

**CITY OF CASTROVILLE CITY COUNCIL
REGULAR CALLED COUNCIL MEETING**

**1209 Fiorella
City Council Chambers**

March 23, 2021

Tuesday

5:00 P.M.

MINUTES

I. CALL TO ORDER

The meeting was called to order at 5:02 p.m. by City Secretary Debra Howe.

* Mayor Pro Tem Schroeder arrived after roll call at 5:03 p.m.

II. ROLL CALL

Present:

Mayor Pro Tem Darrin Schroeder*

Councilmember Sheena Martinez

Councilmember Paul Carey

Councilmember Phil King

Councilmember Todd Tschirhart

Scott Dixon, City Administrator

Debra Howe, City Secretary

John Gomez, Public Works Director

Devin Fredrickson, Parks and Recreation Director

Leroy Vidales, Finance Director

Others in attendance:

Cynthia Trevino, City Attorney, Denton, Navarro, Rocha, Benal & Zech

III. PLEDGE OF ALLEGIANCE

IV. INVOCATION

Councilmember Paul Carey gave the invocation.

V. CITIZEN COMMENTS

The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. Written questions or comments may be submitted up to two hours before the meeting. A recording of the telephonic meeting will be made and will be available to the public in accordance with the Texas Public Information Act upon request.

No one requested to speak.

VI. CONSENT AGENDA

A. Minutes for February 23, 2021 Special Called Council Meeting.

B. Minutes for March 09, 2021 Regular Called Council Meeting.

A motion was made by Councilmember King and duly seconded by Councilmember Carey to approve the consent agenda. A vote was taken (5:0 all ayes) the motion carried by all present.

Mayor Pro Tem Schroeder asked to move the Audit presentation up to accommodate Ms. Roach's scheduling conflict. City Council agreed.

IX. FY20 Annual Audit presentation and acceptance.
(Kim Roach, Armstrong, Vaughan & Associates, P.C.)

Kim Roach of Armstrong, Vaughan & Associates briefed the city council on the 2020 Annual Audit highlighting General Fund, Debt Service, Utility and Airport Funds. Ms. Roach stated the city did not have a lot of debt issued and had very healthy fund balances with the General Fund showing 13 months of operations. Mayor Pro Tem Schroeder felt the city had been frugal in spending in the past and they were now looking to move forward with some capital projects. City Administrator Scott Dixon said the recent approval of \$800,000 for the River Bluff electrical updates would reduce the reserves. Ms. Roach said the pandemic had not affected the city and the city was in a good financial state. City Administrator Dixon said in his review the city had broken even overall in 2020. Ms. Roach said the city was issued an unmodified opinion and thanked the staff for their assistance in the audit process. The City Council thanked her and her firm and discussed having her come back during the budget talks for more information.

Council reverted back to the agenda order.

VII. Presentation by Daryl Fisher, CEO on proposed partnership between the City and Dream Flights for hangar space at Municipal Airport

Daryl Fisher, CEO of Dream Flights, briefed the city council with a slide presentation on their operations. Mr. Fisher said they had been in business since 2011 and were committed to honoring veterans for their service. Mr. Fisher said this year they were flying “Operation September Freedom” and using their six refurbished WWII Boeing Stearman biplanes they would be flying as many WWII veterans as possible from August 1 through September 30, 2021 throughout the United States finishing with the last two surviving veterans of Pearl Harbor. Mr. Fisher said they were a 501C non-profit with sponsorships from Sports Clips, a two-year partnership with American Airlines, and Veteran Home Loans most by just a handshake. Mr. Fisher said they wanted to be in Castroville and be a part of the community long term, housing five planes during the training sessions. Mr. Fisher said they wanted to do a Veterans Day in Castroville, have fly-ins, and be a promoter of the city. Mayor Pro Tem Schroeder said he was in favor of a partnership and the city was very honored to be considered for a location for his organization. City Administrator Dixon said he would like to discuss this request for a partnership further when they were in executive session. The City Attorney would provide the additional language when they recessed. Council agreed.

VIII. Presentation on refuse/recycle automated bin-handling safety measures from Chris Cox, Manager for Public Sector Solutions Waste Management

City Administrator Scott Dixon said Mr. Cox was unable to attend due to illness and this item would be brought back at the next meeting.

IX. FY20 Annual Audit presentation and acceptance
(Kim Roach, Armstrong, Vaughan & Associates, P.C.)

Discussed earlier in the meeting.

