



NOTICE OF A PUBLIC MEETING  
TOWN OF RANCHO VIEJO  
BOARD OF ALDERMEN  
REGULAR MEETING  
AUGUST 9, 2022  
6:00 P.M.

NOTICE is hereby given of a REGULAR MEETING of the BOARD OF ALDERMEN of the TOWN OF RANCHO VIEJO, TEXAS, to be held on AUGUST 9, 2022, at 6:00 P.M., in the TOWN MUNICIPAL OFFICE, 3301 CARMEN AVENUE, RANCHO VIEJO, TEXAS to consider the following items:

1. Call to Order
2. Roll Call
3. Invocation and Pledge
4. Public Comment
5. Approval of Minutes – Regular Meeting July 12, 2022
6. Consideration of and Possible Action on the Issuance of a Request of Qualifications for Comprehensive Planning Services to the Town of Rancho Viejo.
7. Consideration/Discussion/Action concerning the Recommendation of the Planning and Zoning to the Board of Aldermen regarding a possible amendment to the Town of Rancho Viejo Code of Ordinances Chapter 54- Subdivisions Article III. -General Requirements and Design Standards Sec. 54-21. (a) – Lot specification (a) No lot may be platted for residential use unless the same contains a minimum of 15,000 square feet of surface and has a minimum average width of 80 feet or more and a minimum average depth of 80 feet or more. Corner lots must be 17,400 square feet. The lot area shall be computed exclusive of all easements, except main line easements for public utilities, such as, electric, telephone and cable TV—to reduce the 15,000 square feet lot size requirement to 9,600 square feet. NOTE: The Planning and Zoning Commission recommended that the ordinance NOT be amended.
8. Consideration/Discussion/Action on Recommendation to the Board of Aldermen to Amend the Town of Rancho Viejo Code of Ordinances Chapter 26 – Fire Prevention and Protection Article III. – Open Burning Sec. 26-48 – Outdoor burning prohibited. NOTE: The Planning and Zoning Commission recommended that the ordinance NOT be amended.
9. Discussion/Action on the Extension of the Disaster Declaration filed with the Office of the Governor
10. Present/Discuss Proposed Budget for Fiscal Year October 1, 2022, to September 30, 2023
11. Provide for Public Notice of Date, Time, and Location of Public Hearing on Proposed Budget for Fiscal Year October 1, 2022, to September 30, 2023
12. Discuss Proposed Ad Valorem Tax Rate and Consideration/Action on Proposal for Tax Rate Increase
13. Consideration/Action to Acknowledge Receipt of Submission of Ad Valorem Property Tax Calculations for the 2022 Levy

14. Provide for Public Notice of Date, Time, and Location of Public Hearings for Tax Rate Increase
15. Consideration/Authorization to Advertise for Bids for Solid Waste Collection and Brush Removal
16. Consideration/Authorization to Advertise for Statement of Qualifications for Town Engineer
17. Street Committee Report
18. July 2022 Police Report - Chief of Police
19. Adjourn into Executive Session, as authorized by Subchapter D of Chapter 551 of the Government Code to discuss with attorneys matters in which the duty of the attorneys under the Rules of Professional Conduct clearly conflicts with Chapter 551
  - A. Consultation with Town Attorney concerning the lot size requirements in the Town.
  - B. Consultation with Town Attorney concerning comprehensive planning for the Town.
20. Possible action on matters or items discussed in Executive Session
21. Adjourn



Fred Blanco, Town Administrator



State of Texas  
County of Cameron  
Town of Rancho Viejo

I, the undersigned authority, do hereby certify that the above NOTICE OF A REGULAR MEETING of the Board of Aldermen of the Town of Rancho Viejo, Texas is a true and correct copy of said NOTICE, which has been posted on the Window of the Town of Rancho Viejo Municipal Office, 3301 Carmen Avenue, Rancho Viejo, Texas, a place convenient and readily accessible to the General Public, on August 5, 2022 at 5:00 P.M. and which will be continuously posted for a period of seventy-two (72) hours prior to the date and time said meeting was convened.

ATTEST:



Fred Blanco, Town Administrator

# 1. Call to Order by Mayor Guerrero



## 2. Roll Call

by Isabel Perales

Alderman Hernandez

Alderman Johnson

Alderwoman Kaechele

Alderman Ricoy

Alderman Vera

Legal Counsel, Daniel Rentfro, Jr.

Town Administrator, Fred  
Blanco



### 3. Invocation and Pledge

The pledge of allegiance to the United States Flag:

*"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."*

AND the pledge of allegiance to the Texas State Flag is:

*"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*

# 4. Public Comment

# 5. Approval of Minutes- Regular Meeting July 12, 2022



TOWN OF RANCHO VIEJO  
BOARD OF ALDERMEN  
MINUTES OF A REGULAR MEETING  
JULY 12, 2022

A REGULAR MEETING of the BOARD OF ALDERMEN of the TOWN OF RANCHO VIEJO, TEXAS, was held on, July 12, 2022, at 6:00 P.M., in the TOWN MUNICIPAL OFFICE, 3301 CARMEN AVENUE, RANCHO VIEJO, TEXAS to consider the following items:

1. CALL TO ORDER:

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The meeting was called to order by Mayor Maribel Guerrero at 6:00 p.m.

2. ROLL CALL:

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Roll call was made by Isabel Perales, Assistant Town Secretary. Members present at the meeting were: Alderman Mark A. Johnson, Alderwoman Laura Kaechele, Alderman Alfredo G. Hernandez, Alderman Javier Vera.

Members absent at the meeting were:  
Alderman Marcos Ricoy

A quorum was present at the meeting.

Legal counsel, David Irwin and Town Administrator, Fred Blanco were also present at the meeting.

Those present in the audience were:

Louise Rigney	George Rigney	Dionel Ortiz	David Tumlinson
Bridget Neubauer	Peter Harris	Liz Harris	Carmen Nordyke
Jose Rivera			

3. INVOCATION AND PLEDGE:

---

Alderman Vera led the group in the invocation and in the pledge of allegiance to the American and Texas flag.

4. PUBLIC COMMENT:

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Motion was made by Alderman Vera, seconded by Alderwoman Kaechele, and unanimously carried, to open public comment.

Liz Harris asked about the Farmer's Market and commented that there should be a collaboration to be able to bring the Farmer's Market back to town. Mayor Guerrero commented on the progress and said that there is a legal process for a special event application that must be followed.

Motion was made by Alderman Johnson, seconded by Alderman Vera, and unanimously carried to close the public comment.

5. APPROVAL OF MINUTES – REGULAR MEETING JUNE 14, 2022, SPECIAL MEETING JUNE 22, 2022:

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Motion was made Alderman Vera, seconded by Alderman Johnson, and unanimously carried, to approve the minutes of a Regular Meeting held on June 14, 2022, and the minutes of the Special Meeting held on June 22, 2022, as written.



6. IDENTITY FRAUD PRESENTATION – OLGA G. GOMEZ, PLAINS CAPITAL BANK:

---

Motion was made by Alderwoman Kaechele, seconded by Alderman Vera, and unanimously carried, to table this item until the next meeting.

