manner. Where there is not a documented speeding problem, the estimated cost of the project performed by contractors, as well as any out of pocket costs to the City, will be the resident's responsibility to fund. The City must receive the amount estimated in advance of any construction. Those funds will be placed in an escrow account and drawn from to pay for the project. Any excess funds will be returned to the residents.

The City may perform the following tasks as part of the Plan:

1. Removal of Existing Asphalt and Concrete for Project Preparation
2. Simple Irrigation Design and Construction in Planning Areas
3. Tree and Shrub Planting
4. Some Concrete Curb and Gutter Construction
5. Most Asphalt Patching
6. Traffic Control for its Own Work
7. Speed Bump Construction
8. Sign Installation

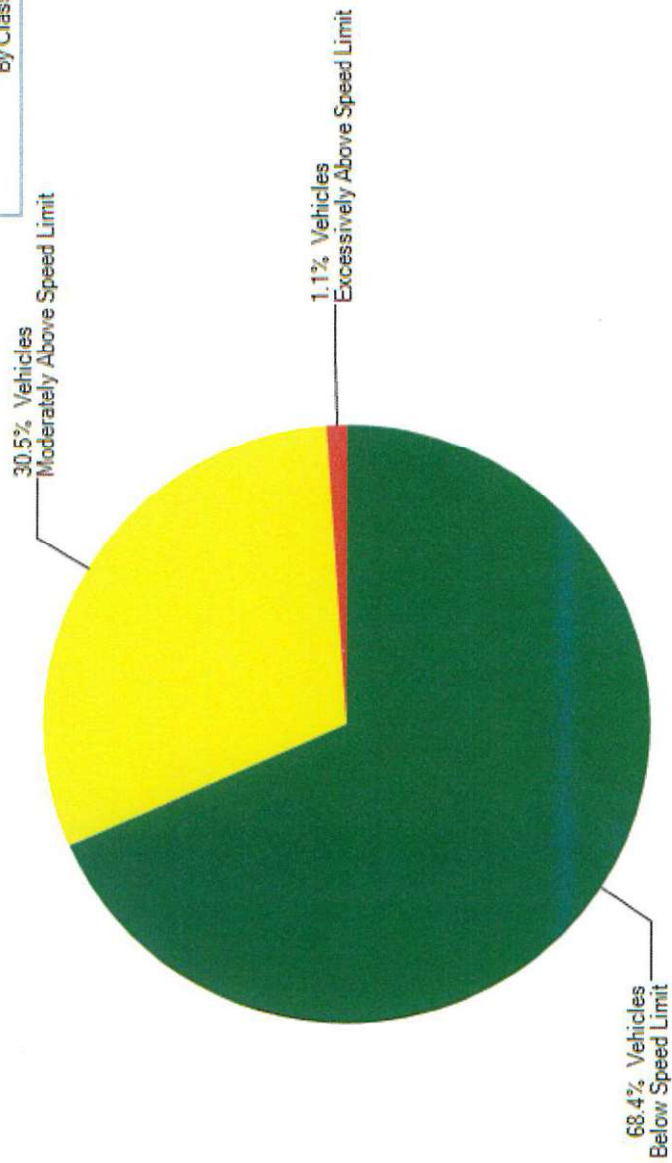
The City may outsource one or more of the tasks below as part of the Plan:

1. Concrete Construction Beyond the Scope of City Staff
2. Asphalt Construction Beyond the Scope of City Staff
3. Irrigation Design and Construction Beyond the Scope of City Staff
4. Engineering Drainage Plan for Improvements
5. Pavement Markings
6. All Materials Needed to Facilitate Construction of the Improvements Including all Asphalt, Concrete, Landscape Materials and Irrigation Equipment

Adopted
6/24/14

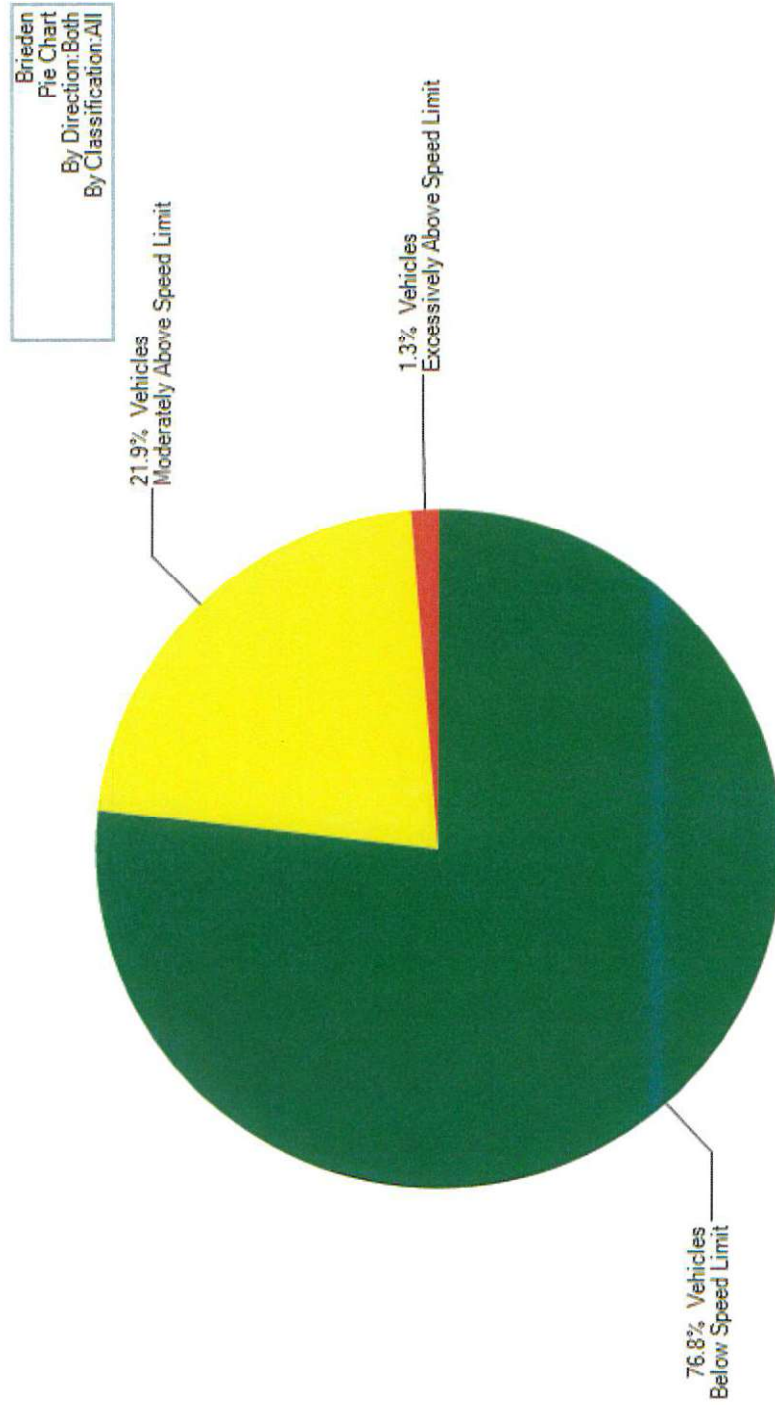
Country Lane-Chart-7

Country Lane
Pie Chart
By Direction: Both
By Classification: All



Survey Name	Country Lane	Speed Unit	Miles/Hour	Average Speed	MPH	Total Volume	100%
Start Date	2024-04-22	Speed Limit	25	Max Speed	MPH	Over Limit Count	31.6%
Stop Date	2024-04-25			Min Speed	MPH	Under Limit Count	68.4%
				85th Percentile	MPH	Over Threshold Count	1%

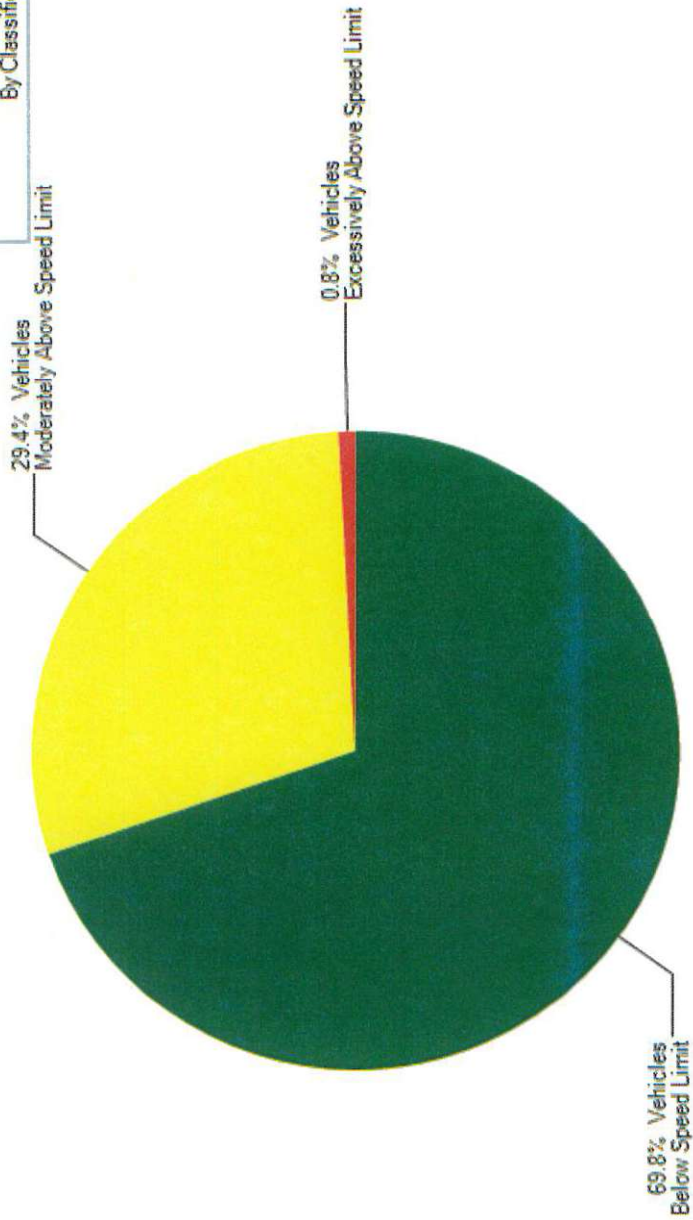
Brieden-Chart-7



Survey Name	Brieden	Miles/Hour	Average Speed	MPH	Total Volume	100%
Start Date	2024-04-07	Speed Limit	Max Speed	46	Over Limit Count	23.2%
Stop Date	2024-04-19	Speed Unit	Min Speed	5	Under Limit Count	76.8%
			85th Percentile	27	Over Threshold Count	1%

Country Lane-Chart-7

Country Lane
Pie Chart
By Direction: Both
By Classification: All

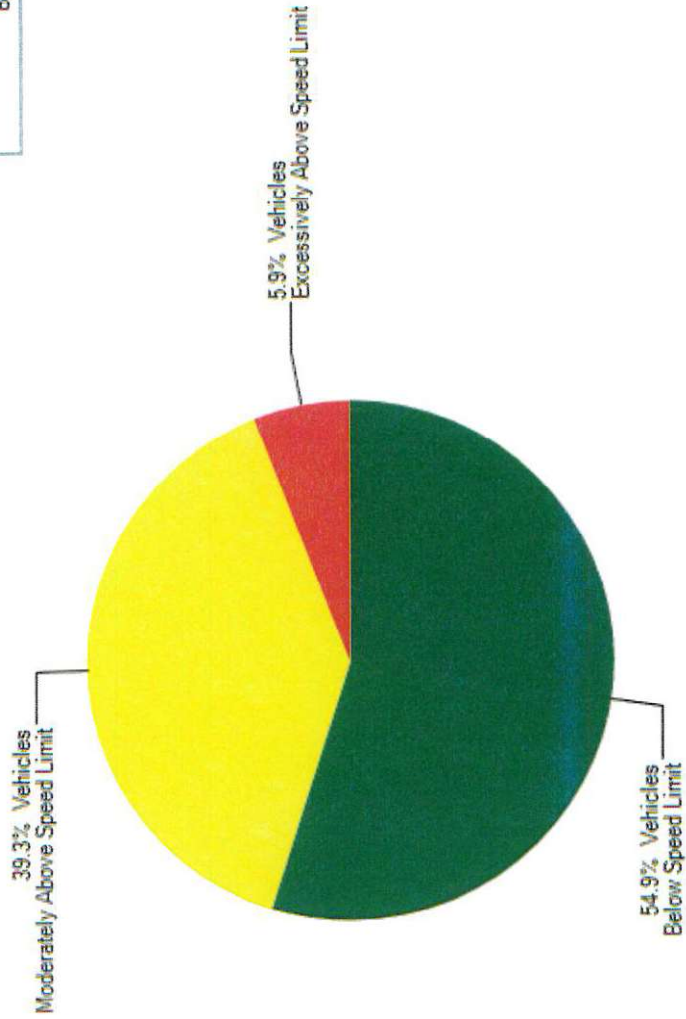


Survey Name	Country Lane	Speed Unit	Miles/Hour	Average Speed	MPH	Total Volume	100%
Start Date	2024-02-26	Speed Limit	25	Max Speed	48	Over Limit Count	30.2%
Stop Date	2024-03-09			Min Speed	2	Under Limit Count	69.8%
	correct dates			85th Percentile	28	Over Threshold Count	0%

STALKER Radar | Lidar

Lower Lacoste-Chart-7

Lower Lacoste
Pie Chart
By Direction: Both
By Classification: All

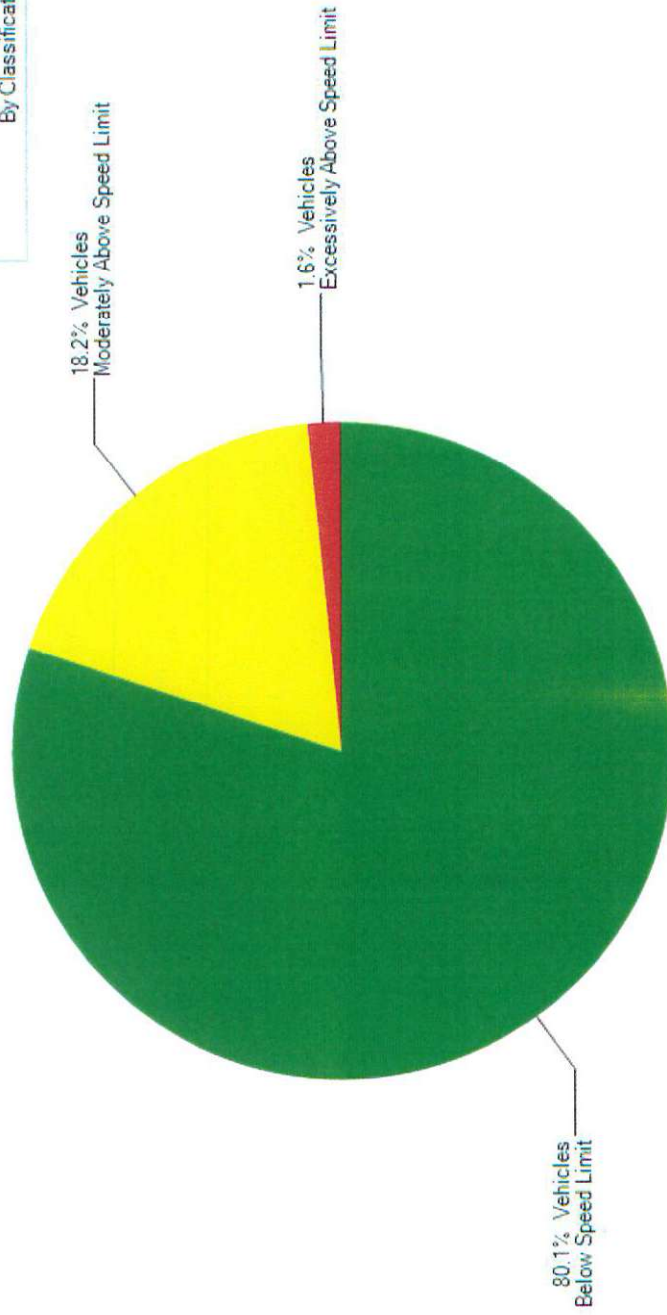


Survey Name	Lower Lacoste	Speed Unit	Miles/Hour	Average Speed	MPH	Total Volume	10122	100%
Start Date	2024-02-26	Speed Limit	25	Max Speed	40 MPH	Over Limit Count	4568	45.1%
Stop Date	2024-03-09			Min Speed	3 MPH	Under Limit Count	5554	54.9%
	correct dates			85th Percentile	31 MPH	Over Threshold Count	5554	5%

STALKER Radar | Lidar

Village Path-Chart-7

Village Path
Pie Chart
By Direction: Both
By Classification: All



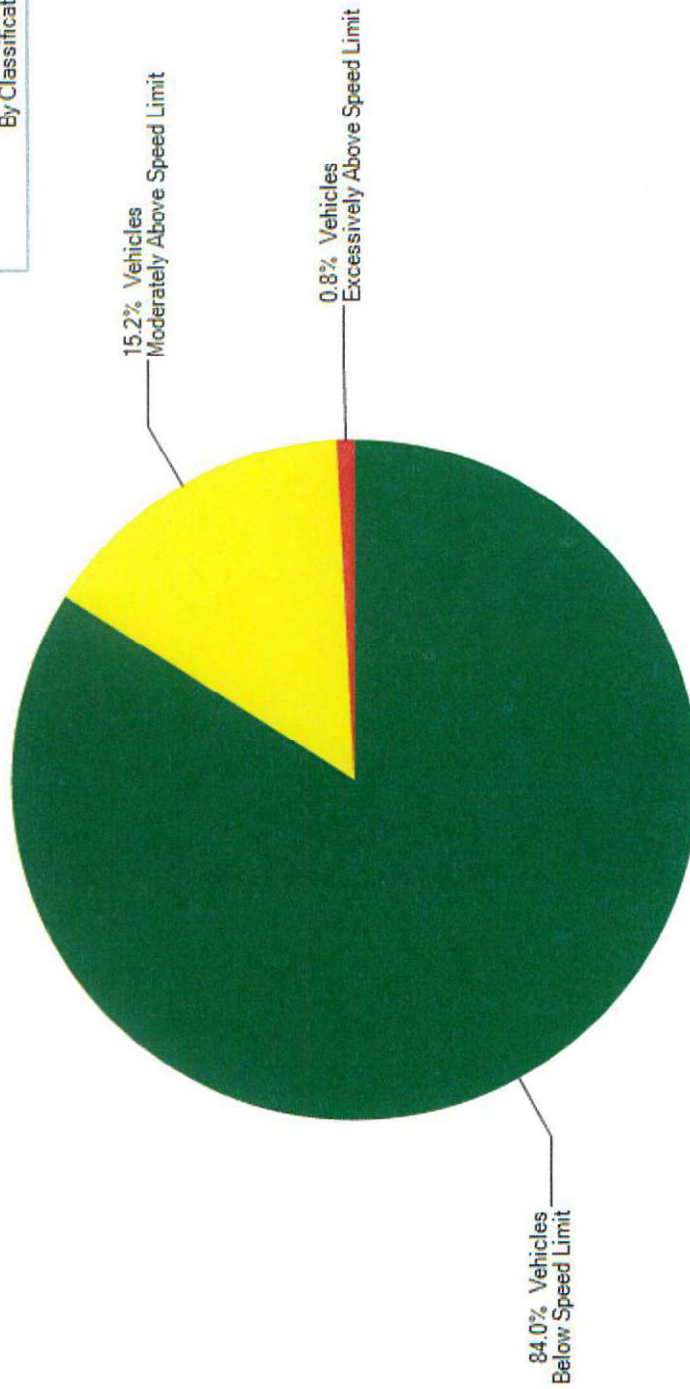
Section VIII, Item h.