X. MAYOR PRO TEM REPORT:

- a. River Bluff Outage**
- b. Park's Planning Meeting**
- c. Chamber Banquet**
- d. Fiorella Friday**
- e. Northern route**
- f. Goal setting**
- g. Newsletter**

Mayor Pro Tem Schroeder briefed the city council on the recent electrical outage in River Bluff, saying the upcoming updates to the system would help. Mayor Pro Tem Schroeder said the issue he had found was lack of communication to the citizens from the city. Councilmember Martinez explained how she contacted the city on returning home to a power outage and the length of time with no notice sent out to residences. Mayor Pro Tem Schroeder wanted better communication on relaying information to the citizens. City Administrator Dixon said staff needed to know what the expectations of the city council were to be able to deliver. Mayor Pro Tem Schroeder said the park's planning meeting had went well with good input. He introduced the new Chamber of Commerce Director Bonnie Manning and announced the Chamber of Commerce Banquet on March 25th at the Hoffman Ranch. Also announced was the reprising of Fiorella Friday, April 1st. Mayor Pro Tem Schroeder said the northern route was progressing well. He wished to have council members to set goals/projects, get stakeholders identified and involved with updates on projects on future agendas. Mayor Pro Tem Schroeder said the monthly newsletter was receiving good reviews.

XI. Consider and take appropriate action on approval of advertisement for bids for construction contract on Alsatian Oaks Sewer Main Extension Project.

City Administrator Scott Dixon requested this item be discussed after Executive Session. City Council agreed.

XII. Consider and take appropriate action on the purchase of a Boss JCB Backhoe with extra-dig dipper in the amount not to exceed \$67,500.00.

City Administrator Scott Dixon briefed the city council on the proposed purchase of a new backhoe through Sourcewell purchasing co-op. Mr. Dixon said the backhoe was shown in the current budget and was a replacement of the current unit. Councilmember Tschirhart asked why they were not using Buyboard and why that brand. Mr. Tschirhart asks if they had looked at Caterpillar or John Deer as he had concerns with the brand, costs for repairs and availability of replacement parts. Public Works Director John Gomez said during the budget process he was asked to cut his budget and this brand was what he could afford. He was in agreement with Councilmember Tschirhart that other brands were better. Councilmember King asked about the cost of a John Deer. Mr. Gomez said it was higher. Councilmember Tschirhart said he would like to see other bids for the brands discussed. Mayor Pro Tem Schroeder asked for this to be brought back at the next meeting with more information on cost of ownership, availability of parts, and maintenance. This item was pulled. **No action was taken.**

XIII. Consider and take appropriate action on authorizing the city administrator to negotiation for and enter into a temporary construction staging easement agreement between Hwy 90 Castroville Partners, LTD., a Texas limited partnership and the City of Castroville, a Texas Municipal Corporation and General Contractor.

City Administrator Scott Dixon said this was an additional temporary easement between Hwy 90 Castroville Partners and the City of Castroville. Mr. Dixon said at this time there was no General Contractor shown in the draft due to the request for proposals were ongoing. Mr. Dixon said this was part of the utility extension project.

A motion was made by Councilmember King and duly seconded by Councilmember Tschirhart to authorize the city administrator to negotiation for and enter into a temporary construction staging easement agreement between Hwy 90 Castroville Partners, LTD., a Texas limited partnership and the City of Castroville, a Texas Municipal Corporation and General Contractor. A vote was taken (5:0 all ayes) the motion carried by all present.

XIV. Consider and take appropriate action on a PUD amendment for the Alsatian Oaks Development Agreement.

City Administrator Scott Dixon briefed the city council on his request to take no action and bring this item back at the next meeting. Mr. Dixon said there was another planning meeting with the possibility of additional changes to the development agreement, and it would be better to do all at one time. One of the changes noted was a sidewalk width of 10ft. throughout instead of two 6ft. Councilmember King asked if the city had an engineer reviewing the changes. Mr. Dixon said there was. Councilmember King requested the consultant's opinion included when they brought back. Councilmember Carey felt the city subdivision ordinance was in need of updates and was good with bringing back. He said most hike and bike trails were at least 10 ft. Mayor Pro Tem Schroeder said he was in favor of improving, not cheapening the project. This item was pulled. **No action was taken.**

XV. Consider and take appropriate action on adopting a resolution authorizing the city administrator to negotiate and enter into an engagement agreement with McCall, Parkhurst & Horton L.L.C. as Bond Counsel for the City of Castroville.

City Administrator Scott Dixon briefed the city council on approving a new bond counsel to serve the city. Mr. Dixon said Clay Binford currently represents the city in development negotiations and had moved to this firm. Mr. Dixon felt it would be a benefit for the city when the city decided to issue bonds.

A motion was made by Councilmember Carey and duly seconded by Councilmember Tschirhart to adopt a resolution authorizing the city administrator to negotiate and enter into an engagement agreement with McCall, Parkhurst & Horton L.L.C. as Bond Counsel for the City of Castroville. A vote was taken (5:0 all ayes) the motion carried by all present.