7. CONSIDERATION/ACTION OF AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF RANCHO VIEJO, TEXAS, ("CITY") APPROVING A NEGOTIATED RESOLUTION BETWEEN THE CITY AND TEXAS GAS SERVICE ("TGS" OR "THE COMPANY") REGARDING THE COMPANY'S APRIL 28, 2022 COST OF SERVICE ADJUSTMENT ("COSA") FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING NEW TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; PROVIDING FOR THE RECOVERY OF THE CITY'S AND TGS' REASONABLE AND NECESSARY RATE CASE EXPENSES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; REPEALING ANY PRIOR ORDINANCES INCONSISTENT WITH THIS ORDINANCE AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY'S AND THE CITY'S LEGAL COUNSEL:

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Motion was made by Alderman Johnson, seconded by Alderwoman Kaechele, and unanimously carried to approve Ordinance No. 250 - AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF RANCHO VIEJO, TEXAS, ("CITY") APPROVING A NEGOTIATED RESOLUTION BETWEEN THE CITY AND TEXAS GAS SERVICE ("TGS" OR "THE COMPANY") REGARDING THE COMPANY'S APRIL 28, 2022 COST OF SERVICE ADJUSTMENT ("COSA") FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING NEW TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; PROVIDING FOR THE RECOVERY OF THE CITY'S AND TGS' REASONABLE AND NECESSARY RATE CASE EXPENSES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; REPEALING ANY PRIOR ORDINANCES INCONSISTENT WITH THIS ORDINANCE AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY'S AND THE CITY'S LEGAL COUNSEL, pending approval from the other cities.

8. DISCUSSION/ACTION ON THE EXTENSION OF THE DISASTER DECLARATION FILED WITH THE OFFICE OF THE GOVERNOR:

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Motion was made by Alderman Hernandez, seconded by Alderman Vera, and unanimously carried, to approve the Extension of the Disaster Declaration Filed with the Office of the Governor.

9. CONSIDERATION/ACTION OF RESOLUTION EXTENDING THE PROVISIONS OF SECTION 33.07 OF THE PROPERTY TAX CODE WHICH ENABLES THE GOVERNING BODY TO ASSESS AN ADDITIONAL COLLECTION PENALTY:

---

Motion was made by Alderman Johnson, seconded by Alderman Vera, and unanimously carried, to approve Resolution No. 375A – A RESOLUTION EXTENDING THE PROVISIONS OF SECTION 33.07 OF THE PROPERTY TAX CODE WHICH ENABLES THE GOVERNING BODY TO ASSESS AN ADDITIONAL COLLECTION PENALTY.

10. CONSIDERATION/ACTION ON A RESOLUTION OF THE TOWN OF RANCHO VIEJO, TEXAS, APPOINTING A DESIGNATED OFFICER OR EMPLOYEE TO CALCULATE THE NO-NEW-REVENUE AND THE VOTER-APPROVAL TAX RATES FOR TAX YEAR 2022:

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Motion was made by Alderman Hernandez, seconded by Alderman Johnson, and unanimously carried to approve Resolution No. 376 - A RESOLUTION OF THE TOWN OF RANCHO VIEJO, TEXAS, APPOINTING A



DESIGNATED OFFICER OR EMPLOYEE TO CALCULATE THE NO-NEW-REVENUE AND THE VOTER-APPROVAL TAX RATES FOR TAX YEAR 2022, to appoint the Town Administrator as the designated officer.

11. CONSIDERATION/AUTHORIZATION TO ADVERTISE FOR BIDS FOR COMMON AREA MAINTENANCE:

Motion was made by Alderwoman Kaechele, seconded by Alderman Johnson, and unanimously carried to advertise for bids for Common Area Maintenance for two years.

12. CONSIDERATION/APPOINTMENT OF MEMBER(S) TO THE PLANNING AND ZONING COMMISSION:

Motion was made by Alderman Hernandez, seconded by Alderwoman Kaechele, and unanimously carried, to approve Jose Velez as a member of the Planning and Zoning Commission and to approve Antonio Llongueras as an alternate on the Planning and Zoning Commission and ask if he would like to be a regular member on another committee if there are vacancies.

13. STREET COMMITTEE REPORT:

Alderman Vera talked about the Street Committee recommending the Town proceed with the Town Engineer to work on Request for Proposals on the Estrellas Avenue project and to request 5 bids/quotes and proceed from there. Town Administrator Fred Blanco stated that Ambiotec is currently working on the RFPs then it would be provided to the contractors.

14. BUILDING COMMITTEE REPORT:

Town Administrator Fred Blanco went over the June 2022 Building Permit Report.

15. JUNE 2022 POLICE REPORT – CHIEF OF POLICE:

Police Chief Tyler went over the June 2022 Police Report. He also reminded residents to check on your neighbors with the excessive heats this summer.

16. ADJOURN:

Motion was made by Alderman Hernandez, seconded by Alderwoman Kaechele, and unanimously carried, to adjourn the meeting at 6:47 p.m.

BY: \_\_\_\_\_  
Fred Blanco, Town Administrator

APPROVED: \_\_\_\_\_  
Maribel B. Guerrero, Mayor

DATE: \_\_\_\_\_



# 6. Consideration of and Possible Action on the Issuance of a Request of Qualifications for Comprehensive Planning Services to the Town of Rancho Viejo.

7. Consideration/ Discussion/Action concerning the Recommendation of the Planning and Zoning to the Board of Aldermen regarding a possible amendment to the Town of Rancho Viejo Code of Ordinances Chapter 54- Subdivisions Article III. - General Requirements and Design Standards Sec. 54-21. (a) – Lot specification (a) No lot may be platted for residential use unless the same contains a minimum of 15,000 square feet of the surface and has a minimum average width of 80 feet or more and a minimum average depth of 80 feet or more. Corner lots must be 17,400 square feet. The lot area shall be computed exclusive of all easements, except main line easements for public utilities, such as electric, telephone, and cable TV - to reduce the 15,000 square feet lot size requirement to 9,600 square feet. NOTE: The Planning and Zoning Commission recommended that the ordinance NOT be amended.



RECEIVED  
APR 22 2022

BY: 

Anthony De Ponce, Developer Associate:  
Cordillera, LLC

April 22<sup>nd</sup>, 2022

Subject: Request to Convene Strategic Committee to Consider a Subdivision  
Ordinance Amendment

To: Fred Blanco, Town Administrator  
Town of Rancho Viejo, TX 78575

Dear Mr. Blanco:

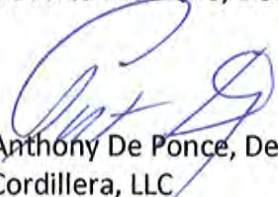
In accordance to action by the Board of Aldermen at their regular meeting on April 12<sup>th</sup> I hereby request that the Strategic Committee be convened in May (we request that the meeting date be between May 24<sup>th</sup> and 26<sup>th</sup>) for the following purpose: to consider a proposal to amend the current Subdivision Ordinance and rendering a recommendation to the Planning and Zoning Commission for proper processing. Please receive this letter as our official request to present and pursue a discussion through the proper channels, and eventual consider and action by the Board of Aldermen to amend the current Subdivision Ordinance. We stand ready and eager to start this effort as soon as possible. Please let me know if there's anything else to do on our part prior to the start of the process.

As always, thank you very much for your assistance in this effort.

Sincerely,



Roberto Medrano, Developer Coordinator



Anthony De Ponce, Developer Associate  
Cordillera, LLC

Xc: Mayor Maribel Guerrero, Town of Rancho Viejo, TX  
File



Good Evening Madam Chairwoman and Members of the Strategic Committee:

Currently, the town's subdivision ordinance requires 15,000 square foot lots. However, the current housing market does not support a product of that nature. The time that it would take to fully develop a 15,000 square lot subdivision would be a long-drawn-out endeavor---one that cannot be afforded---Las Haciendas subdivision is a case in point.