Survey Name	Village Path	Average Speed	22.4	MPH	Total Volume	2579	100%
Start Date	2024-02-03	Max Speed	47	MPH	Over Limit Count	512	19.9%
Stop Date	2024-02-14	Min Speed	4	MPH	Under Limit Count	2067	80.1%
		85th Percentile	26	MPH	Over Threshold Count	2067	1%
		10 MPH Pace	18 - 27	MPH	In Pace Count	1910	74.1%

STALKER Radar | Lidar

Houston at Amelia-Chart-7

Houston at Amelia
Pie Chart
By Direction: Both
By Classification: All



Survey Name	Houston at Amelia	Speed Unit	Miles/Hour	Average Speed	MPH	Total Volume	100%
Start Date	2024-07-02	Speed Limit	25	Max Speed	38	Over Limit Count	16.0%
Stop Date	2024-07-03			Min Speed	4	Under Limit Count	84.0%
				85th Percentile	26	Over Threshold Count	0%



Agenda Report

Agenda of: October 14, 2025

Department: Mayor

Subject: Amend Ordinance 2003-019

Recommended Motion:

Motion to amend Ordinance 2003-019 reducing the membership of the Historic Landmark Commission to five and establish an Architectural Design Review Board for Commercial Development in the CH East, CH Central ad CH West Commercial Zoned areas.

Background:

An Architectural Design Review Board was first established in 2001 as a five-member board with the purpose of protecting the City Alsatian Architectural Designs in commercial development along Hwy 90 under Mayor Hancock.

The Design Review Board was combined with the Historic Landmark Commission as a seven-member commission under Mayor Lee

The Historic Overlay Zoning was included in the CZO under Mayor Gardner.

The Historic Landmark Commission currently does exercise Design Review jurisdiction over commercial development not located within an area zoned as Historic unless an existing structure is included in the 1969 Historic Survey or the property is located within the Historic Overlay Zoning.

An Architectural Design Review Board is needed to maintain and protect the general Alsatian architectural designs for new commercial development in areas zoned for commercial development in Castroville.

Fiscal Impact:

None at this time.

☐ Budgeted ☐ Requires Budget Amendment

Source of Funding:

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

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

Submitted by: Mayor Alexander

ORDINANCE NO. 2003-019

AN ORDINANCE OF THE CITY OF CASTROVILLE, TEXAS ADOPTING NEW PROVISIONS FOR HISTORIC PRESERVATION FOR THE PURPOSE OF PROTECTING AND PRESERVING PLACES AND AREAS OF HISTORIC AND CULTURAL IMPORTANCE TO THE CITY OF CASTROVILLE; IN ADDITION, ~~ESTABLISH A CASTROVILLE LANDMARK COMMISSION;~~ PROVIDING A REPEALER CLAUSE, SEVERABILITY CLAUSE, A SAVINGS CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the City Council created, within the Comprehensive Zoning Ordinance Article IV, Chapter 2 in the interest of providing protection, enhancement, preservation, and use of historic landmarks for the culture, prosperity, education and general welfare of the general public; and,

WHEREAS, the City of Castroville was populated as an Alsatian community in the 1840's and;

WHEREAS, the City of Castroville has created two (2) historic districts; and,

WHEREAS, the citizens of Castroville and the City Council wish to preserve its historic homes, culture and heritage and;

WHEREAS, the current ordinance for preservation of such is inadequate;

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

That the number, make-up and functions of the Historic Landmark Commission and Article IV, Chapter 2 of the Comprehensive Zoning Ordinance are amended as follows:

Section One: Purpose

The City Council of the City of Castroville hereby declares that as a matter of public policy the protection, enhancement, and preservation of landmarks or districts of historic, cultural and architectural importance and significance is necessary to promote the economic, cultural, educational and general welfare of the public. The purposes of this article are to:

1. Protect, enhance, and perpetuate the city's history, culture and architecture by promoting the value and importance in establishing historic landmarks and districts;
2. Strengthen the economy of the Castroville;
3. Protect and enhance Castroville's attractiveness to visitors and residents;
4. Promote the enjoyment and use of historic resources by the people of Castroville;

5. Acknowledge and preserve diverse architectural styles, patterns of development, and design preferences reflecting phases of Castroville's history;
6. Insure harmonious, orderly, and managed growth and development of the city;
7. Increase public awareness and appreciation of Castroville's historic past and unique sense of place;
8. Educate the public on the benefits of historic preservation;
9. Maintain a generally harmonious outward appearance of both historic and modern structures that are compatible and complementary in scale, form, color, proportion, texture and material.

Section Two: Definitions

'Alteration' means any construction or change to the exterior of a building, site, or structure. Alterations shall include, but not be limited to, the changing to a different type, style, or size of roofing or siding materials; changing, eliminating or adding doors, door frames, windows, window frames, shutters, fences, railings, porches, columns, balconies, walls, steps, signs, or other ornamentation; the changing of paint color; regarding; dismantling, removing or moving of any exterior features or demolition. Alteration does not include routine maintenance.

'Archaeology' means the science or study of the material remains of past life or activities and physical site, location or context in which they are found, as delineated in the Department of the Interior's Archaeological Resources Protection Act of 1979.

'Area' means a specific geographic division in the City of Castroville.

'Certificate of Appropriateness' means a signed and dated certificate evidencing the approval of the Landmark Commission for any alteration proposed by an owner or applicant, pursuant to Sec. 7 of this ordinance.

'Contributing structure' means a structure that physically or historically contributes to the significance of a historic district.

'Demolition' means an act or process that destroys or razes in whole, or in part, a building, object, site or structure, including the permanent impairment of structural integrity. This includes demolition by neglect, which is defined as inaction or series of inaction that result in the destruction or irredeemable deterioration of a landmark building..

'Design guidelines' means guidelines which are adopted by the Landmark Commission and guide property owners or residents to appropriate treatments to property designated as a historic landmark or within a landmark district.

Landmark Commission or *Commission* means the Landmark Commission of the City of Castroville, established in accordance with this ordinance.

Historic preservation plan or *Preservation plan* means a document established by the Landmark Commission and adopted by the City Council providing policy recommendations to guide historic preservation activities for the City of Castroville.

Historic landmark also referred to as an historic overlay zone, means a building, structure or site which satisfies two (2) or more of the criteria set out in Section Five and which is designated as such in accordance with that Section.

Historic district also referred to as an historic overlay zone, means a designated geographic area in the city which satisfy two (2) or more of the criteria set out in Section Five, containing landmarks or clusters of structures, including their accessory buildings, fences and other appurtenances, and natural resources having historical, cultural and archeological significance, and which is designated as such in accordance with that Section. A historic district may have within its boundaries other structures that, while not of such historic, cultural, or architectural significance as to be designated as a historic landmark, nevertheless contribute to the overall visual setting and character of the district.

"Historic Overlay Zone" see Historic District

In-kind replacement means repairing or replacing materials to match the existing materials in composition, design and color.

Move-in building means a building that has been moved onto an existing lot.

Non-contributing structure means a structure in a historic district that does not contribute to the district's significance through location, design, setting, materials, workmanship, feeling and association.

Preservation means act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property.

Reasonable rate of return means a reasonable profit or capital appreciation which may accrue from the use or ownership of a structure or property as the result of an investment or labor.

Reconstruction means the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

Rehabilitation means the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

'Relocation' means any change of the location of a structure, object or material thing in its present setting or to another setting.

'Restoration' means the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period.

'Routine maintenance' means any work which is to correct any deterioration, decay or damage to a structure or property, or any part thereof, and to restore to the same condition prior to such deterioration, decay or damage, using the same materials and design as the original. Routine maintenance does not include a change in design, material or outward appearance, but does include in-kind replacement or repair. Examples of routine maintenance include, but are not limited to: repainting in same colors that exist, replacement of roofing materials in the same color, materials and design, repairing siding or windows in the same materials and design, and repair of sidewalks and driveways using the same type and color of materials.

'Secretary of the Interior's Standards for Rehabilitation' means the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, reported at 36 Code of Federal Regulations 67, or as recodified.

'Site' means the location of a significant event, a prehistoric or historic occupation or activity, or a structure or cluster of structures, whether standing, ruined or vanished, where the location itself maintains historical or archeological value, regardless of the value of any existing structure.

'Stabilization' means the act or process of applying measures designed to reestablish a weather resistant enclosure and the structural stability of an unsafe or deteriorated structure or property while maintaining the essential form as it presently exists.

'Structure' means anything constructed or erected which requires location on the ground, or is attached to something having a location on the ground, including, without limitation, buildings.

'Survey and inventory' means the systematic listing of cultural, historic, architectural or archeological resources prepared by the city, state or federal government, following standards set forth by federal, state and city regulations for evaluations of cultural properties.

Section Three: Landmark Commission

There is hereby created a Commission to be known as the Castroville Landmark Commission, referred to as the "Commission" in this article.

- a. Membership. The Commission is composed of seven (7) members appointed by the City Council with consideration given to the following recommended professions: architect, planner, historian, licensed real estate broker, property owner of historic landmark or in a district, attorney, and archeologist.

- b. Membership Credentials. All Commission members shall have a known and demonstrated interest, competence, or knowledge in historic preservation within the City of Castroville.
- c. Terms. Commission members shall serve for staggered terms of two (2) years ending on October 31. The City Council shall appoint the chairperson of the Commission. The vice-chairperson shall be elected annually by the Commission members.
- d. Ex Officio Members – In addition to seven (7) members appointed by the City Council, the Historic Preservation Officer, a liaison from the Planning and Zoning Commission, and a representative from the Building Inspection Department shall sit on the Commission as ex officio members. Liaisons from different segments of the community may also be appointed by the City Council to assist the Commission in its official duties. None of the ex officio members shall have voting power but shall assist the Commission in its various function.
- e. Powers and duties. The powers of the Commission shall include:
 1. Landmark Eligibility. To thoroughly familiarize itself with the structures, land, areas, and districts within the city that may be eligible for designation as historic landmarks.
 2. Survey and Inventory. Conduct surveys and maintain an inventory of significant historic, architectural, and cultural landmarks and all properties located in historic districts within the city.
 3. Preservation Plan. To create, examine and update the historic preservation plan and present any modifications to Planning and Zoning Commission for inclusion in the comprehensive plan of the city.
 4. Recommend Designations. Recommend the designation of resources as landmarks and historic districts.
 5. Certificates of Appropriateness. Approval or disapproval of applications for certificates of appropriateness and certificates of demolition pursuant to this act.
 6. Demolition by Neglect. To identify cases of demolition by neglect and initiate remedial actions.
 7. Maintain Minutes. Maintain written minutes that record all actions taken by the Committee and the reasons for taking such actions. These minutes shall be forwarded to the CLG Director each month at the Texas Historical Commission.
 8. Design Guidelines. Prepare specific design guidelines for the review of landmarks and districts.
 9. Incentive Programs. Propose preservation incentive program(s) for landmarks or districts.
 10. Recognize Contributions to Preservation. Confer recognition upon the owners of landmarks or within districts by means of certificates, plaques, or markers.
 11. Increase Public Awareness. Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public education and training programs.
 12. Recommendations for Use of Funds. Make recommendations to the city government concerning the utilization of state, federal, or private funds to promote the preservation of landmarks and historic districts within the city.

13. Annual Report. Prepare and submit annually to the City Council and to the Certified Local Government Program of the Texas Historical Commission a report summarizing the work completed during the previous year.
 14. Recommendations for Acquisitions. Recommend the acquisition of a landmark structure by the city government where its preservation is essential to the purpose of this act and where private preservation is not feasible.
 15. Create Committees. Create committees from among its memberships and delegate to these committees responsibilities to carry out the purposes of this ordinance.
- f. Meetings. The Commission shall meet at least once each month, with additional meetings upon call by the Commission chairperson or upon petition of a simple majority of Commission members. Four (4) members present shall constitute a quorum, and issues shall be decided by a simple majority vote of the members present. All meetings shall be held in conformance with the Texas Open Meetings Act, Texas Government Code Chapter 551. The minutes of each meeting shall be filed in the Development Services Department.
- g. Effect of decisions. Unless appealed, the determinations of the Landmark Commission on certificates of appropriateness or certificates of demolition are final. Actions taken or recommendations made by the Landmark Commission that are subject to review by the Planning and Zoning Commission or the city council are not binding on those bodies, and the reviewing body may decide a matter contrary to recommendations or actions of the Landmark Commission.

Section Four: Historic Preservation Officer

- a. Appointment. The City Administrator shall provide for the appointment of a qualified staff person to serve as the historic preservation officer. The historic preservation officer shall administer this article and advise the Commission on matters submitted to it.
- b. Duties. In addition to serving as representative of the Commission, the historic preservation officer is responsible for coordinating the city's historic preservation activities with those of local, state, and federal agencies and with local, state, and national nonprofit preservation organizations, as well as other municipal departments and the general public. The historic preservation officer shall maintain the city's survey and inventory and shall update such survey from time to time. The historic preservation officer shall also have the authority to set deadlines for submittals of applications in order to assure adequate staff review time and notification of the Commission and general public.

Section Five: Criteria for Establishing Historic Landmarks and Districts

A historic landmark or district may be established to preserve places and areas of historic, cultural or architectural importance and significance if it meets any two (2) of the following criteria:

- a. History, heritage and culture. Represents the historic development, ethnic heritage or cultural characteristics of the city, state, or country.

- b. Historic context. Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, or national history.
- c. Significant persons. Is associated with the lives of persons significant in our past.
- d. Architecture. Embodies the distinctive characteristics of a type or period of architecture, method of construction, exceptional craftsmanship, architectural innovation, landscape or site design, or contains details which represent folk or ethnic art.
- e. Architect or master builder. Represents the work of a master designer, builder, or craftsman.
- f. Unique visual feature. Represents an established and familiar visual feature that is a source of pride or cultural significance.
- g. Archeological. Possesses archeological or paleontological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest
- h. National and state recognition. Eligible for or designated as a National Historic Landmark, Recorded Texas Historic Landmark, State Archeological Landmark, American Civil Engineering Landmark, or eligible for inclusion in the National Register of Historic Places.
- i. Historic education. Represents as era of architectural, social or economic history that allows an understanding of how the place or area was used by past generations.

Section Six: Process for Designating Historic Landmarks and Districts

Authority to Designate

The City Council may designate and zone certain sites, districts, areas, buildings, and lands in the City as historic landmarks to be protected, enhanced, and preserved in the interest of culture, prosperity, education and general welfare of the people, and define, amend, and delineate the boundaries thereof.

The suffix "H", as established in Section Eighteen (4) of the Comprehensive Zoning Ordinance, shall indicate the historic zoning overlay designation of those historic landmarks and districts which the City Council has designated. Such designation shall be in addition to any other zoning district designation established in the Comprehensive Zoning Ordinance. All zoning district maps shall reflect the designation of a historic landmarks and/or districts by the letter "H" as a suffix.

Authority to Initiate a Request for Designation

Historic landmark and district applications and/or requests may be initiated by the owner of the property(s) or his/her authorized representative, or the City Council. Landmark Commission or Planning and Zoning Commission may direct the historic preservation officer to initiate such a request on behalf of the City. The historic preservation officer shall provide property owners with notice of a public hearing to initiate the historic designation procedure at least 10 days before the date set for the hearing.

Moratorium Upon Initiation of Designation

Upon initiation of the designation, the historic preservation officer shall immediately notify the building official. The building official shall not accept any application for a permit to alter, demolish, or remove any structure on the property unless a certificate of appropriateness or certificate of demolition as been issued in accordance with Section Eight of this ordinance. This moratorium ends on the earliest of the following dates:

1. If the proposed zoning change is approved, the effective date of the ordinance implementing the change;
2. If the proposed zoning change is denied, the day after the City Council makes its final decision; or
3. One (1) year after the date of initiation of a request for designation as an historic overlay, regardless of who initiated the designation.

