

**CITY OF CASTROVILLE CITY COUNCIL
REGULAR CALLED COUNCIL MEETING
1209 Fiorella
City Council Chambers
May 27, 2025
Tuesday
5:30 P.M.
MINUTES**

I. CALL TO ORDER

Mayor Bruce Alexander called the meeting to order at 5:30 p.m.

II. ROLL CALL

Present:

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| 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 | John Gomez, Public Works Director |
| Councilmember David Merz | |
| Councilmember Robert Lee | |

Others in Attendance:

Dan Santee, City Attorney

III. PLEDGE OF ALLEIGENCE

IV. INVOCATION

Pastor Allen Deardorff 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.

Karen Brunair, 112 River Forrest, spoke on the drought contingency plan item questioning why the city was not suspending new construction during Stage 4/5. Ms. Brunair wanted an update on the Community Center and who authorized the old building to be demolition so early. Ms. Brunair asked for an update on the Simple City contract that expired, was the city still paying. Ms. Brunair said the city needed to look at doing a building moratorium during the extensive drought conditions and look at other sources to help with the city needs.

Karen Fifield, 805 Washington, agreed with previous speaker on stopping construction, was not in favor of allowing car washes to operate during all stages of drought when citizens could not wash their vehicles at home. Ms. Fifield felt the limitation placed on when citizens could water was unfair and she wanted to water anytime of the day. Ms. Fifield said having to only water by hand was very taxing for her and other older citizens. Ms. Fifield was under the impression the City Administrator implemented the stages of drought and felt the city council should be the decision maker. Ms. Fifield asked if the city needed to have a SCADA update and was confused as to what the program was used for, wanting more information.

Priscilla Garrett, 702 Florence, read a letter from Helen Delevan, 1105 Lisbon, on the Ponds and Dam discussion. Ms. Delevan asked that the city try to look at other options, keeping the ponds by modifying them, increasing the diameter of the 18" pipe between the ponds that helped keep them level. Ms. Delevan also felt the lowering of the spillway and strengthening the upstream side of the dam should be considered and hoped the city would present this to TCEQ for consideration. Ms. Delevan was concerned about irrigating the whole park and the cost of additional equipment estimated at \$250,000. Ms. Delevan wanted more information on what the \$250,000 estimate was based on. In closing Ms. Delevan thanked the City Council for caring for the city.

Arnie Dollase, 109 River Bluff, gave a brief update on the upcoming 4th of July celebration saying they were still looking for sponsorships and encouraged anyone who wished to participate in the parade to contact the Chamber of Commerce. Mr. Dollase said all of the activities would be held on Friday the 4th.

VI. CONSENT AGENDA

- a. Minutes for April 22, 2025 Regular Called Meeting
- b. Minutes for May 13, 2025 Regular Called Meeting
- c. Consider and take appropriate action on adopting a Resolution for the Motor Vehicle Crime Prevention Authority, SB224 Catalytic Converter Grant Program.
- d. Consider and take appropriate action on adopting an Ordinance amending the City of Castroville Code of Ordinances Chapter 106, Traffic and Vehicles adding Article VII, Operation of Golf Carts and Off-highway Vehicles on Public Streets.
- e. Consider and take appropriate action on adopting an Ordinance on revisions to Article VI - Drought Contingency Plan.
- f. Approve the purchase of Data Flow System's TAC II SCADA, including installation, a hub at the Public Works building, and the associated electrical requirements. The recommendation is based on the attached SCADA System Decision Matrix Evaluation.

Councilmember Martinez requested 6E be removed for further discussion. Councilmember Lee requested 6F be removed for further discussion.

A motion was made by Councilmember Martinex and duly seconded by Councilmember Merz to approve Consent Agenda items A,B, C, and D. A vote was taken (5:0 all ayes) the motion carried by all present.