We request to reduce the current subdivision ordinance's 15,000 square foot lot requirement to 9,600 square foot lots. The development of single-family residential lots will have a significant and positive impact on our town. Using some assumptions, a house with a value of \$250,000 on a 9,600 lot, which is the lot size and price trending around Rancho Viejo, would bring in \$1,015 per year in property taxes. A survey performed of properties available for possible annexation into our town show that 225 to 250 homes could easily be built in a relatively short time. If 225 homes were to be built, our town's tax rolls will increase by \$228,000 per year; this amounts to about 20% of the town's current budget---this figure does not include commercial development and the taxes it would produce.

There are landowners that could be enticed to annex their property into Rancho Viejo with an attractive amendment to our subdivision ordinance such as what is being proposed today. There are properties within the Town's ETJ that fit the latter description. Please note that the development of the south and north areas of Rancho Viejo, whether in the town's limits or outside its limits, will occur, these are market forces at work and these forces are here. To reiterate, Rancho Viejo is in a position it has not been in before, in its history. The decisions untaken by our leaders in the next few months will define our town's economic well-being for generations to come.

The value that covenants bring to a community can make an enormous difference to a town. It is not a novel idea. There are areas in our town that have covenants and restrictions and this tool has maintained the town's unique character. We propose that whatever property is annexed into Rancho Viejo in the future be required to add covenants and restrictions to their subdivisions that will maintain Rancho Viejo's character.

We respectfully ask that the Strategic Committee render a favorable recommendation to the Planning and Zoning Commission to amend the current subdivision ordinance. The reasoning at the base of this request is that the housing market trend is favoring lots measuring 9,600 square feet, or less. We feel that we can make a strong case to the Planning and Zoning Commission to justify 9,600 square foot lots. Thank you.