XVI. Consider and take appropriate action on authorizing the Mayor Pro Tem to enter into a Municipal Advisory Contract with SAMCO Capital Markets, Inc. as Municipal Advisors for the City of Castroville.

City Administrator Scott Dixon briefed the city council on approving a new Financial Advisor. Mr. Dixon said he had worked with this firm while in Ennis and the firm was currently advisors to the county. Mr. Dixon felt this would work in the city's favor when partnering with the county on future agreements.

A motion was made by Councilmember Carey and duly seconded by Councilmember Tschirhart to authorize the Mayor Pro Tem to enter into a Municipal Advisory Contract with SAMCO Capital Markets, Inc. as Municipal Advisors for the City of Castroville. A vote was taken (5:0 all ayes) the motion carried by all present.

XVII. Consider and take appropriate action on a Resolution to enter into an agreement with Texas Interlocal Purchasing System (TIPS).

City Administrator Scott Dixon briefed the city council on the agreement with Texas Purchasing System (TIPS). Mr. Dixon said this one and the next were purchasing co-op's and would give the city additional options when purchasing for the city.

A motion was made by Councilmember King and duly seconded by Councilmember Tschirhart to adopt a Resolution to enter into an agreement with Texas Interlocal Purchasing System (TIPS). A vote was taken (5:0 all ayes) the motion carried by all present.

XVIII. Consider and take appropriate action on a Resolution to enter into an agreement with 1Government Procurement Alliance.

A motion was made by Councilmember Carey and duly seconded by Councilmember King to adopt a Resolution to enter into an agreement with 1Government Procurement Alliance. A vote was taken (5:0 all ayes) the motion carried by all present.

XIX. Consider and take appropriate action on a proposal submitted by Schneider Engineering to conduct an Electric, Water, and Wastewater Cost of Services Study, including a rate model.

City Administrator Scott Dixon briefed the city council on the proposal submitted by Schneider Engineering for a cost of services study. Mr. Dixon said the upcoming legislature session on changes limiting monopolies such as refuse services and city owned electric providers could have cost of services restrictions put into place. Mr. Dixon recommended the study completed and had asked Schneider to also provide a cost for a gas study. Councilmember Carey said they needed to be responsible and have current information when making decisions. Mr. Dixon said the city had the funds to pay for studies now, and he could bring back a resolution within 60 days for the city to be paid back from bond proceeds, if they wished. Mayor Pro Tem Schroeder and Councilmembers King felt it needed to be done.

A motion was made by Councilmember King and duly seconded by Councilmember Carey to approve the proposal submitted by Schneider Engineering to conduct an Electric, Water, and Wastewater Cost of Services Study, including a rate model. A vote was taken (5:0 all ayes) the motion carried by all present.

XX. Consider and take appropriate action on repairs/operation of Coin Operated Bulk Water Station.

City Administrator Scott Dixon briefed the city council on possibly repairing the coin operated bulk water station. Mr., Dixon said a quote was included in the backup of \$5350.00 to repair. Mr. Dixon asked if the council wanted to repair or discontinue the service. Councilmember Tschirhart said LaCoste had the same type of service but it was metered water taken from a fire hydrant. He wanted to see other options. City Administrator Dixon recommended doing a different way and he could bring back options. Councilmember Carey said the cost to fix was minimum and the current system was of historical value he felt. Councilmember Martinez wanted to see three options brought back for them to look at. This item was pulled. **No action was taken.**

XXI. Discussion and possible action on automatic meter reading program.

City Administrator Scott Dixon briefed the city council on providing an automatic meter reading program. Mr. Dixon said the program had many benefits like tracking current usage, customer service options and providing information to the customer quickly. Mr. Dixon said the agreement with Ameresco was for the first phase to create a scope of work and a second phase to design and install infrastructure upgrades. The cost to the city would be \$45,000 for the scope of work and would be paid out if the city did not enter into the second phase with Ameresco. Mr. Dixon said the upgrades would be included as a Capital Improvement Project. Councilmember King asked for an approximate cost for the project. Mr. Dixon said it would be a few million to do all at one time and it would partially pay for itself and help with water loss cost. Mr. Dixon asked that this item be discussed further in executive session as requested by City Attorney Cynthia Trevino. City Council agreed.