Councilmember Martinez said under 6E. she was against some of the changes related to allowances during the drought stages. Mayor Alexander wanted to implement a moratorium but the city attorney said there was a process that had to be followed and he could not override. Mayor Alexander had wanted to suspend new

water service during the drought but the past city council had moved away from that option. Mayor Alexander asked if the current car washes were recycling and if they would be charged the surcharge for overage. City Administrator Dixon said they were recycling and were subject to the high usage fees. Councilmember Martinez said pools could not have water added during the drought stages. Ms. Martinez asked how that would be monitored. City Administrator Dixon said staff would be able to see on the billing side. Mayor Alexander said the EAA only enforced the reduction of water and did not tell the city how to meet the reduction. Councilmember Martinez said she was in favor of suspending new services and could the smaller cities make a request for San Antonio be a water source for the city. Ms. Martinez asked if cities could ask for SAWS to be restricted on water usage. It was determined cities could not do this. Councilmember Marchman asked if the staff knew what the current usage and percentage was. Mr. Dixon said he could get the numbers and send to council and the city was at 44% reduction and was doing fine. Mr. Dixon said the city had a study performed by RESPEC a few years previously and they concluded the 1.6 acre feet for new development was adequate. Mr. Dixon said he would update the information in the study and provide. Councilmember Marchman asked if the farmer at the airport was under the same water restrictions. Mr. Dixon said yes depending on when he planted the crops that would determine what stage of restriction he was in. City Council was concerned with not having options during the drought stages. Councilmember King said the City Council did have options. They could either purchase more water rights with the acquisition fund or pay the fine if the city over pumped. Councilmember Merz said the developers must bring enough water for one year for the possible Stage 4 and Stage 5. Mayor Alexander said with the 44% reduction that came out to each citizen using 9,000 gallons in Stage 5. Mr. Merz was still in favor of requiring infill lots bringing water rights to the city. Mr. Merz was good with the Management Plan requirement for exempt facilities/properties. Councilmember Lee was glad the city had the airport water rights for backup, saying they had saved the city in the past from over pumping penalties. Mr. Lee was concerned with the city being in Stage 5 and the new developments using excessive amounts of water prepping the lots for construction. Mr. Lee wanted language in the ordinance amendment stating what the changes were. Councilmember King said the prep work for construction used very little water. Councilmember Lee was in favor of not restricting when watering took place and allowing anytime as long as it met the time restrictions.

A motion was made by Councilmember Merz and duly seconded by Councilmember King to adopt an ordinance on revisions to Article VI - Drought Contingency Plan. A vote was taken (2 ayes: 3 nays (Martinez, Marchman, Lee)) the motion failed.

Councilmember Lee said he thought the amendment was to have been minimum, but some of the council members had discussed other changes they wanted in the document. Mr. Lee wanted clarity on the exact proposed changes to the current ordinance brought back for consideration. Councilmember Marchman wanted data on developers and how much water was used and how much city used. There was further discussion on passing the ordinance with only the management plan for exempt properties with a motion made by Councilmember Martinez and seconded by Councilmember Marchman but the motion was withdrawn after it was decided to bring the ordinance back at a later date. Councilmember Lee had requested the SCADA system item be pulled for further discussion because he was not in favor of using a sole source company and had asked for more data including a company he had suggested at the last meeting. Mr. Lee wanted to use someone locally and other local cities were familiar with. Mr. Lee was still concerned with only information provided for DATA Flow and no other options. Public Works Director John Gomez said the city currently had an intergraded system with higher costs to maintain. Mr. Gomez said he and the city administrator had travelled to Kerrville and spent the day learning about the system.

Mr. Gomez said Kerrville had been using DATA Systems for the past 21 years. Mayor Alexander said the SCADA system was currently used for the wastewater lift stations and hoped to use for the water system in the future. Mayor Alexander said his employer, East Medina Water System, had a SCADA System. Councilmember Merz thanked the staff for providing more information. Councilmember Martinez asked if the city would have administrative rights and would it be in-house. Public Works Director Gomez said the city would have the rights and staff could make changes. Councilmember Marchman asked about the \$20,000 difference shown on electric scope of work. Mr. Gomez said this was due to the system being older and unexpected costs included. Mayor Alexander asked the timeline for installation of the new system. Ramon Maza from DATA Flow System said once the contract was approved there would be a 60-day review period with installment and running time of approximately 200 days, it would be sometime in 2026.