Appeal

If the historic designation procedure is initiated by the commission or Planning and Zoning Commission, the property owner may appeal the initiation to the City Council by filing a written notice with the historic preservation officer within 10 days after the action of the Landmark Commission or Planning and Zoning Commission. Within 180 days after the filing of the appeal, the historic preservation officer shall prepare, and the Landmark Commission shall adopt, a designation report and submit it to the city council. After submission of the designation report, the city council shall hold a public hearing on the appeal. The sole issue on appeal is whether the Landmark Commission or Planning and Zoning Commission erred in evaluating the significance of the property based on the characteristics listed in Section Five. Appeal to the city council constitutes the final administrative remedy.

Designation Report

Upon initiation of the historic designation procedure, the property owner, or the historic preservation officer in the case of the commission initiating designation, shall coordinate research to compile a written report regarding the historical, cultural, and architectural significance of the property proposed for historic designation. This report must include a statement on each of the following to the extent that they apply:

1. A physical description of the structure(s) or site, including discussion of character defining features;
2. A description of the historical, cultural, and architectural significance of the structures and site;
3. Legal description of the property
4. A description of the boundaries of the proposed historic overlay district, including subareas and areas where new construction will be prohibited.
5. Historic and current photographs of the property.

The designation report must be submitted to the historic preservation officer, and if complete, the designation will be scheduled for a public hearing with the Landmark Commission.

Notification of Property Owners

Property owners of proposed historic landmarks for designation, or properties within a potential historic district for designation, shall be notified at least ten days prior to the Commission's hearing on the initiated designation. At the Commission's public hearing, owners, interested parties and technical experts may present testimony or documentary evidence which will become part of a record regarding the historic, architectural, or cultural importance of the proposed historic landmark.

Timing of Review and Recommendations

- a. Landmark Commission Review. The commission shall conduct a public hearing on the proposed designation within 45 days after receipt of the designation report by the historic preservation officer.
- b. Planning and Zoning Commission Review. Upon recommendation of the Landmark Commission, the proposed designation shall be submitted to the Planning and Zoning Commission. The Planning and Zoning Commission shall give notice and conduct its hearing on the proposed designation within forty-five (45) days of receipt of such recommendation from the Commission. Such hearings shall be in the same manner and according to the same procedures as specifically provided in the general zoning ordinance of the City of Castroville.
- c. City Council Public Hearing. The City Council shall give notice and conduct a hearing on the Landmark Commissions' recommendation concerning the proposed designation within forty-five (45) days receipt of the recommendation of the Planning and Zoning Commission. The City Council shall give notice, follow the publication procedure, hold hearing, and make its determination in the same manner as provided in the general zoning ordinance of the City of Castroville.

Vote Required for Designation

If the owner of a structure(s) nominated for designation as a historic landmark or district is in consent of the designation, a simple majority of City Council is required in order for designation to take effect. If an owner of a structure nominated for designation as a historic landmark, or the owners of at least 20 percent of an area nominated for designation as a historic district, protest such designation by submitting a written, signed protest, the affirmative vote of at least $\frac{3}{4}$ of all members of the City Council is required in order for the designation to take effect, in accordance with Section 211.006 of the Texas Local Government Code.

Notice of Designation

- a. Local Officials. Upon designation of a historic landmark or district, the City Secretary shall file a copy of the ordinance with the Medina County Clerk and the Medina County Tax Assessor as well as the official zoning maps of the City of Castroville. All zoning maps should indicate the designated landmark with the suffix "H."
- b. Property Owners. Upon designation of a historic landmark or district, the historic preservation officer shall send a notice to the owner or owners of property within the historic overlay district stating the effect of designation, the regulations governing the historic overlay, and any incentives that may be available.

Section Seven: Certificate of Appropriateness

Activities Requiring Certificate of Appropriateness.

No person shall obtain a building permit or carry out any of the following work without obtaining a Certificate of Appropriateness issued by the Landmark Commission in accordance with the provisions of this article:

1. Demolition or relocation of a site or structure designated or pending designation as a historic landmark or district;
2. Repair (other than routine maintenance), reconstruction, alteration, addition, stabilization, restoration or rehabilitation of a structure or property designated or pending designation as a historic landmark or located in an area designated or pending designation as a historic district;
3. New construction on real property which is located in an area designated or pending designation as a historic landmark or district or on land necessary for access to and use of a structure designated or pending designation as a historic landmark or district; or
4. Material changes in any doors, roofs, windows, stonework, woodwork, light fixtures, signs, sidewalks, fences, steps, paving and/or other exterior elements visible from a public right-of-way which affect the appearance and compatibility of any structure or property designated or pending designation as a historic landmark or district.

A certificate of appropriateness may be required for work not otherwise requiring a building permit. The certificate of appropriateness shall be required in addition to, and not in lieu of, any required building permit.

Written notice prior to a certificate of appropriateness shall to adjoining property owners shall be given not less ten days before the date set for hearing by depositing a non-certified notice properly addressed and postage paid in the United States Post Office to such property owners as the ownership appears on the City's most recent tax roll. Cost of notice is \$20.00, payable by applicant at time of permit application.

Routine Maintenance.

No Certificate of Appropriateness is required for routine maintenance or repair of any structure or property if the proposed work does not involve a change in material, configuration or outward appearance. In-kind replacement or repair is considered to be routine maintenance. All maintenance and repairs shall be made in accordance with any guidelines and standards established by the Landmark Commission for historic landmarks and districts.

Application Procedure for a Certificate of Appropriateness

Prior to obtaining a building permit, or beginning any work requiring a Certificate of Appropriateness, the property owner shall file an application for a Certificate of Appropriateness with the historic preservation officer. Applicants are encouraged to meet with the historic preservation officer prior to submitting. The application shall contain the following information, any of which may be waived by the historic preservation officer.

1. name, address and telephone number of the owner;
2. address and legal description of the property;
3. site plan showing the location of the structure of property on its lot;
4. photographs of all elevations of the structure or property and details pertaining to the proposed work;
5. detailed description of the proposed work;
6. elevation drawings of the proposed changes, if applicable;
7. samples of, or appropriate information concerning materials to be used;
8. rationale for why the proposed change is compatible with designation as a historic landmark or property within a historic district;
9. any other information which the Landmark Commission or staff deems reasonably necessary to visualize and evaluate the proposed work;
10. signature of the owner and date verifying that the application is complete and correct.

The historic preservation officer shall review the submitted application and all documents and determine if additional information is required. Upon receiving all information necessary to constitute a completed application, the historic preservation officer shall forward the application to the Landmark Commission.

Review Process

Within 60 days after a completed application is filed, the Landmark Commission shall conduct a public hearing and shall approve, deny with prejudice, or deny without prejudice the application. The applicant has the burden of proof to establish the necessary facts to warrant favorable action. Applicants may appear before the Commission in person or by agent and shall furnish the commission all plans, specifications, drawings, renderings, and designs necessary for the commission to render a final decision. Notices of all public hearing shall be in accordance with Chapter 211 of the Texas Local Government Code.

The historic preservation officer shall notify the applicant of the Landmark Commission's action within five (10) days of the decision. The Landmark Commission's decision must be in writing and must contain the findings for the decision.

Standard for Approval and Issuance

- a. Standard for approval. In determining whether to approve or disapprove the application, the commission shall use the Secretary of Interior Standards and any applicable design guidelines. The Landmark Commission shall approve the application if it determines that:
 1. the proposed work is consistent with the regulations contained in this section, and any applicable design guidelines
 2. the proposed work is consistent with the Secretary of the Interior Standards;
 3. the proposed work will not have an adverse effect on the architectural features of the structure;
 4. the proposed work will not have an adverse effect on the historic district;
 5. the proposed work will not have an adverse effect on the future preservation, maintenance, and use of the structure or historic district.
 6. for noncontributing structures within a historic district, the proposed work is compatible with the historic district.
- b. Issuance. If a certificate of appropriateness has been approved by the Landmark Commission or if final action has not been taken by the Landmark Commission within 60 days after a complete application is filed:
 1. the historic preservation officer shall issue the certificate of appropriateness to the applicant; and
 2. if all requirements of the development and building codes are met and a building permit is required for the proposed work, the building official shall issue a building permit to the applicant for the proposed work.

No change shall be made in the application for any building permit after issuance of a Certificate of Appropriateness without resubmittal to the Commission and approval thereof in the same manner as provided in this section.

Appeal

If the Commission has denied the Certificate of Appropriateness, the applicant may file in writing a notice of appeal to the Planning and Zoning Commission within ten (10) business days after receiving notice from the historic preservation officer. The historic preservation officer shall place the appeal on the Planning and Zoning Commission agenda for a hearing, and the applicant shall be notified of the date of the hearing. In considering an appeal, the sole issue before the Planning and Zoning Commission is whether the Landmark Commission erred in its decision. The Planning and Zoning Commission shall consider the

same standards and evidence that the Landmark Commission was required to consider in making the decision.

Reapplication

If a final decision is reached by the Commission denying a certificate of appropriateness, no further applications will be accepted for the subject matter for the denied certificate of appropriates for one year from the date of final decision unless:

1. the Certificate of Appropriateness has been denied without prejudice; or
2. the Landmark Commission waives the time limit because upon the written request of the applicant indicating the incorporation of changes in plans and specifications to the original application as recommended by the Commission.

Section Eight: Demolition

Demolition or removal of a historic structure constitutes an irreplaceable loss to the quality of and character of the city. Therefore, demolition or removal of historic structures should be allowed only for the reasons described in this subsection.

Application Procedure for Demolition and Economic Hardship

a. Application. A demolition permit for a historic landmark or structure within a historic district shall not be issued by the Building Department until review and issuance of a completed certificate of appropriateness application by the commission. Applicants are encouraged to meet with the historic preservation officer prior to submitting. The historic preservation officer shall not forward the application to the commission until it is complete. The following information must be supplied by the applicant before the application is considered complete:

1. An affidavit in which the owner swears or affirms that all information submitted in the application is true and correct.
2. Information describing the condition of the structure;
3. An indication that the demolition or removal is sought for one or more of the following reasons:
 - (a) To replace the structure with a new structure that is more appropriate and compatible with the historic landmark or district.
 - (b) No economically viable use of the property exists.
 - (c) The structure poses an imminent threat to public health or safety.
 - (d) The structure is noncontributing to the historic landmark or district because it is newer than the period of significance.

3. Estimated cost of restoration or repair;
4. Demonstration that the adaptive use or restoration of the structure has been seriously considered;
5. Any available historic records of the building (drawings, photographs);
6. Architectural drawings for any proposed new construction which is intended to replace the historic structure;
7. Any conditions proposed to be voluntarily placed on new development that would mitigate the loss of the landmark structure; and
8. Any other information that the staff finds appropriate for the commission to render a decision on the application.

The historic preservation officer shall review the submitted application and all documents and determine if additional information is required. Upon receiving all information necessary to constitute a completed application, the historic preservation officer shall forward the application to the Landmark Commission.

Review Process

Within 60 days after a completed application is filed, the Landmark Commission shall conduct a public hearing and shall approve, deny with prejudice, or deny without prejudice the application. The applicant has the burden of proof to establish the necessary facts to warrant favorable action. Notices of all public hearing shall be in accordance with Chapter 211 of the Texas Local Government Code.

The historic preservation officer shall notify the applicant of the Landmark Commission's action within five (10) days of the decision. The Landmark Commission's decision must be in writing and must contain the findings for the decision.

Application for Economic Hardship

An applicant whose demolition CA has been denied may apply for hardship relief within ten (10) business days after receiving notice from the historic preservation officer. In order to prove the existence of hardship, the applicant shall have the burden to establish that:

1. The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;
2. The property cannot be adapted for another use, whether by the current owner or by a purchaser, that can result in a reasonable return;
3. No potential purchaser of the property with a reasonable offer who intends to preserve it can be identified.

Review Process

The commission shall hold a public meeting on the hardship application at least 60 days following the original date of application for the demolition permit, at which time proponents and opponents of the application may present their views. The commission may seek expert assistance in the field(s) of real estate development, appraisal, financing and other related disciplines to review the hardship application.

The applicant shall consult in good faith with the commission, interested local groups and individuals in a diligent effort to investigate alternatives that will result in preservation of the property.

All decisions of the commission shall be in writing. Copies shall be sent to the applicant and a copy filed with the city secretary.

Appeal

If the Commission has denied the Certificate of Appropriateness for demolition, the applicant may file in writing a notice of appeal to the Planning and Zoning Commission within ten (10) business days after receiving notice from the historic preservation officer. The historic preservation officer shall place the appeal on the Planning and Zoning Commission agenda for a hearing, and the applicant shall be notified of the date of the hearing. In considering an appeal, the sole issue before the Planning and Zoning Commission is whether the Landmark Commission erred in its decision. The Planning and Zoning Commission shall consider the same standards and evidence that the Landmark Commission was required to consider in making the decision.

Section Nine: Demolition by Neglect

Definition. Demolition by neglect is neglect in the maintenance of any structure on property that is a historic landmark or in a historic overlay district that results in deterioration of the structure and threatens the preservation of the structure.

Defects. No person shall allow a structure to deteriorate through demolition by neglect. All structures on properties in historic overlay districts must be preserved against deterioration and kept free from structural defects. The property owner or the property owner's agent with control over the structure, in keeping with the city's minimum housing standards and building codes, must repair the structure if it is found to have any of the following defects:

- 1. Parts that are improperly or inadequately attached so that they may fall and injure persons or property.
- 2. A deteriorated or inadequate foundation.
- 3. Defective or deteriorated floor supports or floor supports that are insufficient to carry the loads imposed.
- 4. Walls, partitions or other vertical supports that split, lean, list or buckle due to defect or deterioration or are insufficient to carry the loads imposed.
- 5. Ceilings, roofs, ceiling or roof supports, or other horizontal members that sag, split, or buckle due to defect or deterioration or are insufficient to support the loads imposed.

6. Fireplaces and chimneys that list, bulge or settle due to defect or deterioration or are of insufficient size or strength to carry the loads imposed.
7. Deteriorated, crumbling or loose exterior stucco or mortar.
8. Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken or open windows and doors.
9. Defective or lack of weather protection for exterior wall coverings, including lack of paint or other protective covering.
10. Any fault, defect or condition in the structure that renders it structurally unsafe or not properly watertight.
11. Deterioration of any exterior feature so as to create a hazardous condition that could make demolition necessary for the public safety.
12. Deterioration or removal of any unique architectural feature that would detract from the original architectural style.

Procedure

- a. Purpose. The purpose of the demolition by neglect procedure is to allow the Landmark Commission to work with the property owner to encourage maintenance and stabilization of the structure and identify resources available before any enforcement action is taken.
- b. Request for investigation. Any interested party may request that the historic preservation officer investigate whether a property is being demolished by neglect.
- c. First meeting with the property owner. Upon receipt of a request, the historic preservation officer shall meet with the property owner or the property owner's agent with control of the structure to inspect the structure and discuss the resources available for financing any necessary repairs. After the meeting, the historic preservation officer shall prepare a report for the Landmark Commission on the condition of the structure, the repairs needed to maintain and stabilize the structure, any resources available for financing the repairs, and the amount of time needed to complete the repairs.
- d. Certification and notice. After review of the report, the Landmark Commission may vote to certify the property as a demolition by neglect case. If the Landmark Commission certifies the structure as a demolition by neglect case, the Landmark Commission shall notify the property owner of the repairs that must be made. The notice must require that repairs be started within 30 days and set a deadline for completion of the repairs. The notice must be sent by certified mail.
- e. Second meeting with the property owner. The historic preservation officer shall meet with the property owner or the property owner's agent with control over the structure
- f. within 30 days after the notice was sent to inspect any repairs completed and assist the property owner in obtaining any resources available for financing the repairs.
- g. Referral for enforcement. If the property owner fails to start repairs by the deadline set in the notice, fails to make continuous progress toward completion, or fails to complete repairs by the deadline set in the notice, the Landmark Commission may refer the

demolition by neglect case to the code compliance department or the city attorney for appropriate enforcement action to prevent demolition by neglect.

Section Ten: Preservation Incentives (Reserved)

Section Eleven: Prohibited Acts, Penalty for Violation, and Enforcement

- a. Prohibited acts. It shall be unlawful to reconstruct, structurally alter, remodel, renovate, restore, demolish, raze, or maintain any heritage resource in violation of the provisions of this article. In addition to other remedies, the city may institute any appropriate action or proceedings to prevent such unlawful construction, restoration, demolition, razing, or maintenance, to restrain, correct or abate such violation.
- b. Penalties. Any person, firm, or corporation violating any of the provisions of terms of this ordinance shall, upon conviction thereof, be fined a sum not exceeding Five Hundred Dollars (\$500.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.
- c. Inspection. All work performed pursuant to a Certificate of Appropriateness issued under this ordinance shall conform to all its requirements. It shall be the duty of the Building Inspection Department to inspect periodically to assure such compliance. In the event work is found that is not being performed in accordance with the certificate of appropriateness, or upon notification of such fact by the Committee and verification by the preservation officer, the Building Official shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect.

Section Twelve: Repealer

All provisions of the Ordinances of the City of Castroville, codified or uncoded, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Castroville, codified or uncoded, or in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section Thirteen: Severability

It is the intention of the City Council that this ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

Section Fourteen: Savings Clause

The repeal of any Ordinance or part of Ordinances affected by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing

or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

Section Fifteen: Effective Date

This Ordinance shall become effective from and after its passage and publication as required by law.

PASSED AND APPROVED THIS 28th DAY OF July, 2008.