ART WORK & LANDSCAPING FOR ILLUSTRATION PURPOSES ONLY

■ **MODEL:**  
**SANTA MARGARITA**  
**TOTAL AREA: 3,350.00 SF**

**CRAFTING THE VISION BY CREATIVA**



*LAS HACIENDAS AT RANCHO VIEJO*  
SUBDIVISION PHASE II



ART WORK & LANDSCAPING FOR ILLUSTRATION PURPOSES ONLY





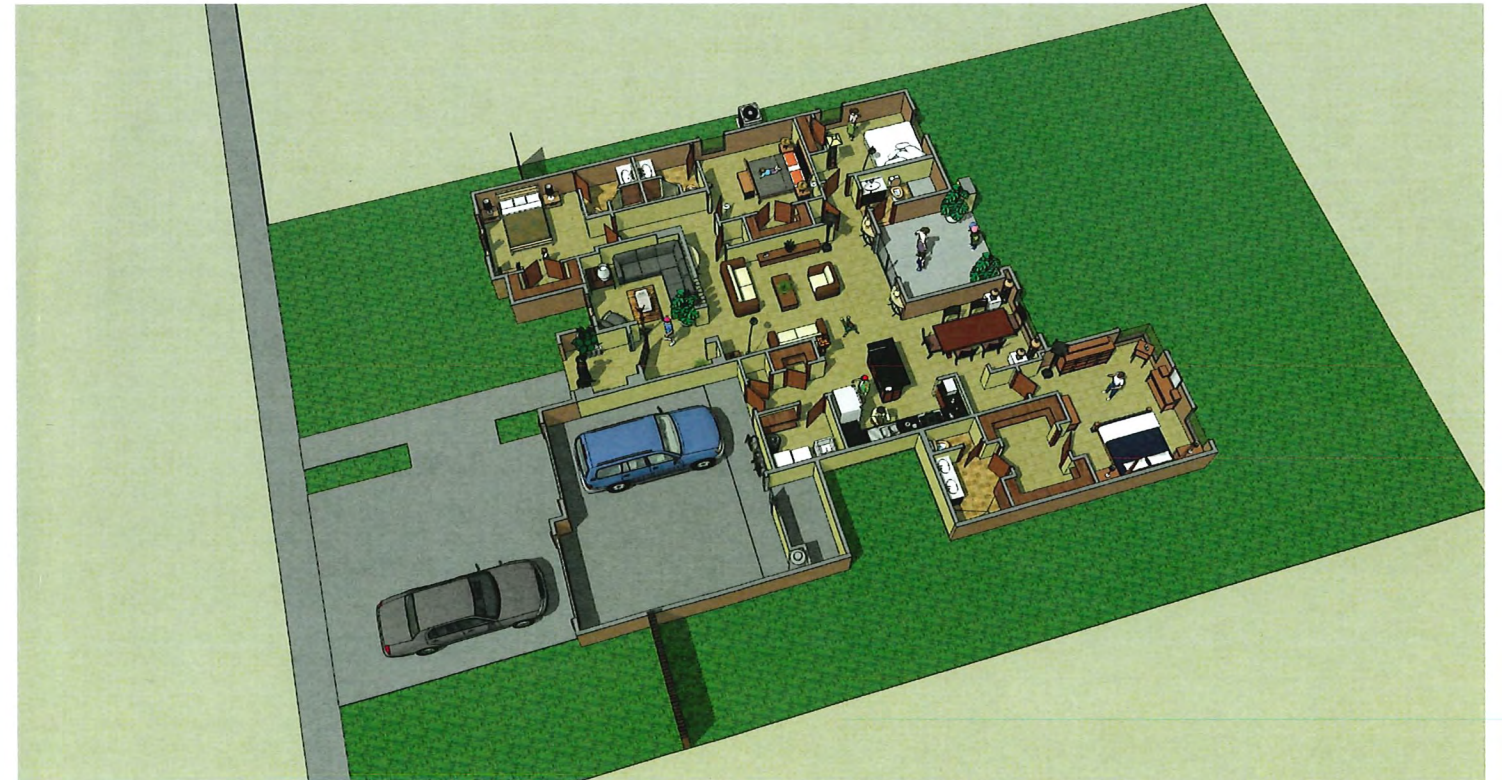
ART WORK & LANDSCAPING FOR ILLUSTRATION PURPOSES ONLY

■ **MODEL:**  
**SANTA MARIA**  
**TOTAL AREA: 3,500.00 SF**

**CRAFTING THE VISION BY CREATIVA**



*LAS HACIENDAS AT RANCHO VIEJO*  
SUBDIVISION PHASE II



ART WORK & LANDSCAPING FOR ILLUSTRATION PURPOSES ONLY





ART WORK & LANDSCAPING FOR ILLUSTRATION PURPOSES ONLY

■ **MODEL:**  
**SANTA ALICIA**  
**TOTAL AREA: 3,400.00 SF**

## CRAFTING THE VISION BY CREATIVA

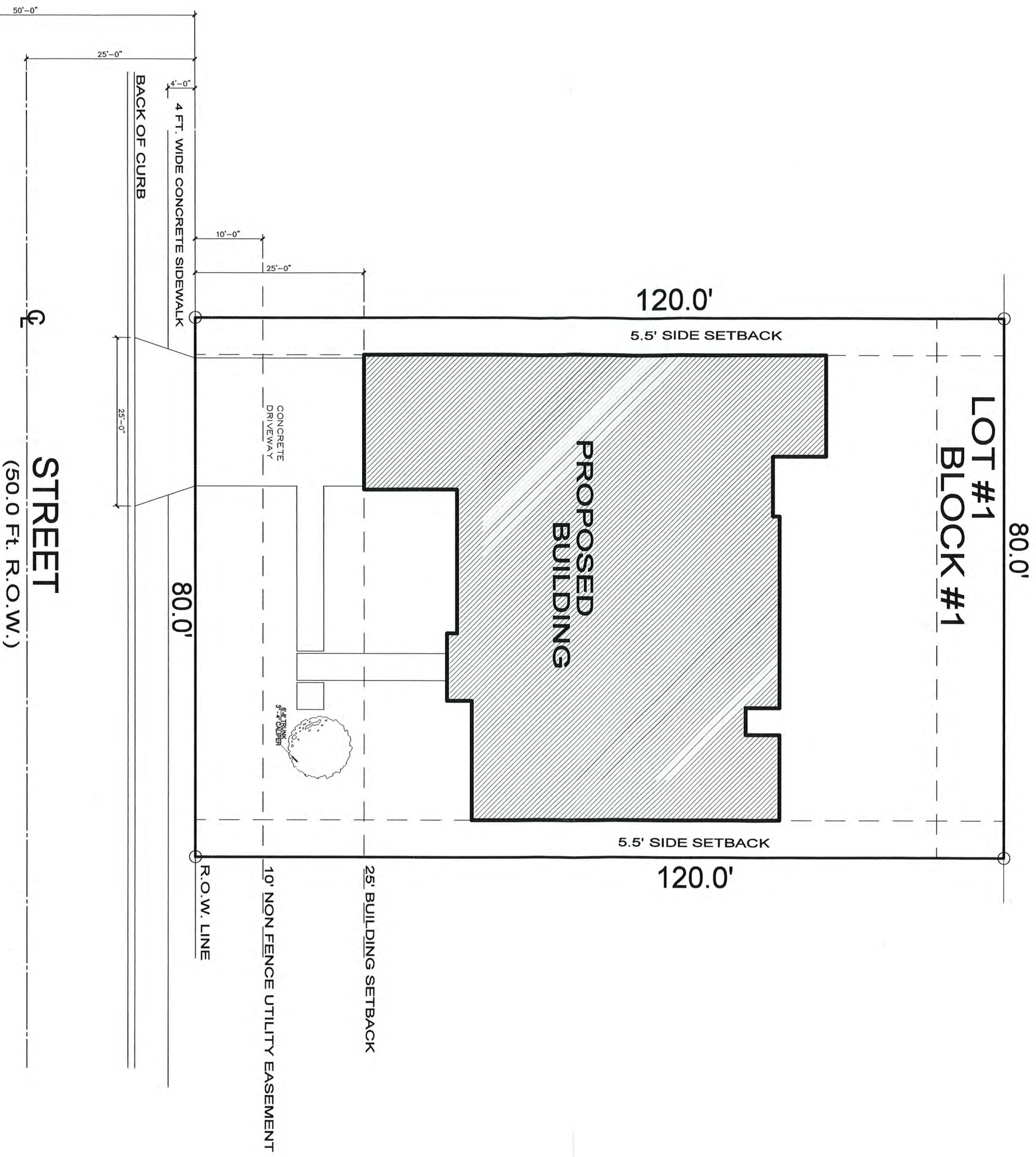
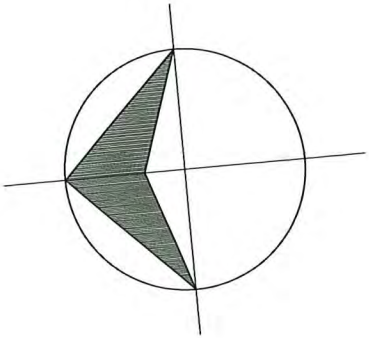
**LAS HACIENDAS**  
AT RANCHO VIEJO

*LAS HACIENDAS AT RANCHO VIEJO*  
SUBDIVISION PHASE II



ART WORK & LANDSCAPING FOR ILLUSTRATION PURPOSES ONLY





TYPICAL LOT 9,600.00 SF



LAS HACIENDAS AT RANCHO VIEJO SUBDIVISION PHASE II



8. Consideration/ Discussion/  
Action on Recommendation to  
the Board of Aldermen to  
Amend the Town of Rancho  
Viejo Code of Ordinances  
Chapter 26 – Fire Prevention  
and Protection Article III. –  
Open Burning Sec. 26-48 –  
Outdoor burning prohibited.  
NOTE: The Planning and  
Zoning Commission  
recommended that the  
ordinance NOT be amended.



RECEIVED  
APR 22 2022  
BY: *[Signature]*

Anthony De Ponce, Developer Associate:  
Rancho Viejo Estates, LP

April 22<sup>nd</sup>, 2022

Mr. Fred Blanco, Town Administrator  
3301 Carmen Ave.  
Rancho Viejo, TX 78575

*Amend R.M.*

Subject: Petition to Adopt a Burn Ordinance, Request to be Placed on the May Strategic Meeting

Mr. Blanco:

In accordance to action by the Board of Aldermen at their regular meeting on April 12<sup>th</sup> I hereby request that the attached petition be introduced to the Strategic Committee in May for proper processing and eventual consideration by the Board of Aldermen at their regular June meeting. Attached you will find information respectfully submitted as backup to proposed agenda item. The information includes a cover letter explaining the need for such an ordinance in Rancho Viejo, and parts of a document related to our specific request, authored by the Texas Commission on Environmental Quality. We trust that the information is complete and sufficient for the Strategic Committee and Board of Aldermen to consider and act accordingly. Please note, if you discover that more information is needed, please let me know as soon as possible and we will respond immediately. Please let me know if you have any questions or need further information. Thanks for your consideration and time.

Sincerely,

*Roberto Medrano*

Roberto Medrano, Developer Coordinator  
Acting in behave of Anthony De Ponce, Developer Associate

*[Signature]*

Anthony De Ponce, Developer Associate

Xc: Maribel Guerrero, Mayor, Town of Rancho Viejo, TX  
File

Good Evening Madam Chairwoman and Members of the Strategic Committee:

Thank you for convening to give us the opportunity to present a very important proposal. This proposal is a request for the adoption of a burn ordinance in our town. In particular, the adoption of a burn ordinance will facilitate the development of a tract of land of 22 acres located at the northeast corner of US Highway 1732 and Carmen Ave. However, additionally, it will enable the development of property at the northeast section of town, and property seeking to annex into Rancho Viejo in the future. The opportunity for our town is enormous. If these ideas are brought to fruition, our town's tax rolls stand to be positively impacted in a very significant way not seen before.

In 2018 the 22 acres described above were annexed into Rancho Viejo. The annexation, of course, was an indication that the Board of Aldermen adopted a policy of town growth. However, in order to develop a tract of land a developer needs to have the proper tools in order to achieve its goal. Part of those tools is the permissibility, and ability, to burn the cleared vegetation. The burning of the vegetation allows the developer to expedite a development project while keeping the cost competitive. Other methods of disposing cleared vegetation, such as hauling away, or chipping, are cost prohibitive that are very likely to render a project a failure.