A motion was made by Councilmember King and duly seconded by Councilmember Marchman to approve the purchase of Data Flow System and installation of the system to include a hub at Public Works and the associated electrical requirements funded by with CIP funds. A vote was taken (4 ayes: 1 nay (Lee)) the motion carried by a majority vote.

VII. MAYOR'S REPORT

Mayor Alexander reported the city being in Stage 5 with increased pumping restrictions. Mayor Alexander said the city had received a \$300,000 Parks and Wildlife Grant for trails. Mayor Alexander gave out his city contact information, cell number and email address, for citizens to contact him. Mayor Alexander reiterated he wanted all city boards and commissions to meet at City Hall, he wanted no new debt service, and pass a budget on needs not wants. Mayor Alexander said the cities debt had quadrupled since 2021 with practices of issuing debt to do other things and was not in favor of this practice. Mayor Alexander continued with not supporting high density; department head budget meeting; his support of the police department and code enforcement being more aggressive on compliance; supporting historic preservation with updating historic ordinances; conduct review of current ordinances with assignments to boards on reviews with updates approved by council.

VIII. DISCUSSION AND ACTION ITEMS

a. Discussion and appropriate action on applications submitted for open board positions

Mayor Alexander announced he had mistakenly appointed alternate Eduardo Esquivel to the full board position on Planning and Zoning at the last meeting and found he did not have the authority to do this without council consent. Councilmember Merz asked if the alternate wished to still be considered by the city council. Mayor Alexander said he chose not to seek the full board position. City Secretary Debra Howe spoke on the applications the city had received for the open position on the Planning and Zoning from Marques Fuentes and from Beatrice Hurtado for an open position on the Zoning Board of Adjustments. Ms. Howe said Mr. Fuentes had previously been on the ZBOA and Parks Board and Ms. Hurtado had previously served on the ZBOA. Councilmember Merz felt the city council should continue the current two-step process and vote at the next meeting.

A motion was made by Councilmember Marchman and duly seconded by Councilmember King to appoint Marques Fuentes to the Planning and Zoning Commission full board position (#5) for a term ending in 2026 and appoint Beatrice Hurtado to full board position (#5) with a term ending 2027. A vote was taken (4 ayes: 1 nay (Merz)) the motion carried by all present.

- b. Discussion and appropriate action to award a contract for solid waste (inclusive of recycling, bulk, and hazardous waste) services

Mayor Alexander said he was in favor of staff's recommendation on the solid waste contract.

A motion was made by Councilmember King and duly seconded by Councilmember Merz to have discussion with solid waste services vendors present regarding their proposals. A vote was taken (5:0 all ayes) the motion carried by all present.

Councilmember Martinez asked the total cost for the services were. City Administrator Scott Dixon said there was a pass thru 10% administration fee. Ms. Martinez asked if a new vendor would be doing commercial billing as the current did. Mr. Dixon said he could negotiate with the vendor if the city council did not stay with current vendor Waste Management. Ms. Martinez asked how the city would notify citizens of any change. Mr. Dixon said staff did have a plan to notify if there was a change. Councilmember King said ten years ago the city was allowed 8 yards of bulk and had dropped to 6 yards after negotiations with storm debris having been left on the streets for 3 months by Waste Management. It was noted South Texas Refuse Disposal (STRD) would allow 8 yards. Councilmember Lee said he had reviewed all of the proposals and wished to stay with present provider. Chris Cox, Frontier Waste Solutions, spoke first on his current company. Mr. Cox had previously been the city representative for Waste Management for several years. Mr. Cox said he was still unsure as to how the proposals were graded as the numbers did not add up and said his proposal had 10-year pricing as the others did not and was there for questions. Councilmember Merz asked him if the \$17.00 was same for the 10-year period. Mr. Cox said there was an increase after the first year with pricing increases based on the CPI index. Councilmember Lee said it looked like it was \$17.00 plus \$2.00 from 2 years on with increases thereafter plus CIP index. Councilmember King asked if the commercial included the 10% franchise fee and if Frontier gave a senior discount not shown in his proposal. Mr. Cox said it was and they would give a senior discount to customers. Blake Simpson, STRD of Hondo, spoke on his company's proposal for the city's refuse service. Mr. Blake said they were a local company and they were committed to taking care of the citizens. Mr. Blake said the CPI they proposed is 2% to maximum 5% with the base 2% coving fuel cost and labor. The 5% would protect the city from higher cost increases. Mr. Blake said they were a small company that served several cities in the area including Hondo. Councilmember Lee asked about recycling options shown. Mr. Blake said they provided curbside or had a central location inside the city to take recycling. Mr. Blake said the city would receive the full amount back on all recycling. Mayor Alexander asked if this was an option. Mr. Blake said no it was an either or option. Mr. Blake said all pricing did have the 10% franchise fees included. Mr. Blake said STRD provided a curbside pickup for elderly or handicap citizens, going on the property to pick-up and the proposal included a 10% discount for 65 and older. Councilmember Marchman asked about storm debris cleanup stating it was needed most for the residents. Mr. Blake said they did provide the service and requested limbs be cut to reasonable lengths and the citizens would just call for pickup. Councilmember Martinez asked if commercial businesses would be included in storm cleanup. Mr. Blake said they would be. A question was asked if the vendors were ready to start service when current contract ended. Mr. Blake said he had a standby order placed, if he was awarded the contract it would be 30 days for the new carts to come in. Mr. Cox said his company was ready to go with carts in the yard. Gary Gaucci, with current vendor Waste Management, spoke on the scoring matrix and was unsure of the grading as his company