(City Seal)

Robert N. Hancock
Robert N. Hancock, Mayor

ATTEST:

Donna Schueling
Donna Schueling, City Secretary

ORDINANCE 2005-003

AN ORDINANCE ENTITLED THE CASTROVILLE COMMERCIAL ARCHITECTURAL STANDARDS AND REGULATIONS; ESTABLISHING THE STANDARDS, REGULATIONS, AND PROCEDURES TO PROTECT THE ARCHITECTURAL CHARACTER AND HISTORY OF COMMERCIAL STRUCTURES; PROVIDING FOR A DESIGN REVIEW BOARD; PROVIDING FOR A CERTIFICATE OF APPROPRIATIONS WITH AN APPLICATION, REVIEW, APPROVAL STANDARD AND ISSUANCE; PROVIDING FOR AN APPEAL AND REAPPLICATION; PROVIDING FOR VIOLATIONS AND PENALTIES; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, Castroville is a historic town and is very proud of its heritage, cultural background and the architecture of the historic buildings that provide a unique atmosphere enjoyed by the community, and

WHEREAS, Castroville's desire is that this atmosphere is maintained, and

WHEREAS, new commercially used buildings or additions should be sensitive to the historic character and heritage and blend into the historic architecture to maintain the uniqueness of Castroville for the benefit of the community, and

WHEREAS, the Design Review Board is a Board established by the City Council and reviews architectural guidelines for new structures and additions to commercial buildings,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Castroville;

The Castroville Commercial Architectural Standards and Regulations

Section One. Purpose

The City Council of the City of Castroville hereby declares that as a matter of public policy the protection, enhancement and preservation of historic, cultural and architectural importance is necessary to promote the economic, cultural, educational and general welfare of the public. The purpose of this article are to:

1. Protect and enhance the city's history, culture and architecture by promoting the value and importance of those attributes;
2. Strengthen the economy of Castroville;
3. Protect and enhance Castroville's attractiveness to visitors and residents;
4. Insure harmonious, orderly and managed growth and development of the City of Castroville;
5. Increase public awareness and appreciation of Castroville's historic past and unique sense of place; and

'Restoration' means the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period.

'Routine maintenance' means any work which is to correct any deterioration, decay or damage to a structure or property, or any part thereof, and to restore to the same condition prior to such deterioration, decay or damage, using the same materials and design as the original. Routine maintenance does not include a change in design, material or outward appearance, but does include in-kind replacement or repair. Examples of routine maintenance include, but are not limited to: repainting in same colors that exist, replacement of roofing materials in the same color, materials and design, repairing siding or windows if the same materials and design, and repair of sidewalks and driveways using the same type and color of materials.

'Structure' means anything constructed or erected which requires location on the ground, or is attached to something having a location on the ground, including without limitation, buildings.

Section Three. Design Review Board

There is hereby created a Commission to be known as the Design Review Committee, referred to as the "Board" in this article.

- a. Membership. The Board is composed of five (5) members appointed by the City Council to review the building plans of applicants and act upon granting Certificates of Appropriateness for commercial new and alteration construction. All Board members shall have a known and demonstrated interest, competence, or knowledge in historic preservation within the City of Castroville.
- b. Terms. Board members shall serve for staggered terms of two (2) years ending on October 31. Commission members shall serve for staggered terms of two (2) years ending on October 31. ~~The City Council shall appoint the chairperson of the Commission.~~ The vice-chairperson shall be elected annually by the Commission members.
- c. Meetings. The Board shall meet once each month or as needed, with additional meetings upon call by the Board chairperson or upon petition of a simple majority of Board members. Three (3) members present shall constitute a quorum, and issues shall be decided by a simple majority vote of the members present. All meetings shall be held in conformance with the Texas Open Meetings Act, Texas Government Code Chapter 551. The minutes of each meeting shall be filed in the office of the City Secretary.

4. photographs of all elevations of the structure or property and details pertaining to the proposed work;
5. detailed description of the proposed work;
6. elevation drawings of the proposed changes, if applicable
7. samples of, or appropriate information concerning materials to be used;
8. rationale for why the proposed change is compatible with designation as a historic landmark of property within a historic district;
9. any other information which the Board or staff deems reasonably necessary to visualize and evaluate the proposed work;
10. signature of the owner and date verifying that the application is complete and correct.

The Building Official shall review the submitted application and all documents and determine if additional information is required. The Historic Preservation Officer must submit an opinion memo. Upon receiving all information necessary to constitute a completed application, the Building Official shall forward the application to the Board.

Review Process

Within 60 days after a completed application is filed, the Design Review Board shall conduct a public hearing and shall approve, deny with prejudice, or deny without prejudice with application. The applicant has the burden of proof to establish the necessary facts to warrant favorable action. Applicants may appear before the Design Review Board in person or by agent and shall furnish the commission all plans, specifications, drawings, renderings, and designs necessary for the commission to render a final decision. Notices of all public hearing shall be in accordance with Chapter 211 of the Texas Local Government Code.

The Building Official shall notify the applicant of the Board's action within ten (10) days of the decision. The Board's decision must be in writing and must contain the findings for the decision.

Standard for Approval and Issuance

- a. Standard for approval. The Board shall approve the application if it determines that:
 1. the proposed work is consistent with the applicable design considerations of building height; scale, orientation, spacing, placement of the building on site, façade proportions, window and door patterns, size, shape and proportions of wall openings, projections, materials, textures and colors, roof forms, horizontal, vertical or non-directional emphasis, landscaping, lighting, walls/fences and parking;

No change shall be made in the application for any building permit after issuance of a Certificate of Appropriateness without resubmittal to the Board and approval thereof in the same manner as provided in this section.

Appeal

If the Board has denied the Certificate of Appropriateness, the applicant may file in writing a notice of appeal to the Planning and Zoning Commission within ten (10) business days after receiving notice from the Building Official. The Building Official shall place the appeal on the Planning and Zoning Commission agenda for a hearing, and the applicant shall be notified of the date of the hearing. In considering an appeal, the sole issue before the Planning and Zoning Commission is whether the Design Review Board erred in its decision. The Planning and Zoning Commission shall consider the same standards and evidence that the Design Review Board was required to consider in make the decision.

Reapplication

If a final decision is reached by the Board denying a certificate of appropriateness, no further applications will be accepted for the subject matter for the denied certificate of appropriates for one year from the date of final decision unless the Board waives the time limit because upon the written request of the applicant indicating the incorporation of changes in plans and specifications to the original application as recommended by the Board.

Section Five. Demolition

Demolition or removal of a commercial structure constitutes an irreplaceable loss to the quality of and character of the city. Therefore, demolition or removal of structures should be allowed only for the reasons described in this subsection.

Application. A demolition permit for a commercial structure shall not be issued by the Building Department until review and issuance of a complete certificate of appropriateness application by the Board. The Building Official shall not forward the application to the commission until it is complete.

Review Process

Within 60 days after a complete application is filed, the Design Review Board shall conduct a public hearing and shall approve, deny with prejudice, or deny without Design Review Board prejudice the application. The applicant has the burden of proof to establish the necessary facts to warrant favorable action. Notices of all public hearing shall be in accordance with Chapter 211 of the Texas Local Government Code.

Section Eight. Severability

It is the intention of the City Council that this ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

Section Nine. Savings Clause

The repeal of any Ordinance or part of Ordinances affectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

Section Ten. Effective Date

This Ordinance shall become effective from and after its passage and publication as required by law.

PASSED AND APPROVED THIS 14th DAY OF MARCH, 2005.

(City Seal)


Robert N. Hancock, Mayor

ATTEST:


Cheryl Peery, City Secretary

ORDINANCE NO. 2011 - 017**AN ORDINANCE ASSIGNING RESPONSIBILITIES OF THE CITY OF
CASTROVILLE DESIGN REVIEW BOARD TO THE CITY OF CASTROVILLE
HISTORIC LANDMARK COMMISSION**

WHEREAS, the City of Castroville wishes to streamline the development process and eliminate functional overlap in the review of development projects; and

WHEREAS, the City's Design Review Board and the City's Landmark Commission have similar duties; and

WHEREAS, the City wishes to ensure that there is sufficient citizen participation to support its boards and commissions; now therefore

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

1. Notwithstanding any other ordinance, any development application or other administrative matter requiring the approval of the Design Review Board – based upon authority granted by the Comprehensive Zoning Ordinance, Chapter 2 of the Code of Ordinances, Chapter 59 of the Code of Ordinances, or any other applicable regulation – is henceforth to be automatically referred to the Landmark Commission (also known to as the Historic Landmark Commission) for consideration, recommendation, or approval.
2. The Landmark Commission of the City of Castroville is hereby authorized and empowered to rule on matters previously subject to the Design Review Board, including but not limited to historic properties, historic buildings, properties within commercial districts, and sign applications.
3. That the current members of the Design Review Board be assigned, either as members or alternate members, to the Landmark Commission.
4. That, except for the general assignment of design review matters to the Landmark Commission, the review requirements and review criteria imposed upon those seeking to develop property within the City of Castroville remains unchanged.
5. That if any provision of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

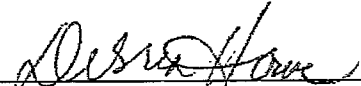
6. This ordinance shall take effect immediately upon its passage, approval and official publication as provided by law.

PASSED AND APPROVED THIS 19th DAY OF SEPTEMBER, 2011.



ROBERT LEE, MAYOR

ATTEST:



DEBRA HOWE, CITY SECRETARY



AGENDA REPORT

DATE: October 7, 2025

AGENDA OF: October 14, 2025

DEPARTMENT: City Council

SUBJECT: City Use of Property for Construction Staging and Spoils Deposits in residential areas

RECOMMENDED ACTION:

Discuss and take action on the City identifying other areas of the City for staging of infrastructure projects including placement of parts and vehicles and/or making deposits of soil, rocks, and debris of any kind on City owned lots so as to cease these activities in residential areas.

BACKGROUND

This item primarily has to do with a large portion of the city block, bounded by London, Paris, Geneva and Athens, but should apply to all residential areas of the City.

This city owned portion of the block is critical for providing a rainwater runoff path to Athens Street which carries the water to the river. Historically, the City portion of the block was grass with the drainage channel through it. For approximately the last 10 years, the City has used its portion of this city block in a residential area to stage infrastructure projects including fire hydrant replacement, water line replacement and road repair. Tree and brush debris has been deposited in the past. Recently, huge amounts of dirt have been placed on the lot. Temporary fencing has been placed in the past around these projects and a wide variety of commercial vehicles and heavy equipment have operated out of the site.

I have spoken to all the residents on the block and facing the city portion of the block. Each has expressed frustration with the industrial look of the area and the noise, dust and interference with the normal drainage across that area. They expected a residential neighborhood and not the one they are now experiencing.

Athens and Geneva Streets are heavily traveled by residents and park patrons. Paris is the street used for cemetery traffic as the cemetery property is across Geneva from this lot. All the traffic on these roads experiences an unappealing visual assault that would be better placed in a less visible location

The City needs to identify other less visible city property to conduct the type of activities that have been going on at this location. After clearing, it needs to be left to grass or some other recreational activity useful for neighborhood and community.

FISCAL IMPACT/SOURCE OF FUNDING: N/A
Budgeted ☐ Requires Budget Amendment

Urgency (0-5 = Low Urgency to High Urgency): 4
Impact (0-5 = Low Impact to High Impact): 4

ATTACHMENTS:
Photographs of the lot.

Submitted by: Councilmember Lee





AGENDA REPORT

DATE: October 7, 2025

AGENDA OF: October 14, 2025

DEPARTMENT: City Council

SUBJECT: Installation of showers/dressing facility at swimming pool

RECOMMENDED ACTION:

Discussion and possible action on construction of showers and dressing facilities at the swimming pool.

BACKGROUND

The city needs to install showers and dressing areas now for use of all patrons using the swimming pool. There is a hygiene need for the swimmers to bath before and after using the pool and a water quality with bathing before using the pool. Body oils, lotions, hair spray, sweat, and other human produced substances negatively interact with the chlorine producing chlorinate which reduces the effectiveness of the chlorine in the pool and causes other pool water loss of quality issues and potentially harmful effects on swimmers. See attached document.

The city pool had showers and dressing rooms prior to the demolition of the old facility and has plans to replace those with new facilities as funds come available. It is not an issue of establishing need, that has already happened. Staff needs to come back with recommendations to immediately install shower and dressing room facilities for the health of the swimmers and benefits to the pool water quality.

FISCAL IMPACT/SOURCE OF FUNDING: N/A

Budgeted ☐ Requires Budget Amendment

Urgency (0-5 = Low Urgency to High Urgency): 4
Impact (0-5 = Low Impact to High Impact): 4

ATTACHMENTS:

Airticle on need to have swimmers bathe before and after swimming.

Submitted by: Councilmember Lee

13 Reasons Why You Should Shower Before And After Swimming In Pools

- December 23, 2024

When it comes to swimming, the simple habit of showering before and after getting in the water can make a big difference.

But why should you shower before and after swimming? Showering beforehand helps to remove sweat, oils, and personal care products, keeping the pool cleaner and reducing the need for excess chemicals.

Rinsing off afterward is equally essential, as it washes away chlorine and other contaminants that can irritate the skin and hair. Prioritizing these quick, hygienic steps supports both personal health and overall pool maintenance, ensuring a safer, more enjoyable experience for everyone.

4 Reasons Why You Have To Shower Before Swimming

Showering before swimming may seem like a small, unnecessary step, but it plays a big role in keeping the pool a safe and pleasant place for everyone.

By rinsing off, we help reduce contaminants in pool water, prevent recreational water illnesses (RWIs), maintain the pool's chemical balance, and even help our bodies adjust to the water's temperature. These reasons highlight why this simple habit is essential for an enjoyable swimming experience.

1. Reduction Of Contaminants In Pool Water

Our bodies naturally carry sweat, oils, and even traces of personal care products like deodorants, lotions, or cosmetics. When we don't shower before jumping in, these substances mix with pool chemicals, specifically chlorine, and create by-products called chloramines.

Chloramines are known for causing eye and skin irritation and are often the reason behind that strong "chlorine smell" we sometimes notice in pools.

By rinsing off beforehand, we bring fewer contaminants into the water, which allows the chlorine to work more efficiently with a lower chemical demand. This not only makes the pool environment more comfortable but also means swimmers are less exposed to irritating by-products.

2. Prevention Of Recreational Water Illnesses (RWIs)

Unwashed bodies can introduce pathogens into the pool, increasing the risk of RWIs such as gastrointestinal, skin, ear, respiratory, eye, neurologic, and wound infections.

These illnesses can affect health in various ways, causing gastrointestinal issues, skin irritations, and even respiratory problems. Waterborne pathogens spread easily, particularly in a communal pool, where they can be inhaled, swallowed, or absorbed through cuts or scratches on the skin.

Showering with soap for just a few seconds can drastically reduce these risks by washing away most germs before they have a chance to enter the water, protecting both you and other swimmers from potential illnesses.

3. Help Maintain The Pool's Chemical Balance

When swimmers skip the pre-swim shower, they unknowingly add extra strain on the pool's filtration and chemical systems. Oils, sweat, and other organic materials from unwashed bodies interact with chlorine, reducing its effectiveness and leading to increased chemical use.

Showering before swimming helps to reduce the number of these contaminants, allowing pool disinfectants to work more efficiently in keeping the water clean and safe.

By making showering a habit, swimmers contribute to a cleaner pool environment, reduce the demand for extra chlorine, and even help lower maintenance costs. In short, it's a small step with a big impact on pool hygiene and operating efficiency.

4. Helps Acclimate Your Body To The Water Temperature

Taking a quick shower before entering the pool doesn't just benefit the pool—it's also good for you.

When you rinse off with water similar to the pool's temperature, your body has a chance to adjust gradually, avoiding the shock of jumping into cooler water.

This acclimation can be especially helpful for beginners or those who may be more sensitive to sudden temperature changes. Not only does it make getting into the pool more comfortable, but it also promotes safety by reducing any sudden reactions to the cold.

Additionally, a pre-swim shower can reduce the need for constant temperature adjustments in the pool itself, helping to maintain a comfortable and consistent environment for everyone.

3 Reasons Why You Have To Shower After Swimming

5. Removes Chlorine And Other Chemicals

Swimming pools are treated with chlorine and other chemicals to kill bacteria and prevent the spread of germs. However, these chemicals can cling to your skin and hair.

Showering helps wash away chlorine and other pool chemicals, which can cause skin irritation and dryness if left on the body. It also helps prevent the distinctive chlorine smell from lingering on your body and in your hair.

6. Reduces The Risk Of Infections

Pools can harbor various bacteria and microbes, despite chemical treatment. These organisms can cause skin rashes, swimmer's ear, and other types of infections. Showering immediately after swimming helps to remove these microbes from your skin before they can cause any problems, reducing your risk of developing infections.

7. Keeps The Pool Clean For Everyone

Showering before entering the pool is a common courtesy and often a rule at many swimming facilities, as it helps minimize the amount of dirt, oils, and personal care products entering the pool.

However, showering after swimming also contributes to personal cleanliness and helps ensure that any residues picked up from the pool water are not carried out and spread around changing areas or carried back home on your body or swimwear.

6 Side-effects If You Don't Shower After Swimming

8. Skin Irritation And Dryness

Pool chemicals such as chlorine are tough on the skin. Without a post-swim shower, these chemicals stay on your skin, drying it out and often leading to irritation. Chlorine strips away the natural oils that keep skin moisturized, making it more prone to dryness, rashes, and discomfort.

For those with sensitive skin, this effect is even more noticeable, and over time, it can lead to ongoing skin issues. A quick shower with soap after swimming helps wash away these chemicals, keeping your skin comfortable and healthy.

9. Hair Damage

Chlorine is known to be harsh on hair, especially if it's left on after swimming. This chemical weakens hair strands, making them brittle, dry, and more susceptible to breakage over time. When chlorine bonds with the hair's natural oils and proteins, it disrupts moisture balance, leading to dullness and split ends. Rinsing out these pool chemicals after a swim is essential to prevent lasting damage to hair health. For extra care, applying a moisturizing conditioner post-swim can help restore lost hydration, keep hair soft, and offer a protective layer against further dryness.

10. Increased Risk Of Infections

Swimming in public pools exposes us to a range of bacteria and germs. If these are left on the skin, they can increase the risk of infections, especially ear and skin infections, which can be uncomfortable and even painful.

Ignoring post-swim hygiene means these pathogens remain on the skin, raising the likelihood of illness. A quick shower with soap after swimming helps rinse off bacteria and other potential pathogens, reducing infection risks and promoting a healthier swimming routine for everyone.

11. Persistent Chlorine Odor

One of the most noticeable effects of swimming in a chlorinated pool is the lingering chlorine odor on the skin and hair. This smell doesn't come from the chlorine itself but from chloramines – compounds formed when chlorine reacts with organic matter like sweat, oils, and dirt.