On April 12<sup>th</sup> the Board of Aldermen accepted our request to be heard concerning a proposed burn ordinance but requested the proposal is processed through the proper channels, which is reason for our presence today. We share the town's concerns about allowing burning in general. Allowing general burning could lead to accidents, nuisances, and health hazards to Rancho Viejo residents. Our request is to allow burning of vegetation that has been cleared for the purpose of developing land into housing and commercial properties. We propose that burning be done in accordance to methods established by the state's Texas Commission on Environmental Quality (TCEQ). Attached you will find pages from the publication entitled Outdoor Burning In Texas (RG-049, Revised February 2015) that pertain to our current burning needs; please access the following link to view the full publication:

[https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwjAwYGfrJ\\_3AhXbl2oFHV1CAbMQFnoECAoQAQ&url=https%3A%2F%2Fwww.tceq.texas.gov%2Fgoto%2Frg-049&usq=AOvVaw15MJ52dYrsbRemPk5kqSJ](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwjAwYGfrJ_3AhXbl2oFHV1CAbMQFnoECAoQAQ&url=https%3A%2F%2Fwww.tceq.texas.gov%2Fgoto%2Frg-049&usq=AOvVaw15MJ52dYrsbRemPk5kqSJ). The TCEQ requires that an application be submitted to their office for review and approval. If all requisites cannot be met by the applicant, a burn permit WILL NOT be issued, period. Additionally, the publication calls for notification of the Fire Prevention Office (in our case, the City of Brownsville) concerning the day and time of the burn as part of the burning process.

Today we ask the Strategic Committee to decide on a favorable recommendation to the Board of Aldermen to adopt a burn ordinance. Doing so will mark an important time for Rancho Viejo in which its economic well-being will be vastly improved. The 22 acres being considered today will be developed in the near future, the only question that remains is whether the tract will be developed as part of Rancho Viejo or county property. Please note that Mr. De Ponce's livelihood is developing land, this is how he provides for his family. A denial of a burn ordinance

will result in the need to return the 22 acres to the county jurisdiction in order to proceed forward. If this was to occur Rancho Viejo will miss out on a tremendous economic opportunity. Thank you very much for your consideration.



# Outdoor Burning in Texas

*Field Operations*

Texas  
Commission on  
Environmental  
Quality





## **Texas Commission on Environmental Quality**

**Bryan W. Shaw, Ph.D., P.E.,** *Chairman*

**Toby Baker,** *Commissioner*

**Zak Covar,** *Commissioner*

**Richard A. Hyde, P.E.,** *Executive Director*

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**[tceq.texas.gov/publications](http://tceq.texas.gov/publications)**

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 printed on recycled paper using vegetable-based ink.





## Introduction

This guide helps interpret the revised Outdoor Burning Rule, Title 30, Texas Administrative Code, Sections 111.201–221,<sup>1</sup> for the general public, the regulated community, and responsible state and local officials.

This document covers all aspects of the outdoor burning rule, including:

- exceptions that allow outdoor burning
- general requirements for allowing outdoor burning
- notification requirements for allowable outdoor burning

At the end of various sections, common questions relating to the material in the section are answered.

State and local officials may find Appendixes C and D to be particularly useful. They contain a copy of the rule itself and background information for each of its sections.

**This guide is not a substitute for the actual rule.** A current copy of the rule can be obtained from the TCEQ by calling 512-239-0028, or online at <[www.tceq.texas.gov/rules](http://www.tceq.texas.gov/rules)>.

## Limitations of This Guide

This document does not include requirements of other government agencies. Local ordinances and governmental entities may restrict when, where, how, and if individuals and organizations can conduct outdoor burning.

Some municipalities have enacted local ordinances that prohibit or restrict outdoor fires within their corporate limits. Residents should always check with municipal officials about possible limitations on outdoor burning so they do not unintentionally violate an existing ordinance.

During extreme fire danger, governmental units may ban outdoor burning to help prevent possibly disastrous wildfires. A county judge and county commissioners' court may issue a ban on outdoor burning that is applicable to unincorporated portions of the county.

In addition, Texas criminal statutes specify penalties that pertain to escaped control fires and wildland fires that were deliberately set. Persons responsible for escaped control or arson wildfires may also be faced with civil suits for damages caused by these fires.

<sup>1</sup> In this document, "30 TAC 111" is short for "Title 30, Texas Administrative Code, Chapter 111."

Numerous authorities, including the National Weather Service and the Texas A&M Forest Service, may issue advisories, watches, or warnings when weather and fuel conditions increase the risk of escaped fires or the severity of wildfires. Public cooperation during the dangerous wildfire conditions is essential to prevent needless wildfires and the losses they may cause.

## The Outdoor Burning Rule Explained

The current version of the Outdoor Burning Rule is the result of a concerted effort to produce a streamlined, unambiguous rule that can be applied consistently and fairly throughout Texas. Its purpose is to protect the environment, promote public health and safety, and avoid nuisance conditions through the sensible regulation of outdoor burning.

## Summary of the Rule

The Outdoor Burning Rule first prohibits outdoor burning anywhere in Texas, and then allows exceptions for specific situations in which burning is necessary or does not pose a threat to the environment. The rule also prescribes conditions that must be met to protect the environment and avoid other adverse impacts when burning is allowed. If burning seems necessary, but the situation does not fit an exception stated in the rule, then it is possible to request a special authorization to conduct burning from the TCEQ.

### *How do I obtain a burning permit from the TCEQ?*

The TCEQ does not issue burning permits. Outdoor burning in general is prohibited in Texas, although the Outdoor Burning Rule (Appendix C) does allow certain exceptions. If your situation fits all requirements for one of the exceptions described in the rule, you may conduct outdoor burning, as long as you comply with all the conditions. Depending on the circumstances, you may also need authorization from the appropriate regional office before you burn. Remember to check local ordinances or other regulations about burning.



Note that the burning of abandoned buildings by a fire department is not automatically considered fire training. There must be a specific benefit to the fire department. Simply preventing the spread of fire from an abandoned building to neighboring property is not considered training. Such burns constitute an attempt to circumvent the Outdoor Burning Rule and are prohibited.

### Fires for Recreation, Ceremonies, Cooking, or Warmth

Outdoor burning is allowed when used solely for recreational or ceremonial purposes, in the noncommercial preparation of food, or exclusively as a means of generating warmth in cold weather. In other words, campfires, bonfires, and cooking fires are allowed. Fires built under this exception may not contain electrical insulation, treated lumber (including paint, stain, varnish, clear coat, or any other kind of treatment), plastics, construction or demolition materials not made of wood, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, or items containing natural or synthetic rubber. The other general requirements on allowable outdoor burning do not apply to fires covered by this exception, but the burning must not cause a nuisance or traffic hazard.

#### *May I cook food on my charcoal grill in my backyard?*

Yes. Fires used in the noncommercial preparation of food are allowed.

#### *May I build a fire in my fireplace?*

Yes. Indoor fires are not regulated by the Outdoor Burning Rule. Domestic-use fireplaces are authorized under the TCEQ's de minimis rules in 30 TAC 116.119.

#### *Are campfires allowed inside the city limits?*

Fires used solely for recreation or ceremony are allowed by state law; however, local ordinance may prohibit this kind of burning. Make sure no oils, asphalt, synthetic rubber, or other materials that produce heavy smoke are in the fire: they could release toxic gases or cause a nuisance or traffic hazard.

### Fires for Disposal or Land Clearing

A broad exception for fires to dispose of waste or clear land covers seven more specific categories, described below. Residents of Montgomery County are subject to special restrictions (see below); these restrictions could be extended

to other areas of the state should growth in neighboring counties render them subject to the provisions of Texas Local Government Code 352.082.