had higher marks but was 0.7 lower overall, but thanked the team who went through the process as it was a challenge to do this. Mr. Gaucci thanked the city for over 30 years of providing services to the city saying they were the largest trash hauler in north America and the safest. Mr. Gaucci said they now used the one-armed grapppler with safety in mind. Councilmember Marchman asked about the rates shown. Mr. Gaucci said they were good for 12 months with CPI index increase after that. Councilmember King asked about leaves/bulk was included in bulk curbside and bags allowed. Mr. Gaucci said the clear leaf bags were permitted for leaves for safety purposes. Councilmember Lee said he was in favor of keeping the current vendor as the cost savings were very little he felt. Mr. Lee said they had recently picked up his trash following a missed pickup and appreciated the customer service.

A motion was made by Councilmember Lee and duly seconded by Councilmember Martinez to adopt an ordinance approving an exclusive franchise agreement with Waste Management for the collection, hauling, and disposal of municipal solid waste and recyclable materials in the city of Castroville. A vote was taken (2 ayes: 3 nays (Marchman, King, Merz)) the motion failed.

A motion was made by Councilmember King and duly seconded by Councilmember Marchman to adopt an ordinance approving an exclusive franchise agreement with South Texas Refuse Disposal for the collection, hauling, and disposal of municipal solid waste and recyclable materials in the city of Castroville for a five-year period. A vote was taken (4 ayes: 1 nay (Lee)) the motion carried by a majority vote.

c. Council nomination and election of Mayor Pro-Tempore

Councilmember King nominated Councilmember Merz for the position of Mayor Pro Tem saying it was good to have different members of the council experience the position.

A motion was made by Councilmember King and duly seconded by Councilmember Merz to appoint Councilmember David Merz to serve as Mayor Pro Tem for a one-year term. A vote was taken (2 ayes: 3 nays (Martinez, Marchman, Lee) the motion failed.

Councilmember Lee nominated Councilmember Martinez to serve another term as Mayor Pro Tem.

A motion was made by Councilmember Lee and duly seconded by Councilmember Marchman to reappoint Councilmember Sheena Martinez as Mayor Pro Tem for a one-year term. A vote was taken (5:0 all ayes) the motion carried by all present.

d. Consider and take appropriate action on adopting a Resolution establishing regular meeting time, date, and place for city council meetings

A motion was made by Councilmember King and duly seconded by Councilmember Marchman to adopt a resolution amending the city council meetings to begin at 6 p.m. unless an executive session was posted and those meetings would begin at 5 p.m. A vote was taken (5:0 all ayes) the motion carried by all present.

e. Consider and take appropriate action on approving a form for citizen participation on posted agenda items

Mayor Alexander, at the previous meeting had presented a form used by the County Commissioner's Court for citizen participation on agenda items. Staff was directed to prepare and provide a form for consideration. Councilmember Merz requested language be added that the form was only for agenda

items and citizens were not limited to speaking only at citizen comments. The form was to be turned in before the item was announced.