If left on the skin, these chloramines cling persistently, creating an odor that can become more intense and bothersome with time. It's common to notice this smell lingering long after leaving the pool, especially if you skip a post-swim shower.

The chlorine odor can be particularly uncomfortable in close settings, like public transport or workplaces, where it's more noticeable to others as well. A thorough shower with soap and shampoo after swimming helps wash away these chloramines, removing the smell and making you feel fresh and comfortable.

12. Eye Irritation

Chloramines don't just affect your sense of smell; they also play a major role in causing eye and respiratory irritation. When chlorine mixes with contaminants like sweat, dirt, and body oils, it forms chloramines, which can irritate sensitive areas like the eyes and respiratory system.

Swimmers often experience redness, itchiness, and discomfort in their eyes due to chloramines, which can make the simple act of swimming a bit unpleasant.

13. Respiratory Discomfort

Additionally, lingering chloramines can increase the risk of respiratory irritation, particularly for those who are more sensitive to airborne irritants or have respiratory conditions like asthma.

Breathing in air around a chlorinated pool without proper ventilation can cause symptoms such as coughing, shortness of breath, and even sore throat over time.

A post-swim shower helps reduce exposure to chloramines by washing them off your skin and hair, significantly lowering the chance of inhaling these compounds afterward.

Conclusion About Showering Before And After Swimming

Showering both before and after swimming offers a range of benefits that go beyond just feeling refreshed. By rinsing off beforehand, you help keep pool water cleaner, reduce the demand for chlorine,

and minimize the risk of spreading bacteria, creating a safer and more pleasant environment for everyone.

A post-swim shower protects your skin and hair from chlorine's harsh effects and removes lingering chemicals and odors, ensuring a comfortable and healthy experience after each swim.

If you're looking to build strong swimming skills in a clean and supportive environment, consider Swimwerks for swimming lessons for both adults and children.



Agenda Report

Agenda of:	October 14, 2025
Department:	Public Works
Subject:	Discussion and possible action on selecting a vendor to perform a comprehensive pavement condition assessment and provide related pavement management software and reporting tools.

Recommended Motion:

As we progress toward developing a comprehensive street maintenance plan, we recommend conducting a formal assessment of the current roadway conditions. This evaluation will generate essential data to inform strategic decisions and support the creation of a clear, actionable roadmap for future maintenance and improvement efforts.

City staff recommend awarding the pavement assessment service agreement to GoodRoads, Inc. for the following reasons:

- 1. Significantly Lower Cost:**
The GoodRoads proposal is less than half the cost of the PublicWorks1/iWorQ proposal (\$11,780 vs. \$27,000), providing substantial savings while still meeting all technical requirements.
- 2. High-Quality, AI-Driven Analysis:**
GoodRoads uses an **AI-assisted system validated to ASTM D6433 Pavement Condition Index (PCI) standards**, combined with human quality assurance. This provides accurate, consistent results at lower cost.
- 3. Ease of Implementation:**
The City can attach GoodRoads’ small device to any vehicle (e.g., Public Works trucks) and complete data collection internally. No external field team coordination or street closures are needed.
- 4. Faster Turnaround:**
Data results are processed and available in as little as **7 business days**, allowing the City to review pavement conditions and budgeting scenarios much sooner.
- 5. Included Software and Support:**
GoodRoads provides **12 months of software access for up to 20 users**, with built-in tools for mapping, filtering, and project prioritization, plus **20 hours of expert assistance** for planning and council presentations.
- 6. Optional Future Reporting:**
The City may later opt for a detailed report with 3 scenario analyses and financial projections if desired, without locking into a long-term contract.

Background:

The City of Castroville seeks to complete a pavement condition assessment to establish a baseline condition for all city-maintained streets. This information will be used to develop a multi-year pavement management plan, prioritize maintenance, and support future capital planning.

Two proposals were received:

1. **GoodRoads, Inc.** – \$11,780 total estimate (includes data collection, software access, and optional management report).
2. **PublicWorks1/iWorQ Systems** – \$27,000 total (includes onsite data collection, integration with iWorQ software, and condition ratings).

Staff reviewed both proposals for technical capabilities, cost, ease of implementation, and long-term value.

Measures	GoodRoads	PublicWorks1 / iWorQ
Total Cost (Base)	\$11,780	\$27,000
Coverage	Full street network (~28 miles)	Up to 50 miles
Data Collection	AI-based via small camera unit mounted on any city vehicle	Contractor-performed via Trimble MX7 camera
Turnaround Time	~7 business days	Typically several weeks
Deliverables	Web-based platform with imagery, condition scores (ASTM PCI), customizable reports, 20-user access	Pavement data and imagery uploaded to iWorQ platform; 3-year software subscription required
Staff Effort Required	Minimal (city drives routes using own vehicles)	City coordination + onsite support for field crews
Software Flexibility	Cloud-based, no long-term contract	Requires 3-year iWorQ software commitment
Added Value	Optional multi-year scenario modeling and visual presentations	Basic reporting and export tools
Support	20 hours expert planning and training included	Ongoing remote support (limited to standard iWorQ helpdesk)

Fiscal Impact: \$11,780

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

Source of Funding: Account Code:

Attachments:

Attachment A- Concord Pavement Management Report – Final

Attachment B- GoodRoads Digital Brochure-Resume

Attachment C- GoodRoads_Proposal_Castroville_TX_simple

Attachment D-IWorq PW1 Internal-Castroville, TX 08.28.2025

Urgency (0-5 = Low Urgency to High Urgency): 4

Impact (0-5 = Low Impact to High Impact): 4

Submitted by: Ricky Carrasco



PAVEMENT ASSESSMENT & MANAGEMENT PLAN



GoodRoads Consulting, PLLC
July 30, 2013

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Introduction

In January, the City of Concord contracted with GoodRoads Consulting, Inc. (“GoodRoads”) to perform a pavement evaluation, pavement marking inventory, and a multi-year paving plan. The summary of this project, the methodology used, results, and a multi year plan with recommendations are contained in this report.

Inspection Methodology

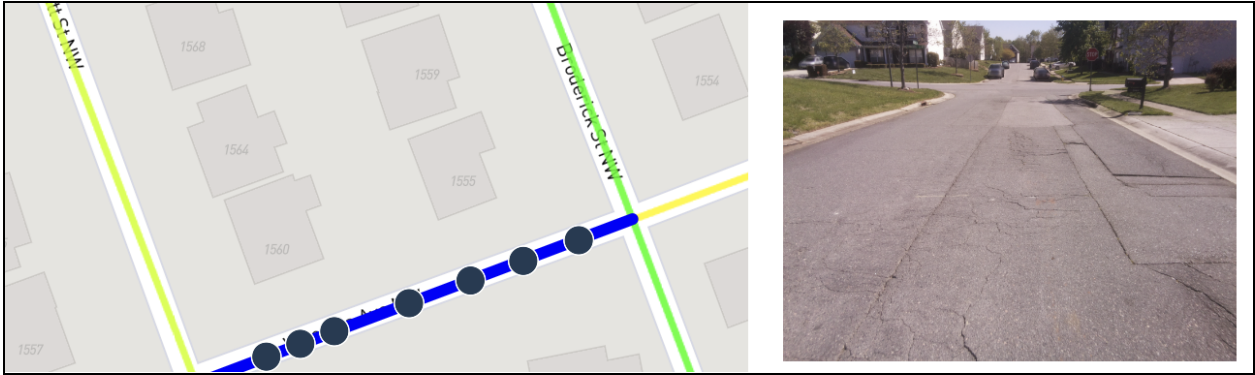
A pavement assessment was completed according to the Pavement Condition Index (PCI) methodology (ASTM standard D6433). The assessment using the GoodRoads technology includes 4 steps: data collection, artificial intelligence assessment, quality assurance, PCI rating calculation. These steps are explained in further detail below.

Data Collection

GoodRoads affixes its data collection devices called “Roadies” to the hood of a vehicle, driving each road in the city and collecting images of the roads. After a few days of driving, photos of every street in the City are captured and stored in our system.



Battery-powered “Roadie” mounts magnetically to the hood of any vehicle

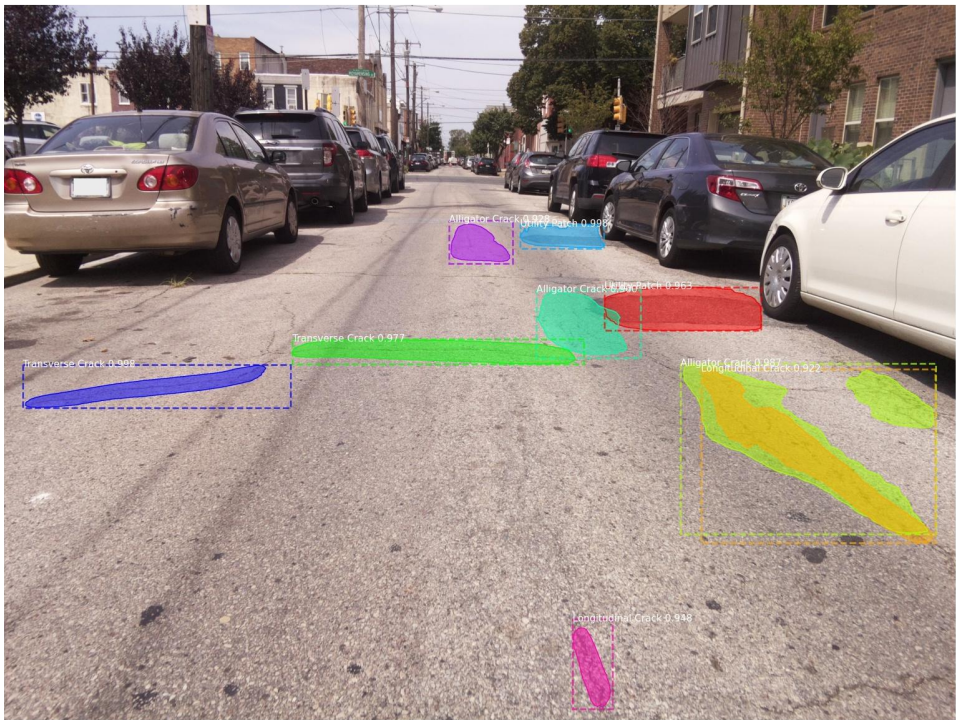


Images are collected every ~35 feet as the vehicle drives on City streets

After a day of data collection, Roadie is connected to WiFi and the process of uploading the thousands of images collected completes overnight.

Artificial Intelligence Assessment

GoodRoads inspects both asphalt and concrete. Our artificial intelligence (“AI”) has been trained to inspect according to the ASTM D6433 “PCI” standard, which specifies the types of distresses and how to record them. Our AI identifies the distresses it sees in the photos and quantifies them in square feet.



Quality Assurance

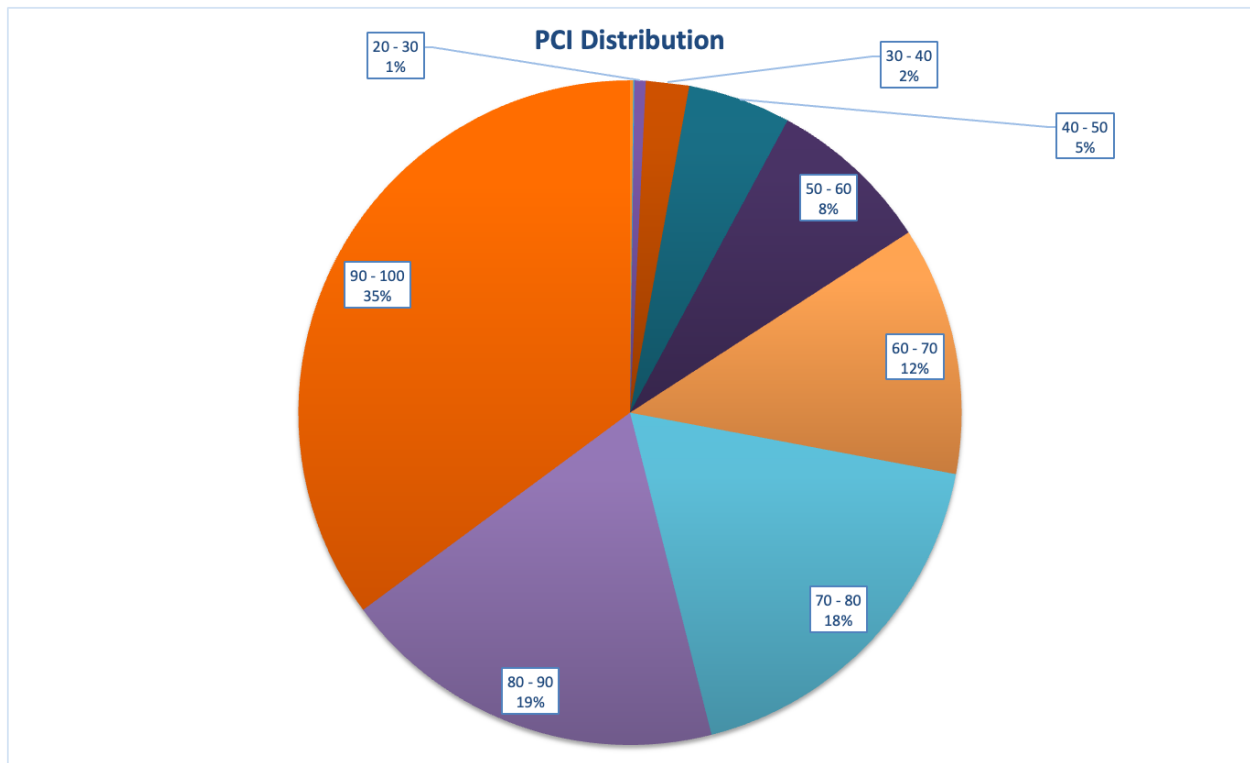
After our artificial intelligence completes its assessment, our Quality Assurance (“QA”) team members review the results in every photo to ensure accuracy and completeness. After our QA team reviews and corrects the AI results where necessary, the final step is calculation of a PCI rating according to the ASTM D6433 methodology.

PCI Rating Calculation

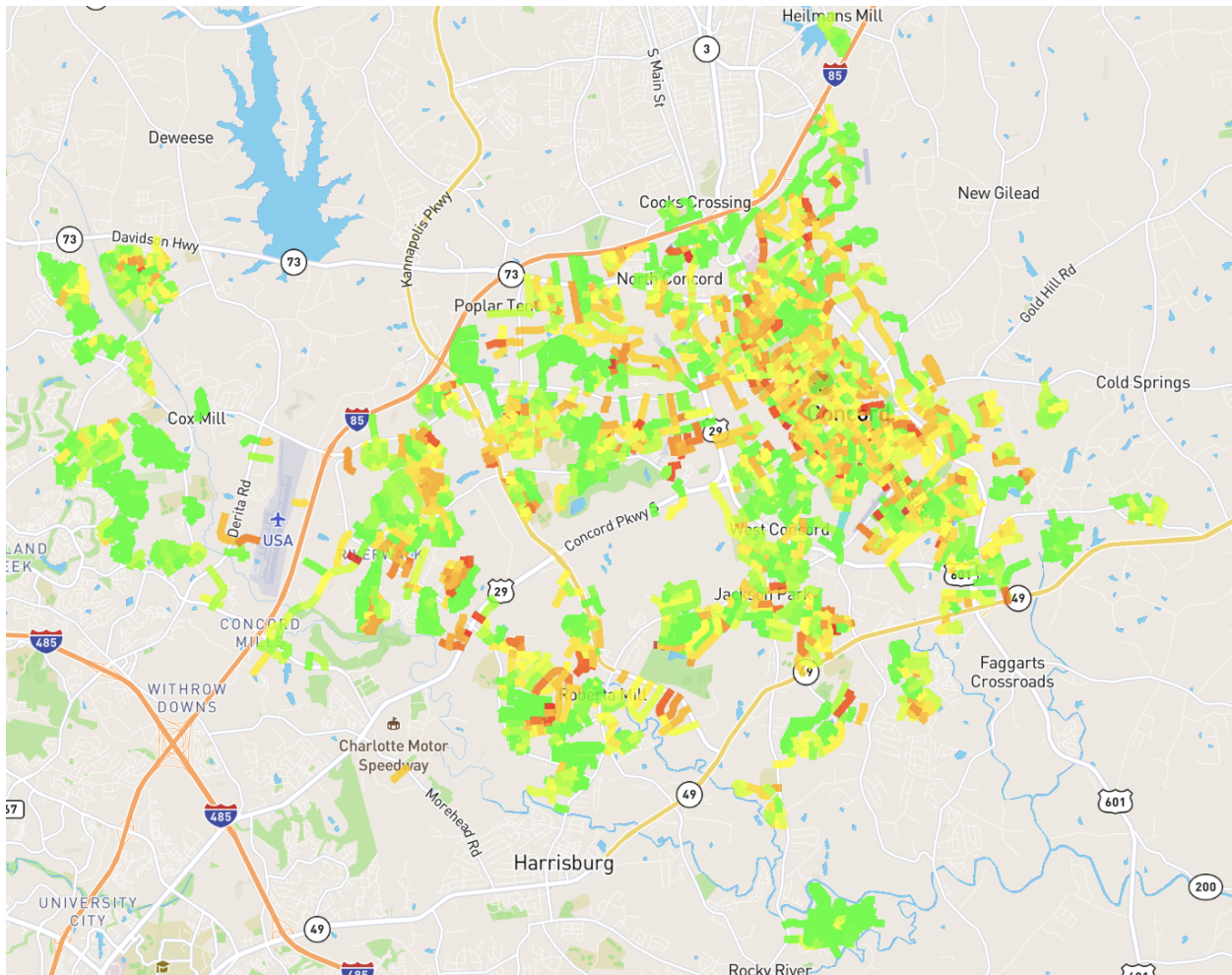
The PCI methodology includes a detailed rating calculation. Ratings are assigned to each road segment (typically a city block in length). In general, very bad roads are assigned a 0 and very good, new roads are assigned a 100, with a spectrum in between depending on the distress types and quantities present. For Concord, GoodRoads provided an additional severity to each photo to more precisely match the PCI rating methodology. Distresses are aggregated from each of the photos of a street segment and the calculation yields a PCI rating for that road segment.