XXII. DEPARTMENT REPORTS:

- a. Airport – Fuel sales and Fuel contract, Hangar design, Hangar/Airfield maintenance.
- b. Community Development- Permits/Inspections issued, Board meetings, Projects – Alsatian Oaks Lot 3, Unit 1, Unit 2, Country Village Estates, Airport Hangars Ex. 2, 3, 5, and 6, North Park Chevrolet Dealership (map revision), Planet 4/20 Vape and Smoke Shop. CLG Annual Report and Thoroughfare discussions for traffic relief.
- c. Code Enforcement – Reported Cases, Open Cases, Closed Cases, and Spring Cleanup 2021.
- d. Finance - Bond Payments, Financial Audit, 3 year Sales Tax report, Property Tax received, and Accounts Payable Monthly Distribution for monthly billing.
- e. Library – Member statistics, material circulations, virtual Library Programs, ILL Courier Statistics.
- f. Parks– RV playground, Improvements and maintenance; Contracts/ Agreements with sports groups (softball, swim team, volleyball, soccer); Special Events and meetings – Parks Master Plan meeting, RAAM Challenge, Tx Bootcamp/5K, Easter Holiday, Regional Park Easter Egg Hunt, Tour de Castroville; Pool Programs and Summer Activities; and Parks Revenue.
- g. Streets – Geotechnical investigation complete, testing phase; ongoing repair work
- h. Police Department – No report submitted.
- i. Animal Control – No report submitted.
- j. Public Works – Electric Department – repaired streetlights resulting from vandalism; meter connects/disconnects; winter storm event addressed electrical issues not associated with the rolling

blackouts; and clean-up at Well #1 and area at Geneva and Florence.

Water department – employee (1) licensed, daily well inspections, meter reading, chlorine checks, service repairs, ongoing repairs due to winter storm.

Wastewater treatment plant- employee (1) licensed, effluent reuse, daily and weekly inspections, Winter Storm ongoing repairs and replacement, SCADA issues, reviewing with City Engineer requirements and developing plans for rehabilitation of Country Village Lift Station to meet TCEQ requirements.

Gas Department – worked with CPS on gas issues with property owners.

General and Administration – Annual EIA-176 (gas usage) report, city council meetings.

Development – Country Village Estates – capping of gas main, blading roads and rough grading. Working with contractor on culverts/box culverts to meet city specifications; installation of SSWR Line A; water tie-ins, testing, and manhole coatings.

k. Steinbach Haus – Activity Report and upcoming projects.

City Administrator Scott Dixon briefed the city council on the reports submitted by the department heads. City Secretary Debra Howe spoke on the Steinbach Haus maintenance needed to preserve the beams and windows. Ms. Howe said she would be bringing a request to the city council for an amendment to the current budget and a proposal for treatment of timbers and re-glazing of the windows. Councilmember Martinez asked about the thief of services shown in the Public Works report. Mr. Dixon said they had filed charges against an individual staying at a residence who connected electrical services illegally and some charges were against the homeowner. Councilmember Carey said he had discovered the lift station line was not on airport property. Mayor Pro Tem Schroeder asked about a report on code enforcement at the next meeting. Mr. Dixon said he was looking at restrictions vs. necessities and commercial enterprise in residential areas. Councilmember King felt it was good to look at ordinances but to be cautious when doing so.

Mayor Pro Tem Schroeder recessed the meeting to go into Executive Session at 7:20 p.m. Mayor Pro Tem Schroeder read the executive session topics and added under Section 551.071 “Consultation with Attorney” contract matters related to automated meter reading program and Section 551.072 “Deliberation regarding Real Property” c. Dream Flights.

XXIII. EXECUTIVE SESSION:

The City Council will meet in Closed Session under provisions of the Texas Government Code, Section 551.071 (entitled “Consultation with Attorney) to consult with the City Attorney, regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: storm water drainage issues at 1406 Gentilz and contract matters related to automated meter reading program.

Opened: 7:24 p.m.

Mayor Pro Tem Schroeder removed himself from the discussion related to storm drainage issues at 1406 Gentilz.

Mayor Pro Tem Schroeder returned to executive session at 8:00 p.m. for the discussions on contract matters related to automated meter reading program and other legally listed items.

Section 551.071 (entitled “Consultation with Attorney) and **Section: 551.072** (Deliberation regarding Real Property) to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party.

- a. Medina Valley Youth Baseball lease agreement.
- b. Land acquisition associated with utility extensions for developments.
- c. Dream Flights

Closed: 8:22 p.m.

XXI. Reconvene in Open Session.

Mayor Pro Tem Schroeder reconvened the meeting into open session at 8:24 p.m.

XXV. Consider possible action or give direction on items legally discussed in Executive Session

No action was taken.

XI. Consider and take appropriate action on approval of advertisement for bids for construction contract on Alsatian Oaks Sewer Main Extension Project.

A motion was made by Councilmember King and duly seconded by Councilmember Tschirhart to approve advertisement for bids for a construction contract on Alsatian Oaks Sewer Main Extension Project. A vote was taken (5:0 all ayes) the motion carried by all present.

XXVI. Discussion on future agenda items

Councilmembers did not have any items for the agenda.

XXVII. ADJOURN

Mayor Pro Tem Schroeder adjourned the meeting at 8:25 p.m.

Darrin Schroeder
Mayor Pro Tem

ATTEST:

Debra Howe
City Secretary

*Signatures on file