**1. Domestic waste.** Domestic waste—in other words, household trash or rubbish—may be burned when the local governmental organization with jurisdiction over such matters does not collect trash and does not authorize a business or other service to do so. To qualify for this exception, the waste must come from a property that is designed to be a private residence and used exclusively as a private residence for no more than three families. The waste must also be burned on the property where it was produced. According to TCEQ rules [30 TAC 101.1(26)], domestic wastes include wastes that normally result from the function of life within a residence—for example, kitchen garbage, untreated lumber, cardboard boxes, packaging, clothing, grass, leaves, and branch trimmings. Such items as tires, construction debris, furniture, carpet, electrical wire, and appliances are not considered to be domestic waste and cannot be burned. Other conditions of the general requirements for outdoor burning do not apply to the burning of domestic waste, but the outdoor burn must not cause a nuisance or traffic hazard.

**2. Diseased animal carcasses.** These may be burned when burning is the most effective means of controlling the spread of disease. The general requirements for outdoor burning do not apply to this exception, but burning under this exception must not cause a nuisance or traffic hazard.

**3. Burning of animal remains by a veterinarian.** A veterinarian may burn animal remains and medical waste—not including sharps (e.g., needles)—associated with animals in his or her care on his or her property if the property is located outside the corporate boundaries of a municipality (or within such boundaries if annexed on or after September 1, 2003). This section prevails over any other law that authorizes a governmental authority to abate a public nuisance. (Texas Occupations Code 801.361.)

**4. On-site burning of waste plant growth.** Trees, brush, grass, leaves, branch trimmings, or other plant growth may be burned on the property on which the material grew in most attainment counties, as described below. In all cases, the plant growth must be burned by the property owner or any other person authorized by the owner.

- *All designated nonattainment counties and some attainment counties.* Burning of waste plant growth is allowed only if the material was generated as a result of right-of-way maintenance, land clearing, or maintenance along water canals, and no practical alternative to burning exists. "Practical alternative" is defined as "an economically, technologically, ecologically, and logistically viable



**Other Situations**

If a situation may require outdoor burning but is not covered by the previously described exceptions, you may request permission to burn from the TCEQ regional office. Its staff, acting on behalf of the executive director, will consider whether there is a practical alternative, whether the burning will cause or contribute to a nuisance or traffic hazard, and whether the practice will violate any federal or state primary or secondary standard for ambient air quality. Such an authorization may require you to follow certain procedures to control or abate emissions. The authorization may be revoked at any time if the TCEQ determines that the outdoor burning is creating a nuisance, violating any provision of an applicable permit, causing a violation of any air quality standard, or not conforming to the conditions specified in the authorization.

*A bad storm knocked a lot of trees down in our community. May we burn the debris? May we haul it to the landfill and burn it?*

Regardless of whether the brush is to be burned on-site or at the landfill, this type of burning is not specifically authorized in the exceptions to the prohibition on outdoor burning. However, the TCEQ may authorize the disposal of storm debris if there are no practical alternatives. Such requests are evaluated on a case-by-case basis. Contact the appropriate TCEQ regional office for guidance.

*Why are housing subdivisions allowed to dig pits and burn their land-clearing materials within city limits?*

They are using a process called air-curtain incineration (trench burning), which is authorized under a permit by rule or standard permit. Companies that specialize in that business must obtain prior TCEQ approval, obtain a federal operating permit, and follow specific written operating procedures.

**General Requirements for Outdoor Burning**

- If a proposed outdoor burn meets the conditions for an exception to the general prohibition of outdoor burning, additional requirements designed to protect public health, safety, and the environment may apply. They are designed to reduce the likelihood that the burning will create a nuisance, cause a hazard, or harm the environment. The specific requirements applicable to each type of allowable outdoor burn are identified in the

exceptions (see Appendix C). The party responsible for the burn remains liable for damages, injuries, or other consequences that may result from burning, even when it is carried out in compliance with these regulations.

- Notify the Texas A&M Forest Service before carrying out any prescribed or controlled burns that are intended for forest management.
- Burn only outside the corporate limits of a city or town, unless the incorporated city or town has an ordinance, consistent with the Texas Clean Air Act, Subchapter E, that permits burning.
- Commence or continue burning only when the wind direction and other weather conditions are such that the smoke and other pollutants will not present a hazard to any public road, landing strip, or navigable water (e.g., lake, river, stream, or bay) or have an adverse effect on any off-site structure containing “sensitive receptors” (e.g., a residence, business, farm building, or greenhouse; see box, page 8). Up to date information regarding weather conditions can be obtained online through a number of websites. This information should be referenced before conducting outdoor burning in order to determine the direction and speed of the wind, whether winds are expected to shift, whether your area is under a temperature inversion, and whether high ozone levels are forecast. Ozone level information is available on the TCEQ’s Texas Air Quality Forecast page: <[www.tceq.texas.gov/goto/airtoday](http://www.tceq.texas.gov/goto/airtoday)>.
- Post someone to flag traffic if at any time the burning causes or may tend to cause smoke to blow onto or across a road or highway.
- Keep fires downwind of, or at least 300 feet away from, any neighboring structure that contains sensitive receptors. This requirement may be waived only with the prior written approval of whoever owns or rents the adjacent property and either resides or conducts business there.
- Begin burning no earlier than one hour after sunrise. Cease burning the same day no later than one hour before sunset, and make sure that a responsible party is present while the burn is active and the fire is progressing. At the end of the burn, extinguish isolated residual fires or smoldering objects if the smoke they produce can be a nuisance or a traffic hazard. Do not start burning unless weather conditions are such that the smoke will dissipate (winds of at least 6 miles per hour; no temperature inversions) while still allowing the fire to be contained and controlled (winds no faster than 23 miles per hour).



- Do not burn any electrical insulation, treated lumber, plastics, non-wooden construction or demolition materials, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, or items that contain natural or synthetic rubber.

*My situation doesn't fit any of the exceptions given in the rule, but I still think that burning is the only practical alternative. What can I do?*

Submit a written request to the TCEQ regional office that serves the county where you wish to conduct outdoor burning. Acting on behalf of the executive director, regional personnel will review your request and determine whether a practical alternative is available. If they agree that none can be found, they will issue you a written authorization to burn that outlines specific conditions you must follow to control the emissions.

*We are burning in compliance with TCEQ regulations, but the local fire marshal objects. Is our compliance with state rules not enough?*

Your compliance with TCEQ regulations does not mean that other, stricter laws, regulations, or ordinances cannot be enforced by cities, counties, or other jurisdictions. You must comply with all such regulations (e.g., county burn bans) as well as the TCEQ rules.

### Practical Alternatives to Burning

The Outdoor Burning Rule defines a practical alternative as “an economically, technologically, ecologically, and logistically viable option.” The following methods can sometimes serve as practical alternatives to burning as a means to dispose of waste. With creative thinking and the help of the local TCEQ regional office, you may be able to develop ways to dispose of your waste other than burning it.

**Recycling.** Manually or mechanically separate salvageable metals from other material and sell them at a salvage yard.

**Composting.** Wastes from landscape maintenance can often be composted on-site easily and cleanly. Similar wastes—even paper, in some instances—can be composted under the right conditions.

**Mechanical chipping or mulching.** The mulch that is produced could be put to use for soil enrichment and moisture retention, or used to create compost. In some cases, the mulch could become a marketable product, be put to use where it is produced, or be given to individuals or nurseries. If the material cannot be used as a landscape mulch, chipping can still be useful to reduce the volume of waste that must be disposed of by some other means.