A motion was made by Councilmember Lee and duly seconded by Councilmember King to approve the citizen participation form with additional language of not for citizens comments, may speak at listed agenda item. A vote was taken (5:0 all ayes) the motion carried by all present.

- f. Discuss and take appropriate action regarding the assignment of council liaisons to the city's various advisory boards and commissions

Mayor Alexander asked council members if they wished to continue on the current boards as liaisons. They agreed they would like to stay on the current boards. Councilmember Lee said in the past the members were put on different boards to understand what each board did and suggested changing liaisons every 6 months. **No formal action was taken.**

IX. CITY ADMINISTRATOR'S REPORT

a. City Administrator Report Topics:

Gas Operations Update, CPS Wholesale Electric Negotiations, Regional Park Community Center Project, WWTP Dams & Ponds, Regional Park Irrigation, UDO Progress, Hwy 90 Improvements - Utility Relocates, City Hall Remodel RFQ, CDBG Waterline Project, Council Chamber Audio/Video, Athens Area Drainage Project

Mayor Alexander spoke on the dams and ponds giving a history on the ponds from when he was employed with the city. Mayor Alexander said there were old pumps in the back of the ponds and in the past the park was irrigated and had enough pressure then. Councilmember Lee asked if they were irrigating the park now from the ponds. City Administrator Dixon said he thought they were and would be looking at reconfiguration of the distribution and research further on the old pumps that the Mayor had referred to. Helen Delevan, who sent a letter, was concerned with the loss of the ponds and wanted more information. Councilmember Merz asked if the city had recorded data on flow off of the hill and the depth of the ponds needed to retain the flow. City Administrator Dixon said he had a preliminary report and would bring back to council. Council asked what the timeline was on the Hwy 90 Improvements. Mr. Dixon said his meeting with TxDOT had been postponed and he would have more information once they met. Councilmember Lee clarified about the dam issues the city would experience with current conditions. Councilmember King who had been the consulting engineer said there would be a dam breach. Councilmember Marchman asked about any cost and no engineering plans but filling in the ponds now. Mr. Dixon said they were not filling in and was waiting on TCEQ before proceeding. Councilmember Martinez asked on clarification on why the old pool building was removed early and who was involved with that decision. Mr. Dixon said the city had been working under the direction of the USDA, along with Grant Consultant EMC, and contractor. Mr. Dixon said the USDA had a timeline on the city had to spend the funds by 2025 and said the project was ready to proceed. The city council approved the demolition and the USDA changed directions after the building had been demolition. Mr. Dixon said now it had been a year and the project was finally underway. Mr. Dixon was asked about notification of citizens affected by the CDBG waterline replacement project. Mr. Dixon said they would be notified once the notice to proceed was issued. Mr. Dixon asked the city council if they wished to continue the staff reports as an agenda item as the Mayor had requested to take off. Mayor Alexander said the staff answered to the city administrator and Mr. Dixon

should report on the departments. Councilmember King and Lee liked the written updates provided such as code compliance concerns that some citizens asked them about. Councilmember Lee wanted to continue getting the written staff reports from staff and council agreed. City Administrator Dixon also informed the city council the Mayor had requested the city attorney not attend council meetings unless needed.

X. DISCUSSION ON FUTURE AGENDA ITEMS

Councilmember Martinez asked for the date of the next budget work session. City Administrator Dixon would look at schedule and let city council know some dates. Mr. Dixon said there would be an executive session planned for the June 10th meeting beginning at 5 p.m. Councilmember Martinez said she would be out for surgery on June 18th thru June 20th. Councilmember Merz said he would be out June 24th. Councilmember Lee wished to apologize to staff and City Council on his comments during the SCADA discussion.

XI. Adjourn

Mayor Alexander adjourned the meeting at 8:57 p.m.

Mayor

ATTEST:

City Secretary