Results

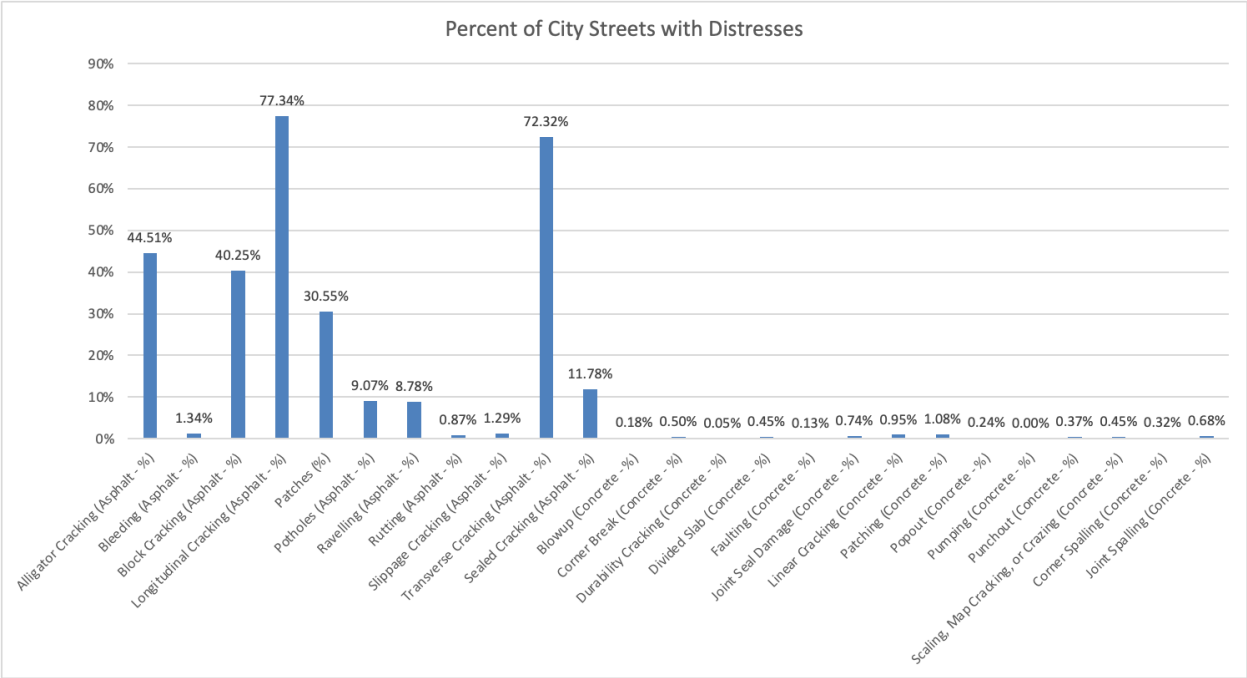
GoodRoads inspected 390 miles of paved City roads. The average PCI rating of the City’s roads is 79.6 (weighted average by length) with 44% of the City’s road miles above an 85 PCI rating. The distribution of PCI ratings is shown in the pie chart below.



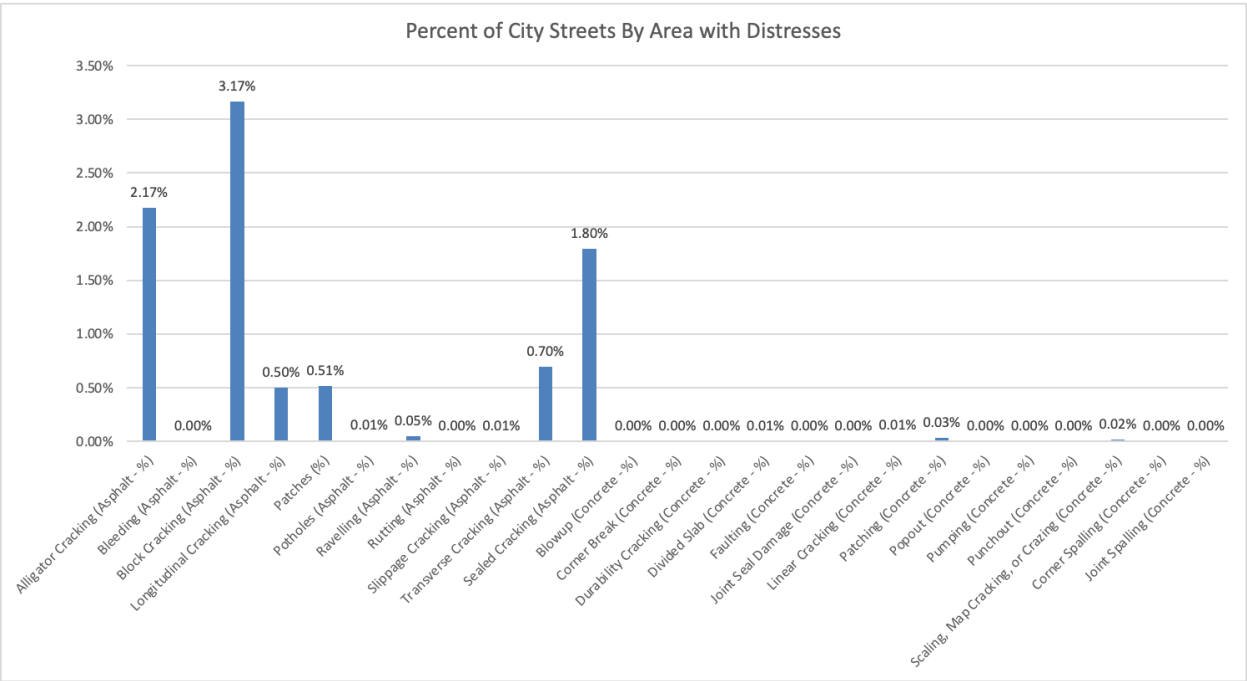
Results of the pavement assessment are accessible to City Transportation staff through the GoodRoads software web platform. The following is a map of the results color-coded according to the following scale: red is a low rating (close to 0) and green is a high rating (close to 100).



When managing a City’s road quality, it is important to pay attention to the types and quantities of distresses found. In Concord, the most common distresses are individual (longitudinal and transverse) cracks, block cracking and fatigue or “alligator” cracking. The following chart quantifies the distresses found on City streets by the number of streets with that distress.



While these results seem to indicate a large portion of streets with distresses, considering the actual size and quantity of the distresses compared to the overall area of the City’s roads helps put this into perspective. The following chart quantifies the percentage of distresses by area.



Pavement Maintenance Plan

GoodRoads has prepared a 3-year annual road maintenance plan for the City Transportation department. The primary goal of the Transportation department is to achieve safety and efficiency for the traveling public. According to the North Carolina Benchmarking Project (<https://benchmarking.sog.unc.edu/>), which polls 9 cities in North Carolina (including Concord) on an annual basis, the North Carolina average percentage of road miles above an 85 rating was 40% in 2022. This serves as a logical benchmark for Concord’s street maintenance program. Concord’s average percentage of road miles above an 85 rating was 31% in 2019, with a 14 percentage point increase in 2023 to 44%.

The goal of the current pavement management plan is to exceed the average of the cities participating in the NC Benchmarking project. The following recommendations are aimed at achieving this goal. Full Projections are included in the Appendix.

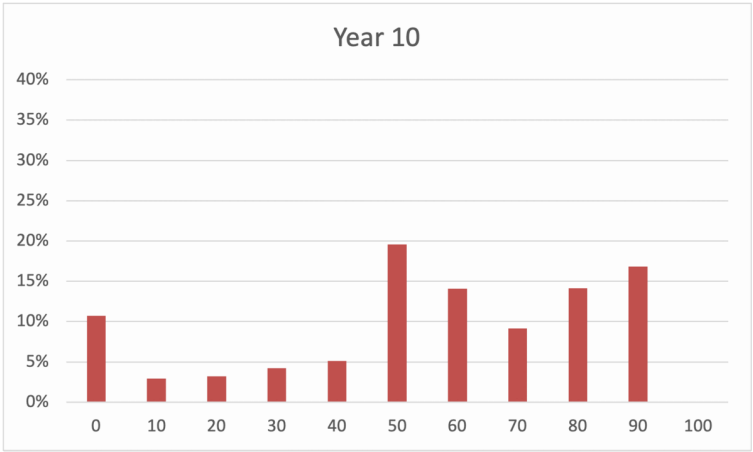
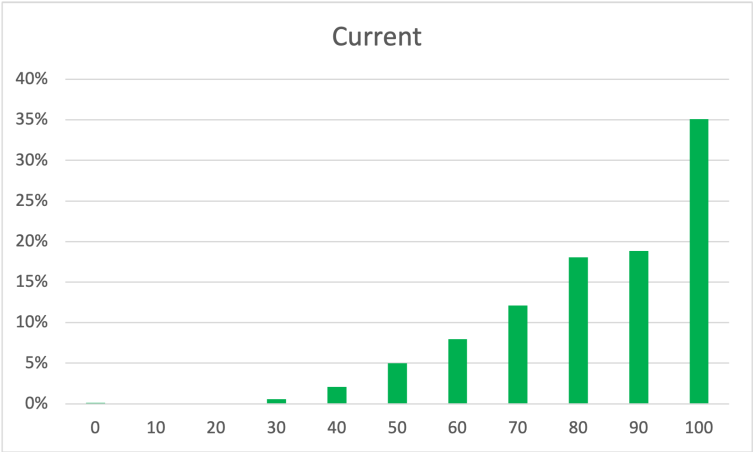
Criteria

The City has historically used the following general criteria for planning pavement maintenance:

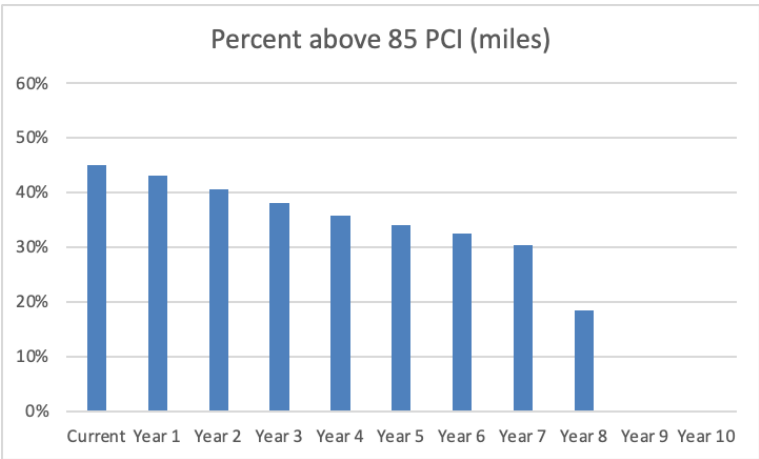
- Localized patching of alligator cracking on roads with less than 25% alligator cracking (\$250k budget)
- Roads with a PCI less than 65 receive mill and overlay. Typically the City will do all roads in the neighborhood of a prioritized road for mill and overlay (\$2M budget)
- Crack seal on roads that have cracking but do not meet the above criteria, typically roads with a PCI above an 80. Often the crack seal team will do all neighborhood roads surrounding a planned crack seal road. (\$80k budget)
- Concrete roads are demolished and replaced with asphalt. The process involves concrete removal, stabilizing the soil and then replacing with ABC Base, intermediate and surface asphalt. (With caution: old utilities are often embedded in the concrete pavement) (separate ad hoc budget)
- The time horizon considered for this maintenance plan is 3 years.

Baseline

Before considering different maintenance strategies, it is helpful to set a baseline. In other words, what would Concord’s roads look like if no maintenance was done and they were allowed to age unabated? The graphs below give more detail into how this aging occurs. These graphs show the % of roads at each 10-PCI interval shown on the x-axis and how those percentages change over the next 10 years:



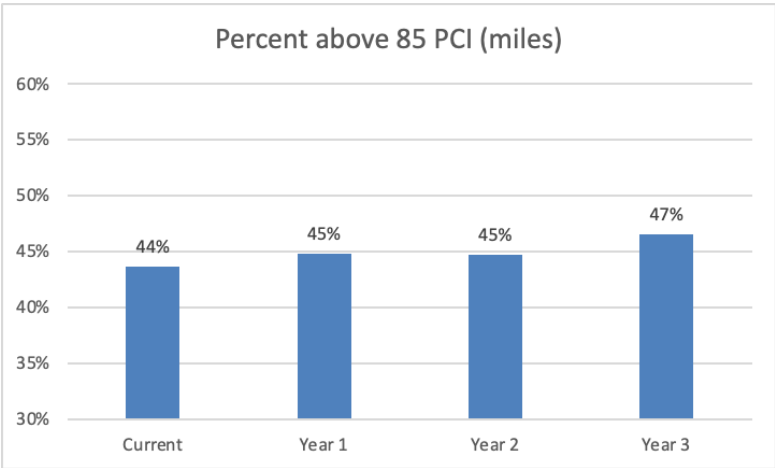
The graphs below depict this aging with respect to “% of roads above an 85”:

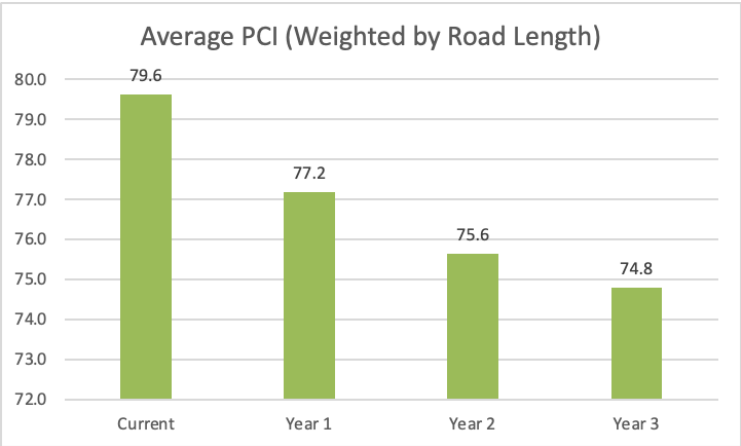


Alternative 1: Meeting Existing Criteria

The City’s current strategy will increase the % of roads above 85, however the average rating trends downward. Below are the results of applying Concord’s current pavement management strategy as outlined above:

Year	Maintenance	Roads	Cost	Miles
1	Mill and overlay	84	\$ 1,805,431	5.81
	Patch	17	\$ 188,963	1.42
	Crack seal	205	\$ 28,658	19.73
	SUBTOTAL	306	\$ 2,023,051	26.95
2	Mill and overlay	57	\$ 1,800,388	5.69
	Patch	13	\$ 196,709	1.22
	Crack seal	167	\$ 27,017	18.47
	SUBTOTAL	237	\$ 2,024,114	25.39
3	Mill and overlay	44	\$ 1,795,187	5.57
	Patch	10	\$ 195,677	1.11
	Crack seal	423	\$ 74,135	44.73
	SUBTOTAL	477	\$ 2,065,000	51.41

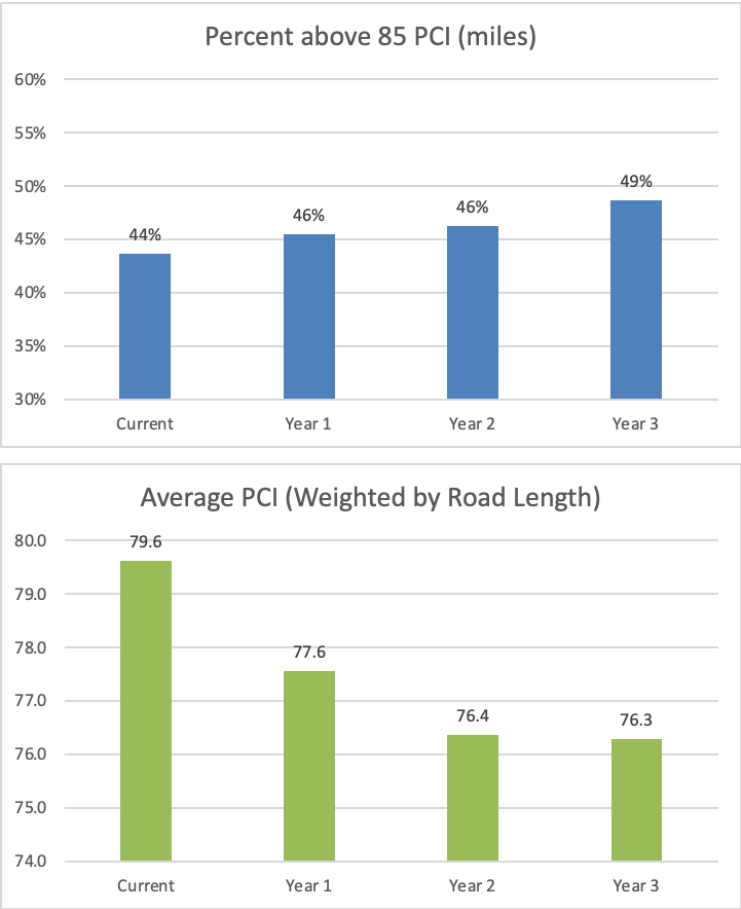




Alternative 2: Increase Budget

Increasing the budget does help but the added benefit is directly proportional to the added cost. Assuming a budget increase of \$1M, the following projections result:

Year	Maintenance	Roads	Cost	Miles
1	Mill and overlay	117	\$ 2,718,135	8.82
	Patch	23	\$ 278,504	1.93
	Crack seal	211	\$ 29,425	20.07
	SUBTOTAL	351	\$ 3,026,064	30.81
2	Mill and overlay	73	\$ 2,697,625	8.14
	Patch	20	\$ 293,241	1.85
	Crack seal	177	\$ 27,648	19.94
	SUBTOTAL	270	\$ 3,018,514	29.93
3	Mill and overlay	84	\$ 2,697,336	8.39
	Patch	17	\$ 293,846	1.49
	Crack seal	723	\$ 127,573	80.13
	SUBTOTAL	824	\$ 3,118,756	90.02