**Logging.** Timber sometimes can be converted to a marketable product—lumber, pulp, or firewood—as one way to reduce the costs of disposal. The remaining small limbs and brush are then much easier to dispose of through one of the other alternatives.

**Landfills.** Some landfills have recycling centers, with chippers for wood waste and collection bins for paper, plastic, and glass. Type IV landfills accept brush. Contact your local landfills for details.

**Air-curtain incineration (trench burning).** Many land-clearing contractors have portable devices, known as *trench burners* or *air-curtain incinerators*, that can be used to dispose of brush or untreated lumber with minimal emissions. These devices must be authorized by the TCEQ prior to their construction at a burn site and the contractor must have obtained a federal operating permit. Many contractors and distributors lease out these devices.

## Related TCEQ Publications

The TCEQ has a variety of publications available on issues related to outdoor burning. Several of them explain, in detail, specific alternatives to outdoor burning, for example:

- RG-325: *Used Oil Recycling Handbook: Guidance for Used Oil Handlers*
- G1-036: *Mulching and Composting*
- RG-419: *Disposal of Domestic or Exotic Livestock Carcasses*

To order single copies of these or other TCEQ publications, call TCEQ Publications Distribution at 512-239-0028 or write:

TCEQ Publications, MC 118  
P.O. Box 13087  
Austin, TX 78711-3087

## Appendix A: Outdoor Burning—When Should You Notify the TCEQ?

Purpose of Burning	Notify the TCEQ	Who Else to Notify	Rule Section
<b>Fire Training</b>			
Statewide	In writing, 10 working days prior	1	111.205(a)
Dedicated facility, used at least once per week	Every year	1	111.205(b)
Dedicated facility, used less frequently	In writing every year, and by phone or fax 24 hours before event	1	111.205(c)
<b>Disposal</b>			
Domestic waste	Not required	2	111.209(1)
Diseased animal carcasses	Not required	2	111.209(2)
Animal remains and associated medical waste	Not required	2	111.209(3)
Plant growth on-site	Not required	2, 4	111.209(4)
Plant growth at designated burn site	Verbally or in writing, by fire department employee; must be 24 hours before event	2, 4	111.209(5)
Crop residue	Verbally or in writing, when possible	2, 4	111.209(6)
Brush, off-site, by county or city	In writing; also notify verbally when possible	2, 4	111.209(7)
<b>Prescribed burns</b>			
Other than coastal salt marsh	Verbally or in writing, when possible	2, 3, 4	111.211(1)
Coastal salt marsh	15 working days prior, in writing; verbal notification also required	4	111.211(2)(A)
<b>Other</b>			
Oil spills	Spill notification and prior approval, in writing; verbal notification also required	2	111.213
Ceremonial fires	Not required	2	111.207

Note: This table shows notification requirements only. See also the general requirements for allowable burning given later in this document. In instances where a general requirement does not apply, it may be included as part of a required TCEQ authorization.

1. If there is a local air pollution-control agency, notify that agency.
2. Check local ordinances, and notify any other government having jurisdiction over the area—for example, the county fire marshal, local fire department, or local law-enforcement officials.
3. Notify the Texas Forest Service before conducting prescribed burns for forest management.
4. Before conducting the burn, determine whether any structures containing sensitive receptors (for example, residences, greenhouses, stables, etc.) are within 300 feet of, and in the general direction downwind from, the site of the burn. If so, obtain written permission from the occupants or operators of those structures before you begin the burn.



## Appendix B: TCEQ Areas and Regional Offices

### TCEQ AREA OFFICES

#### BORDER AND PERMIAN BASIN

*Region 6, El Paso • Region 7, Midland  
Region 15, Harlingen • Region 16, Laredo*  
1804 W. Jefferson Ave. • Harlingen, TX 78550-5247  
956-425-6010 • FAX: 956-412-5059

#### CENTRAL TEXAS

*Region 9, Waco • Region 11, Austin  
Region 13, San Antonio*  
P.O. Box 13087 • Austin, TX 78711-3087  
12100 Park 35 Circle • Austin, TX 78753  
512-239-6731 • FAX: 512-239-4390

#### COASTAL AND EAST TEXAS

*Region 5, Tyler • Region 10, Beaumont  
Region 12, Houston • Region 14, Corpus Christi*  
P.O. Box 13087 • Austin, TX 78711-3087  
12100 Park 35 Circle • Austin, TX 78753  
512-239-3607 • FAX: 512-239-4390

#### NORTH CENTRAL AND WEST TEXAS

*Region 1, Amarillo • Region 2, Lubbock • Region 3, Abilene  
Region 4, Dallas/Fort Worth • Region 8, San Angelo*  
5012 50th St., Ste. 100 • Lubbock, TX 79414-3426  
806-796-7092 • FAX: 806-796-7107

### TCEQ REGIONAL AND WATERMASTER OFFICES

#### 1 – AMARILLO

3918 Canyon Dr.  
Amarillo, TX 79109-4933  
806-353-9251 • FAX: 806-358-9545

#### 2 – LUBBOCK

5012 50th St., Ste. 100  
Lubbock, TX 79414-3426  
806-796-7092 • FAX: 806-796-7107

#### 3 – ABILENE

1977 Industrial Blvd.  
Abilene, TX 79602-7833  
325-698-9674 • FAX: 325-692-5869

#### 4 – DALLAS/FORT WORTH

2309 Gravel Dr.  
Fort Worth, TX 76118-6951  
817-588-5800 • FAX: 817-588-5700

#### Stephenville Office

(Concentrated Animal Feeding Operations)  
580 W. Lingleville Rd., Ste. D  
Stephenville, TX 76401-2209  
254-965-9200 or 800-687-7078

#### 5 – TYLER

2916 Teague Dr.  
Tyler, TX 75701-3734  
903-535-5100 • FAX: 903-595-1562

#### 6 – EL PASO

401 E. Franklin Ave., Ste. 560  
El Paso, TX 79901-1212  
915-834-4949 • FAX: 915-834-4940

#### 7 – MIDLAND

9900 W. IH-20, Ste. 100  
Midland, TX 79706  
432-570-1359 • FAX: 432-561-5512

#### 8 – SAN ANGELO

622 S. Oakes, Ste. K  
San Angelo, TX 76903-7035  
325-655-9479 • FAX: 325-658-5431

#### 9 – WACO

6801 Sanger Ave., Ste. 2500  
Waco, TX 76710-7826  
254-751-0335 • FAX: 254-772-9241

#### 10 – BEAUMONT

3870 Eastex Fwy.  
Beaumont, TX 77703-1830  
409-898-3838 • FAX: 409-892-2119

#### 11 – AUSTIN

P.O. Box 13087 • Austin, TX 78711-3087  
12100 Park 35 Circle • Austin, TX 78753  
512-339-2929 • FAX: 512-339-3795

#### 12 – HOUSTON

5425 Polk St., Ste. H  
Houston, TX 77023-1452  
713-767-3500 • FAX: 713-767-3520

#### 13 – SAN ANTONIO

14250 Judson Rd.  
San Antonio, TX 78233-4480  
210-490-3096 • FAX: 210-545-4329

#### 14 – CORPUS CHRISTI

NRC Bldg., Ste. 1200,  
6300 Ocean Dr., Unit 5839  
Corpus Christi, TX 78412-5839  
361-825-3100 • FAX: 361-825-3101