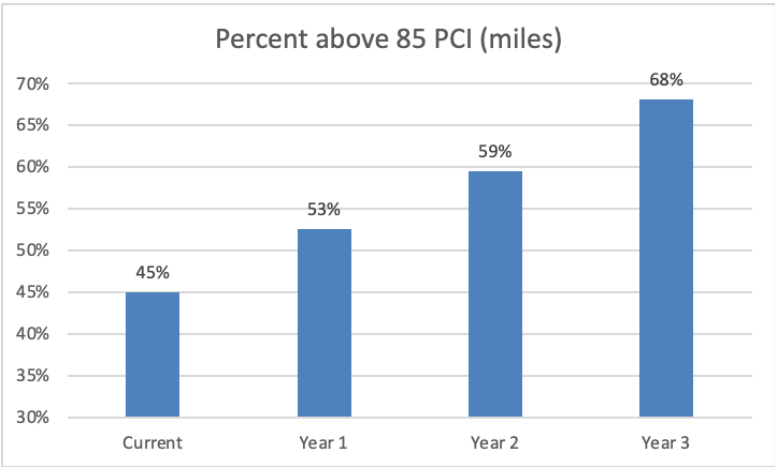
Alternative 3: Fill the Gap

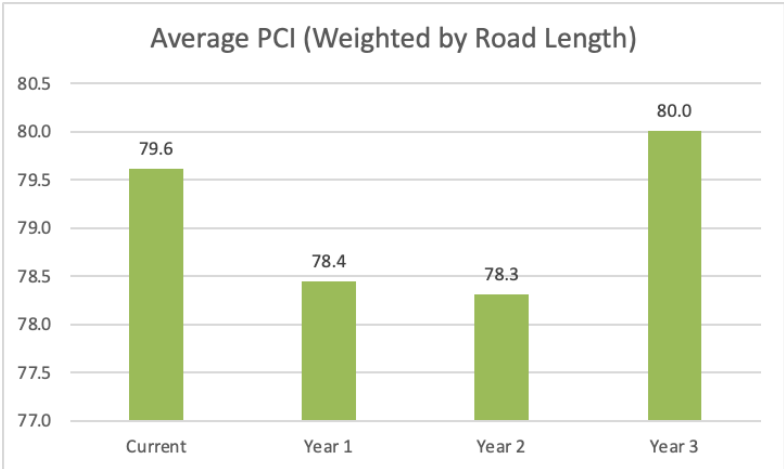
Concord has a high percentage of roads in the 70’s, 80’s and 90’s (72% of centerline miles). In order to maintain all of these roads, the City should implement maintenance techniques that keep these roads at their current high quality. These would be techniques like rejuvenators, crack seal, and High Density Mineral Bond. These techniques are also a fraction of the cost of mill and overlay.

The City is currently implementing crack seal on roads with cracking but still generally above an 80 PCI. This leaves a treatment gap between the 65 PCI threshold for Mill and Overlay and 80 PCI for crack seal. Because 25% of Concord’s roads are between a 65 and 80, Concord should consider implementing a treatment strategy to keep these roads from lapsing into the mill and overlay threshold. Patching, crack seal, High Density Mineral Bond and similar techniques would be good options.

The third alternative fills this gap with High Density Mineral bond. The following projections result:

Year	Maintenance	Roads	Cost	Miles
1	Mill and overlay	2	\$ 6,616	0.02
	Crack seal	126	\$ 18,174	11.37
	HDMB	287	\$ 2,042,042	30.78
	SUBTOTAL	415	\$ 2,066,832	42.17
2	Mill and overlay	3	\$ 37,033	0.14
	Crack seal	265	\$ 69,760	30.66
	HDMB	295	\$ 1,960,100	29.11
	SUBTOTAL	563	\$ 2,066,893	59.9
3	Mill and overlay	7	\$ 144,458	0.47
	Crack seal	1766	\$ 318,197	185.33
	HDMB	217	\$ 1,603,980	22.59
	SUBTOTAL	1990	\$ 2,066,634	208.38





Conclusion

While Alternative 3 yields the most positive results, it would be an abrupt change from the City’s current strategy. Because of this it is recommended that the City of Concord maintain its current plan (Alternative 2) for the next year and evaluate preventive maintenance techniques to “fill the gap” starting in the next 1-2 years. A transition to including these new techniques could be done swiftly or a phased approach could be used to gradually introduce them into the City’s strategy.

Other Recommendations

A few general recommendations did not fit into a specific alternative but are worth considering. These recommendations are included below:

Keeping Up With the Benchmark

The City Transportation Department has set the goal of meeting the average “Lane Miles rated 85 or better” of the cities that participate in the NC Benchmarking 2.0 program. Concord, with 44% of roads above 85 PCI, already exceeds the average of 40%. However, that average increased from 2021 to 2022 by 7 percentage points. And since Concord participates in the Benchmarking program, an increase in the City’s overall PCI score will necessarily bring up the average. It is important to consider that this goal may be a moving target from year to year.

The Worst Roads

Mill and overlay is effective at treating aged roads with some environmental cracking like block cracking. However, if fatigue or alligator cracking, reflective cracking, slippage cracking and unstable patches are present, mill and overlay can fail rapidly when the underlying distresses reflect through the new asphalt. For this reason, the City should monitor any roads below a 40 PCI that receive mill and overlay to determine if a minimum PCI threshold should be set for implementing mill and overlay. It may be worth the extra cost to remove and replace roads that drop below a 40 PCI.

Neighborhoods

Concord will typically mill and overlay an entire neighborhood at once. This strategy reduces mobilization cost and avoids spreading the burden of road construction over several years in a neighborhood. The City may want to consider which neighborhoods are the best candidates for this strategy. Some neighborhoods with a wider range of road quality, or larger neighborhoods with only a few roads that meet mill and overlay criteria may yield more value if the neighborhood is “phased” over a number of years in these cases. The Appendix includes a list of neighborhoods, their average ratings, range of ratings (distance between maximum and minimum PCI’s), and number of roads. This list can be referenced to target neighborhoods with the appropriate average rating and smaller PCI ranges. The GoodRoads software can also use average rating in selecting entire neighborhoods for maintenance.

Communication with the Public

Any road maintenance strategy is best implemented with good public communication. Examples of effective communication we have see in other cities include:

- Requiring the contractor to hand out flyers before, during and after construction explaining the work remaining and how it will affect residents.
- Posting a map and detailed description of the planned maintenance on the City’s website.
- Communicating the City’s maintenance strategy at council meetings at least once a year (or more frequently). Explaining the techniques to be used and the reasoning behind them can help educate citizens and public leaders about the City’s maintenance strategy and goals.

Regular Inspections

The best way to implement a pavement maintenance plan is to frequently measure progress. This could be through annual inspections. This allows a strategy to be adjusted based on new observations.

Field Verify

As with any plan, tweaks to accommodate situations “in the field” are always necessary. It is important to verify by physically visiting all roads planned for maintenance prior to implementing the planned work.



GoodRoads

Bringing our roads to the 21st Century



Low Cost. High Tech.



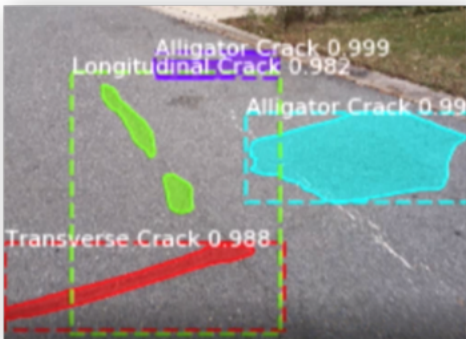
Our low cost, high tech device attaches to the hood of any vehicle. As the vehicle drives the device passively captures images, GPS, and ride roughness data.

By deploying our device on your fleet vehicles we can inspect even the largest road and asset networks in a fraction of the time and cost of traditional assessment methods. Saving you time, and money.



Our custom camera and protective case allows for accelerated data-collection in a bite-sized package

Overnight, the devices upload their data to the cloud via built-in Wi-Fi where our Artificial Intelligence (AI) Models can inspect for a huge variety of assets:



- Roads (ASTM PCI, PASER, and others)
- Sidewalks and Ramps
- Greenways
- Curb and Gutter
- Signs
- Pavement Markings
- Manholes
- Storm Water Inlets
- Street Furniture
- Bus Stops
- Street Lights
- Traffic Signals
- Street Trees
- And More!

All AI inspections are verified by our quality assurance team of trained human evaluators who review every photo, assuring our AI is producing high quality outputs.

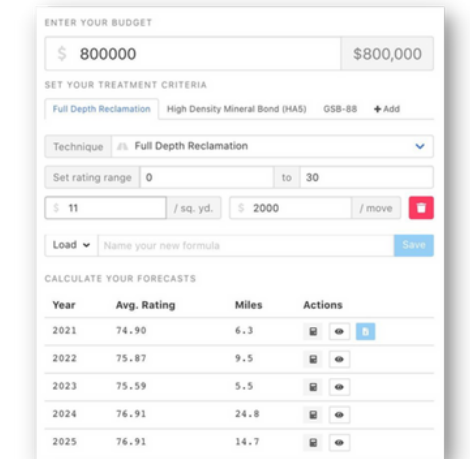
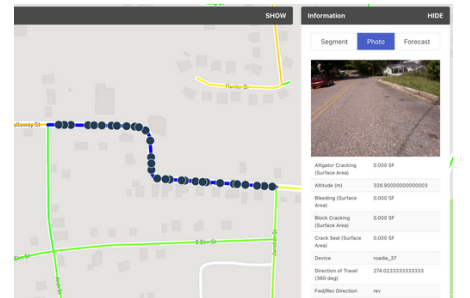
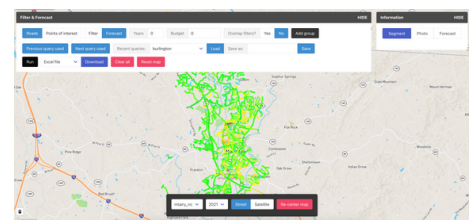


As soon as our AI has finished its inspection, typically within 7 business days after data collection - the results are visible in our easy-to-use web application.

Our application includes detailed distress data for each photo and segment, a rating for each segment using the your rating methodology of choice, and a complete photo album that was used in the inspection.

The web application offers a suite of powerful and easy-to-use tools for project managers to:

- Understand their roads through simple sorting and filtering
- View maintenance and inspection history
- Record maintenance and road details
- Create a multi-year pavement management strategy using our integrated optimization algorithms and road aging curves
- Control the frequency of inspections



Our data science team also collects ancillary data that is useful in forecasting

- Road quality history (past inspections)
- Maintenance history
- Traffic counts
- Travel speeds
- Vehicle types
- Weather/climate data
- Pavement section details (where available)



Chris Sunde

CEO/Founder, GoodRoads, Inc. | Charlotte, NC

North Carolina State University | University of California, Riverside

17 Years of Experience

Chris Sunde has worked in & for municipal governments his entire 15-year career, including experience as a Deputy City Engineer in the City of Perris, CA. He has extensive experience creating and implementing pavement maintenance plans and assessments. His firm, GoodRoads, uses state of the art technology for automating high quality road assessments and asset inventories as well as creating multi-year optimized pavement management plans. Mr. Sunde works out of the Charlotte, NC office.



Relevant Project Experience

City of Basehor, Kansas, 2022 – Served as the Project Manager to survey 63 miles of roadway to the PCI standard. Continue to host the City's public map to communicate paving progress and future plans.

City of Kenosha, Wisconsin, 2023 and 2025 – Served as Project Manager to inspect 326 roadway miles by the PASER method.

City of Kirkwood, Missouri, 2022 – Served as the Project Manager to inspect 114 miles of roadway using the PCI standard and inventory sidewalk.

Other recent project experience – Corinth, TX | Clayton, MO | Carol Stream, IL | Franklin, IN | Coalinga, CA | Waxhaw, NC | Matthews, NC | Eureka, MO | Mount Airy, NC | Charlotte, NC | Philadelphia, PA

Relevant Project History

GoodRoads, Inc. - Founder/CEO, 2018 to present

DRMP - Project Engineer, 2012 to 2018

Tri Lake Consultants/City of Perris - Civil Engineer & Deputy City Engineer, 2008-2012

Registrations

Professional Civil Engineer: California, North Carolina, South Carolina, Georgia

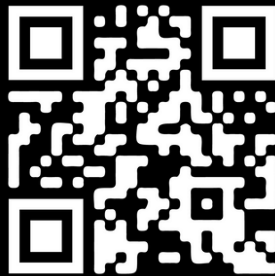


GoodRoads.io/

GoodRoads , Inc.

Chris Sunde | Chris@GoodRoads.io

+1 (704) 965-1623





Asset Management **PROPOSAL**



Low Cost. High Tech.

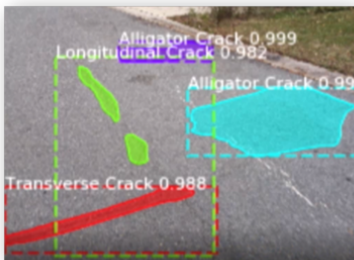
Our low cost, high tech device attaches to the hood/bonnet of any vehicle. As the vehicle drives the device passively captures images, GPS, and ride roughness data.



Our custom camera and protective case allows for accelerated data-collection in a bite-sized package

By deploying our device on your fleet vehicles we can inspect even the largest road networks in a fraction of the time and cost of traditional pavement assessment methods, saving you time and money.

Overnight, the devices upload their data to the cloud via built-in Wi-Fi where our Artificial Intelligence (AI) Models inspect for and measure the surface area of the following distresses according to the American Society for Testing and Materials (ASTM)



- Fatigue/Alligator Cracking
- Block Cracking
- Longitudinal Cracking
- Transverse Cracking
- Slippage Cracking
- Ride roughness and International Roughness Index
- Rutting
- Raveling
- Crack Seal
- Patching
- Potholes

We employ a quality assurance team of human evaluators to review every photo and ensure the quality of our AI.

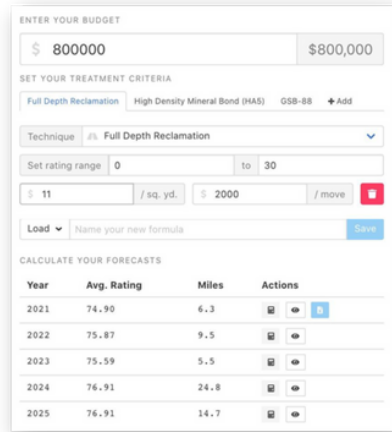
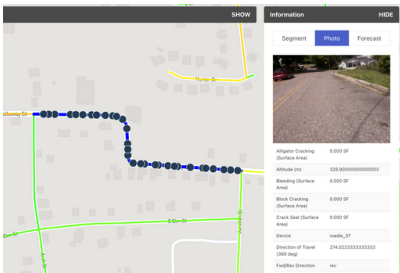
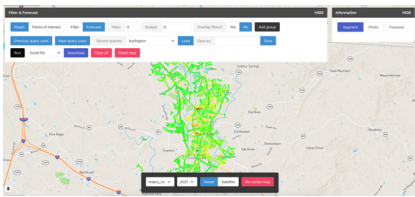


As soon as our AI has finished its inspection, typically within 7 business days after data collection - the results are visible in our easy-to-use web application.

Our application includes detailed distress data for each photo and segment, a rating for each segment using the your rating methodology of choice, and a complete photo album that was used in the inspection.

The web application offers a suite of powerful and easy-to-use tools for pavement managers to:

- Understand their roads through simple sorting and filtering
- View maintenance and inspection history
- Record maintenance and road details
- Create a multi-year pavement management strategy using our integrated optimization algorithms and road aging curves
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Our data science team also collects ancillary data that is useful in forecasting

- Road quality history (past inspections)
- Maintenance history
- Traffic counts
- Travel speeds
- Vehicle types
- Weather/climate data
- Pavement section details (where available)

GoodRoads Proposal

City of Castroville, Texas

Asset Inventory, Pavement Assessment, Software Included

One (1) road inspection device shall be provided to attach to almost any vehicle for one month to complete a full road assessment, capturing road inspection data for every road.

Entire road network inspected per the PCI standard (ASTM D6433).

Access for up to 20 users to our cloud application that empowers budgeting and prioritization decisions for 12 months, including collected imagery. Up to 20 hours of expert assistance with road management planning and assistance with visuals for presentations (e.g. City Council and others) included.

Optional: Completion of a report detailing the inspection methods, analysis of up to 3 multi-year pavement management scenarios, detailing financial and pavement quality projections and complete paving lists.

Select all that apply:

1. Data collection of photos and comprehensive Pavement Assessment (**MANDATORY**): \$100/mile
☒ \$2800 @ 28 road miles
2. GoodRoads-performed data collection (optional):
☒ \$1,500
3. GoodRoads Software Only (optional. Standalone purchase or add'l after first 12 months): \$10/mile/year
☒ \$280 per year for _____ years
4. Pavement Management Report: (30 hrs @ \$240/hr)
☒ \$7,200

Total: \$11,780

Accepted by

Date

Assumptions

- Offer valid until December 31, 2025.
- Report shall include: analysis of up to 3 options, production of a written report, recommended paving lists and optional assistance with creation of PowerPoint presentation.
- Customer shall perform their own driving to collect road assessment data. If GoodRoads is hired to perform data collection, driver(s) and vehicle(s) shall be provided by GoodRoads or a subcontractor.
- Prices are based on the miles of driving to be completed.
- Collected data will be stored for 3 years. If a new contract is not signed either for inspection or software, data is subject to deletion.
- Photos for sidewalk inventory shall be taken from a vehicle on the street unless otherwise requested. Prices may change if photos shall be taken from on the sidewalk, itself.
- GoodRoads does not perform a slope assessment of sidewalks to comply with ADA. Results include identification of all sidewalk, tripping hazards, obstructions, cracked or damaged panels, and dropoffs. Upon request a third party contractor can perform a complete ADA assessment.
- Pavement Marking inventory includes identification of faded pavement markings but not a retroreflectivity analysis.
- Road assessment will be completed by combined manual and artificial intelligence using imagery collected by GoodRoads devices.
- GoodRoads retains co-ownership of collected road quality data. This may be used to improve our software and prediction algorithms and serve other third party users of road infrastructure to improve the experience of all road users.
- Road inspection devices are provided as hardware as a service. Once data collection is completed, devices are returned to GoodRoads until the next inspection is to begin.
- Contract shall be paid 50% up front at time of Notice to Proceed, with monthly billing based on the number of miles inspected thereafter until the completion of the contract.
- Customer point of contact for this contract is:

_____ [Name]

_____ [Phone]

_____ [Email]

- Invoices shall be submitted to (name and address):

(Email and Phone)



GoodRoads.io/

GoodRoads, Inc.

Chris Sunde | Chris@GoodRoads.io

+1 (704) 965-1623



PublicWorks1 Agreement For Asset & Data Tracking Services

Castroville here, known as (“Customer”), enters into THIS SERVICE (S) AGREEMENT (“Agreement”) with PublicWorks1 Inc. (“PW 1”) with its principal place of business 1125 West 400 North, Suite 102, Logan, Utah 84321.

Recitals

Whereas the Customer is seeking onsite data collection services provided by Public Works 1.

Whereas the Customer is seeking technical support and software provided by iWorQ Systems Inc.

Therefore, in consideration of the mutual promises contained in this agreement, the parties agree as follows:

1. Data Tracking Services

PW 1 will send staff member(s) onsite to track requested street-level imagery, assets, and GPS data points utilizing our Trimble MX7 high resolution camera and / or a pavement condition assessment if requested. The price in Appendix A is based on the mileage provided by the Customer.

2. Customer Responsibility

Customer agrees to provide the time, implementing personnel to assist in scheduling and completing the onsite assessment, and to implement iWorQ’s service(s) and application(s). iWorQ will assign a senior account manager and an account management team to implement service(s) and application(s). Typical implementation will take less than 60 days. iWorQ account managers will call twice per week, provide remote training once per week, and send weekly summary emails to the implementation team. iWorQ can provide project management and implementation documents upon request.

3. Customer Data & Software Terms of Access

Customer acknowledges that an iWorQ Service(s) Agreement is required in conjunction with this agreement for a term of 3 years, and that customer is authorized to access and track the converted PW 1 data in the associated iWorQ software applications.

Customer data will be stored on AWS GovCloud. iWorQ will use commercially reasonable efforts to backup, store and manage Customer data. iWorQ does backups twice per week and offsite backups twice per week. The subscription will renew each year on the anniversary date of this Agreement unless terminated (see 6. TERMINATION).

Customer can run reports and export data from iWorQ application(s) at any time.

Customer can pay iWorQ for additional data management service(s), onsite backups, application(s) and other service(s).

Street Level imagery is provided through iWorQ. Street Level imagery (360 Degree JPG) will not be downloadable through iWorQ. PW1 will make the imagery publicly available.

Data upload and storage is provided to every Customer. This includes uploading files up to 3MB and 10 GB of managed data storage on AWS GovCloud. Additional upload file sizes and managed data storage sizes can be provided based on the application(s) and service(s) listed in Appendix A.

Customer can upload and store images with personal information like driver's license, and more. This Data can be used by the customer to complete the permitting, licensing, or code enforcement processes. Customers understand that the data must be uploaded and stored in the Sensitive Data Upload section of the iWorQ software for access and security purposes.

iWorQ is not responsible: (1) For the content entered iWorQ's database, (2) For images or documents scanned locally and uploaded by the iWorQ users, (3) For documents or images uploaded by citizens over the web, and (4) For backup data sent to the Customer by iWorQ.

Billing:

PW 1 will invoice Customer after the team has come onsite and completed the data collection and/or assessment. The invoice will be generated and will be sent out the day fieldwork has been completed. PW 1 will send the invoice by mail and by email to the address listed in Appendix A. Terms of the invoice are net 30 days. Any billing changes will require that a new Service Agreement be signed by the Customer.

Any additional costs imposed by the Customer including business licenses, fees, or taxes will be added to the Customer's invoice yearly.

4. TERMINATION:

Either party may terminate this agreement, after the initial 3-YEAR TERM, without cause if the terminating party gives the other party sixty (60) days written notice. Should the Customer terminate any application(s) and or service(s) the remaining balance will immediately become due. Should the Customer terminate any part of the application(s) and or service(s) a new Service(s) Agreement will need to be signed.

Termination will discontinue all application(s) and or service(s) under this Agreement; PW1 will provide customer with an electronic copy of all of Customer's data, if requested by the Customer. Backups will be completed within 3-5 business days.

During the term of the Agreement, the Customer may request a copy of all of Customer's data for a cost of no more than \$2500; and all provisions of this Agreement will continue.

5. CUSTOMER SUPPORT:

Customer support and training are FREE and available Monday-Friday, from 6:00 A.M. to 5:00 P.M. MST, for any authorized user with a login. iWorQ provides unlimited remote Customer training (through webinars), phone support, help files, and documentation. Basic support requests are typically handled the same day. iWorQ provides "Service NOT Software".

6. ACCEPTABLE USE:

Customer represents and warrants that the applications and services will only be used for lawful purposes, in a manner allowed by law, and in accordance with reasonable operating rules, and policies, terms and procedures. iWorQ may restrict access to users upon misuse of applications and services.

7. CUSTOMER IMPLEMENTATION INFORMATION:

Primary Implementation Contact _____ Title _____

Office Phone _____ Cell(required) _____ Email _____

Secondary Implementation Contact _____ Title _____

Office Phone _____ Cell(required) _____ Email _____

8. CUSTOMER BILLING INFORMATION:

Billing Contact _____ Title _____

Office Phone _____ Cell _____ Email _____

PO# _____ (if required) Tax Exempt ID # _____

9. ACCEPTANCE:

The effective date of this Agreement is listed below. Authorized representatives of Customer and iWorQ have read the Agreement and agree and accept all the terms.

Signature _____ Effective Date: _____

Printed Name _____

Title _____

Office Number _____ Cell Number: _____

PublicWorks1 Service(s) Agreement

APPENDIX A

PublicWorks1 Price Proposal

Castroville	Centerline Miles: 50 or less
1209 Fiorella Street, Castroville, TX 78009	Prepared by: Brigham Giles and Todd Mattson

Service & Travel Fees

<u>PublicWorks1 Services</u>	<u>Package Price</u>	<u>Billing</u>
Pavement Condition Assessment -Pavement Condition Assessment using distress severity and extent -A pavement distress identification based on remaining service life (RSL), and the SHRP distress (alligator, transverse, edge, patching and potholes, longitudinal) -A condition for each segment, and a network pavement condition distribution is part of the deliverable. -A recommended treatment for each pavement segment -A complete data set entered the iWorQ Pavement Management application (Purchase of the software is required) -The information and data required for budgeting and planning is part of the deliverable	\$22,500	One-Time
Data Collection and Asset Conversion Package includes: -Trimble MX7 Image Collection -Data Conversion -Presented/Delivered Data Shapefile for the following assets: -Sign	Included	One-Time
Travel Fees	\$4,500	One-Time
Services Total (This amount will be invoiced once)	\$27,000	One-Time Total

NOTES & SERVICE(S) DESCRIPTION

- I. Invoice for the Service(s) will be sent out the day work on this project starts.
- II. *This Agreement has been provided at the Customer's request and is valid until 12/31/2025.*
- III. This Contract cannot be used to compete with other companies.



CITY COUNCIL AGENDA REPORT

DATE: October 10-10-2025

AGENDA OF: **October 14, 2025**

DEPARTMENT: Administration

SUBJECT: Discuss and take appropriate action on submitting ballot for candidate to fill a vacancy on the Texas Municipal League Region 7 Director Election

RECOMMENDED MOTION:

I nominate _____ for the Region 7 Board Director for Region 7 to serve a two-year term.

BACKGROUND:

The city received notification/ballot for a position open on the TML Board of Directors for region 7.

FISCAL IMPACT/SOURCE OF FUNDING: N/A

☐ Budgeted ☐ Requires Budget Amendment

ATTACHMENTS: Ballot and Bio's of candidates

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

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

Submitted by: **Debra Howe**



TEXAS MUNICIPAL LEAGUE

Empowering Texas cities to serve their citizens

President **Allison Heyward**, Councilmember, Schertz
Executive Director **Bennett Sandlin**

September 8, 2025

To: Primary Contacts in TML Region 7

From: Bennett Sandlin, Executive Director, Texas Municipal League

Subject: Region 7 Director Ballot

Attached are the official ballot and candidate biographies for the TML Region 7 Director of the TML Board of Directors. Previously, elections for region directors were held at region meetings. After changes to the TML Constitution were approved in 2023, these elections are now administered by TML centrally.

TML has 15 regions, and each has a seat on the Board. During even-numbered years, the even-numbered regions are up for election. Terms are two years, and new terms will begin on October 31, 2025, upon adjournment of the TML Annual Conference and end on October 15, 2027, upon adjournment of the TML Annual Conference.

The attached ballot includes instructions for filling it out. If you have any questions, please contact Rachael Pitts at rpitts@tml.org or 512-231-7472.

Thank you in advance for your city's participation in the election.



OFFICIAL BALLOT

Texas Municipal League (TML) Region 7 Director Election

This is the official ballot for the election of the Region 7 director of the TML Board of Directors. You received this ballot because you are the city's primary contact person with TML. Each TML member city is entitled to one vote, which vote must be cast by a majority vote of the city's governing body. Please record your city's choice by placing an "X" in the square beside the candidate's name or writing in the name of an eligible person in the space provided. You can only vote for one candidate.

The officials listed on this ballot have been nominated to serve a two-year term on the TML Board of Directors. A brief biography for each candidate is included after the ballot.

Ballots must reach the TML office by 5:00 p.m. Central Time on October 23, 2025. Ballots received after this date cannot be counted. **The ballot must be properly signed and mailed to: Rachael Pitts, Texas Municipal League, 1821 Rutherford Lane, Suite 400, Austin, TX 78754, or scanned and emailed to rpitts@tml.org. If the ballot is not signed, it will not be counted.**

Region 7 Director (select one)

☐

Ed Cimics, Councilmember, Live Oak

☐

Norma Sánchez-Stephens, Councilmember, Cibolo

Certificate

I certify that the vote cast above has been cast in accordance with the will of the majority of the governing body of the city named below.

Witness my hand, this _____ day of _____, 2025.

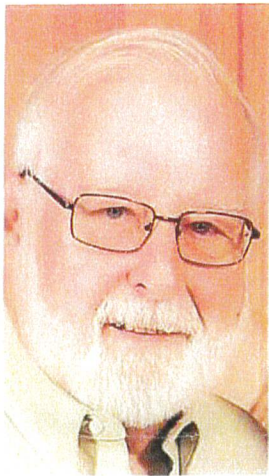
Signature of Authorized Official

Title

Printed Name of Authorized Official

Printed Name of City

Region 7 Director Candidate Biographies



Ed Cimics, Councilmember, Live Oak

Ed Cimics served a distinguished career in the United States Air Force for 20 years. He married in 1979, and he and his wife chose City of Live Oak their forever home in 1982. Cimics served his community after the military by joining the Live Oak Fire Department in 1997 as a volunteer. He touched many lives certifying to become an Emergency Medical Technician until 2010. He also served his community as a proud charter member of the Live Oak Lions Club from 1998 until 2009. He helped enhance Live Oak for its constituents by acquiring a memorial garden, floating fishing pier, and the first gazebo at the city park by the city lake. From 1998 to 2010, Cimics served on various City boards and commissions before deciding to run for City Council in 2010. Cimics has helped better serve his community and its citizens for the past 15 years with his seat on City Council. He also serves on the City's Economic Development Corporation helping to bring beneficial businesses to better serve the community. He also volunteers in the community as a member of Live Oak Citizens Assisting Police where they support the Live Oak Police Department and the community. Cimics has been an active member of TML for over 20 years and has attended numerous TML workshops, conferences, and trainings to be recognized as an esteemed Certified Municipal Officer for the past 15 years. He accrues a minimum of 72 hours of continuing education annually to maintain this recognition. He also completed the TML Leadership Academy. He devotes significant time to his community and brings knowledge and leadership skills to the City. He has enjoyed watching it grow and develop into a premier community for its constituents to live, learn, work, and play.



Norma Sánchez-Stephens, Councilmember, Cibolo

Norma Sánchez-Stephens is a native Texan and a longtime resident of the City's tri-county area. She graduated locally from Judson High School and earned a bachelor's degree in banking and finance from the University of Incarnate Word in San Antonio. She established a successful career in the mortgage industry for ten years. She resigned as a mortgage loan officer to stay home and care for her family when her husband was deployed to Iraq with the Army National Guard. Having the desire to remain active, Sánchez-Stephens volunteered to serve as a leader for her husband's National Guard Unit's Family Readiness Group to assist fellow service member's families during deployment. She secured her group fitness instructor certification and has served part-time at the Schertz YMCA since its opening in 2010, forging lasting bonds with Schertz and Cibolo residents that continue through today. Sánchez-Stephens officially moved to Cibolo in 2018 as their family's ideal community environment to raise their family. She and her husband, Michael, have been married 24 years, have five children (9, 11, 16, 17, and 18), and enjoy spending time with parents and siblings residing in the San Antonio area. Their family also enjoys being active within their church, community outreach, and volunteer opportunities. Since taking office, Sánchez-Stephens has actively attended TML Region 7 meetings and participated in TML's 2025 legislative day, where she has witnessed firsthand the incredible value of our cities coming together.

City Administrator's Report



To: Mayor Alexander & City Council
CC: Staff
From: R. Scott Dixon, City Administrator
Date: October 08, 2025
Re: City Administrator's Report

Mayor and Council,

As always, there are many irons in the fire and lots happening in our wonderful Castroville! The items listed below are in no particular order and only cover some of the issues that have been inquired about or that council has requested to be kept up to date on. If you have any questions about any of these items or there are other things that you would like for me to report on, please let me know.

Drainage Projects

The Geneva Street drainage channel continues to make progress. Staff will be doing compaction and installing erosion controls over the coming weeks. Staff met with Councilman King and representatives from Lochner to discuss the scope of the Garza Creek channel improvements. Following Mayor Alexander's comments and other concerns that were raised by the council, staff is exploring methods that reduce the need for easements by limiting the project to the immediate area around the bridge. Lochner is preparing an updated design estimate based on our meeting. Staff will provide an update and possible council action at the October 28th meeting.

BMA Trail Access

Staff continues to have conversations with the BMA. The Parks Board Advisory Committee Chair – Adriana Calk will be attending the BMA Board meeting next week to convey the City's desires for a continued relationship. Staff plans to present to the BMA Board at their November meeting.

Streets Improvement Plan

The October 14th council agenda includes council action to approve a city-wide pavement assessment. This is the first step in the process to develop and address our street maintenance

plan. As shared previously, we are using the same consultants and processes that Hondo has used with considerable success.

CPSE Dispute

No Change. Staff is working to schedule a meeting with CPSE CEO, Rudy Garza, no date has been established. Staff was informed that the outside counsel that CPSE had been using to negotiate our disputed items has accepted a position with the Public Utility Commission of Texas (PUC). Castroville's outside counsel – Tom Anson, has contacted CPSE's inside counsel, Gabriel Garcia, to arrange a meeting with the attorney(s) that will be assigned our case. No date has been set but staff views these communications as positive developments that may lead to renewed discussions in the near future.

WWTP Pond Closure

No Change. Staff recently met with Councilman King to discuss the pond closures. The growth of some weedy vegetation has slowed the evaporation of the east pond. Staff will be working to empty the pond over the next couple of weeks. TxDOT has communicated that they will have significant spoils to deliver in October/ November which may be sufficient to finish this project. Staff will be creating a small berm at the northern end of the existing pond to allow for seasonal ponding. Our streets and drainage crew are prioritizing the Geneva drainage channel and other Athens-area work, so the timeline for this project is not certain.

Community Center at Regional Park

Unfortunately, the current U.S. Government shut down has resulted in a significant delay in payment to the City's contractors on the Community Center project. Staff made every effort to secure payment of the August invoices prior to the shut down but the USDA failed to transfer the required funds prior to October 1st. Staff has continued to be in communication with both the USDA and our contractors. The project is still on schedule to be completed by mid January.

Lion's Park Splash Pad

Staff met with Councilman King at the splash pad and conducted water flow and drainage tests. At Mr. King's recommendation, staff is working with the splashpad contractor – Advanced Aquatics to conduct additional site assessments including camera capture of the water and sewer lines.

County Streets Plan

The County continues to work on a draft Interlocal Agreement. City staff has begun working with County staff to estimate project scope and costs.

Facilitated Council Workshop

Following council direction, staff is working to secure a facilitator for a council workshop to establish the council's goals and objectives. The City Administrator will seek council's confirmation of this directive at the October 14th meeting.

Staffing Changes: tourism & Marketing and Gas Operations

Following Javier's resignation, staff has posted both a supervisor and technician position and received a number of qualified applicants. Staff will be interviewing and hopefully hiring, new gas employees in the coming weeks. Sadly, staff also received a letter of resignation from our Tourism and Marketing Director who has accepted a similar position in another City. Ordinarily, we would immediately post the position for hire. However, given some of the discussion that was had regarding this position during the budget workshops, staff will seek council's direction prior to doing so.

There is a lot going on in the City of Castroville! If I have left anything out of this report, it was not intentional. **If there is anything else that is of particular concern to you, please let me know so that I can include it on a future report.** As always, my door is open should you have need to speak with me. It is my pleasure to serve the people of Castroville.

Thank you,



R. Scott Dixon, MPA

City Administrator, Castroville, TX