#### 15 – HARLINGEN

1804 W. Jefferson Ave.  
Harlingen, TX 78550-5247  
956-425-6010 • FAX: 956-412-5059

#### 16 – LAREDO

707 E. Calton Rd., Ste. 304  
Laredo, TX 78041-3887  
956-791-6611 • FAX: 956-791-6716

#### TEXAS WATERMASTERS

##### Brazos Watermaster

6801 Sanger Ave., Ste. 2500  
Waco, TX 76710-7826  
254-751-0335 • FAX: 254-772-9241

##### Concho Watermaster

622 S. Oakes, Ste. K  
San Angelo, TX 76903-7035  
325-481-8069 or 866-314-4894  
FAX: 325-658-5431

##### Rio Grande Watermaster

*Eagle Pass Office*  
P.O. Box 1185  
Eagle Pass, TX 78853-1185  
1152 Ferry St., Ste. E & F  
Eagle Pass, TX 78852-4367  
830-773-5059 • 800-609-1219  
FAX: 830-773-4103

##### Harlingen Office

1804 W. Jefferson Ave.  
Harlingen, TX 78550-5247  
956-430-6056 or 800-609-1219  
FAX: 956-430-6052

##### South Texas Watermaster

14250 Judson Rd.  
San Antonio, TX 78233-4480  
210-490-3096 or 800-733-2733  
FAX: 210-545-4329



## Appendix C: Outdoor Burning Rule

The Outdoor Burning Rule is reproduced below from 30 TAC 111.201–221. A current copy of the rule can be obtained from the TCEQ by calling 512-239-0028, or at <www.tceq.texas.gov/rules>.

### §111.201. General Prohibition.

No person may cause, suffer, allow, or permit any outdoor burning within the State of Texas, except as provided by this subchapter or by orders or permits of the commission. Outdoor disposal or deposition of any material capable of igniting spontaneously, with the exception of the storage of solid fossil fuels, shall not be allowed without written permission of the executive director. The term “executive director,” as defined in Chapter 3 of this title (relating to Definitions), includes authorized staff representatives.

### §111.203. Definitions.

Unless specifically defined in the Texas Clean Air Act (TCAA) or in the rules of the Texas Commission on Environmental Quality (commission), the terms used by the commission have the meanings commonly ascribed to them in the field of air pollution control. In addition to the terms that are defined by the TCAA, the following terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise.

- (1) **Extinguished**—The absence of any visible flames, glowing coals, or smoke.
- (2) **Landclearing operation**—The uprooting, cutting, or clearing of vegetation in connection with conversion for the construction of buildings, rights-of-way, residential, commercial, or industrial development, or the clearing of vegetation to enhance property value, access, or production. It does not include the maintenance burning of on-site property wastes such as fallen limbs, branches, or leaves, or other wastes from routine property clean-up activities, nor does it include burning following clearing for ecological restoration.
- (3) **Neighborhood**—A platted subdivision or property contiguous to and within 300 feet of a platted subdivision.
- (4) **Practical alternative**—An economically, technologically, ecologically, and logistically viable option.
- (5) **Prescribed burn**—The controlled application of fire to naturally occurring vegetative fuels under specified environmental conditions and confined to a predetermined area, following appropriate planning and precautionary measures.
- (6) **Refuse**—Garbage, rubbish, paper, and other decayable and nondecayable waste, including vegetable matter and animal and fish carcasses.
- (7) **Structure containing sensitive receptor(s)**—A man-made structure utilized for human residence or business, the containment of livestock, or the housing of sensitive live vegetation. The term “man-made structure” does not include such things as range fences, roads, bridges, hunting blinds, or facilities used solely for the storage of hay or other livestock feeds. The term “sensitive live vegetation” is defined as vegetation that has potential to be damaged by smoke and heat, examples of which include, but are not limited to, nursery production, mushroom cultivation, pharmaceutical plant production, or laboratory experiments involving plants.
- (8) **Sunrise/Sunset**—Official sunrise/sunset as set forth in the United States Naval Observatory tables available from National Weather Service offices.
- (9) **Wildland**—Uncultivated land other than fallow, land minimally influenced by human activity, and land maintained for biodiversity, wildlife forage production, protective plant cover, or wildlife habitat.

### §111.205. Exception for Fire Training.

- (A) Outdoor burning shall be authorized for training firefighting personnel when requested in writing and when authorized either verbally or in writing by the local air pollution control agency. In the absence of such local entities, the appropriate commission regional office shall be notified. The burning shall be authorized if notice of denial from the local air pollution control agency, or commission regional office is not received within 10 working days after the date of postmark or the date of personal delivery of the request.
- (B) Facilities dedicated solely for firefighting training, at which training routinely will be conducted on a



frequency of at least once per week, shall submit an annual written notification of intent to continue such training to the appropriate commission regional office and any local air pollution control agency.

- (C) Facilities dedicated solely for firefighting training, at which training is conducted less than weekly, shall provide an annual written notification of intent, with a telephone or electronic facsimile notice 24 hours in advance of any scheduled training session. No more than one such notification is required for multiple training sessions scheduled within any one-week period, provided the initial telephone/facsimile notice includes all such sessions. Both the written and telephone notifications shall be submitted to the appropriate commission regional office and any local air pollution control agency.
- (D) Authorization to conduct outdoor burning under this provision may be revoked by the executive director if the authorization is used to circumvent other prohibitions of this subchapter.

**§111.207. Exception for Fires Used for Recreation, Ceremony, Cooking, and Warmth.**

Outdoor burning shall be authorized for fires used solely for recreational or ceremonial purposes, or in the noncommercial preparation of food, or used exclusively for the purpose of supplying warmth during cold weather. Such burning shall be subject to the requirements of §111.219(7) of this title (relating to General Requirements for Allowable Outdoor Burning).

**§111.209. Exception for Disposal Fires.**

Except as provided in Local Government Code, §352.082, outdoor burning is authorized for the following:

- (1) domestic waste burning at a property designed for and used exclusively as a private residence, housing not more than three families, when collection of domestic waste is not provided or authorized by the local governmental entity having jurisdiction, and when the waste is generated only from that property. Provision of waste collection refers to collection at the premises where the waste is generated. The term “domestic waste” is defined in §101.1 of this title (relating to Definitions). Wastes normally resulting from the function of life within a residence that can be burned include such things as kitchen garbage, untreated lumber, cardboard boxes, packaging (including plastics and rubber), clothing, grass, leaves, and branch trimmings. Examples of wastes not consid-

ered domestic waste that cannot be burned, include such things as tires, non-wood construction debris, furniture, carpet, electrical wire, and appliances;

- (2) diseased animal carcass burning when burning is the most effective means of controlling the spread of disease;
- (3) veterinarians in accordance with Texas Occupations Code, §801.361, Disposal of Animal Remains;
- (4) on-site burning of trees, brush, grass, leaves, branch trimmings, or other plant growth, by the owner of the property or any other person authorized by the owner, and when the material is generated only from that property:
  - (A) in a county that is part of a designated nonattainment area or that contains any part of a municipality that extends into a designated nonattainment area; if the plant growth was generated as a result of right-of-way maintenance, landclearing operations, and maintenance along water canals when no practical alternative to burning exists. Such burning is subject to the requirements of §111.219 of this title (relating to General Requirements for Allowable Outdoor Burning). Commission notification or approval is not required; or
  - (B) in a county that is not part of a designated nonattainment area and that does not contain any part of a municipality that extends into a designated nonattainment area; this provision includes, but is not limited to, the burning of plant growth generated as a result of right-of-way maintenance, landclearing operations, and maintenance along water canals. Such burning is subject to local ordinances that prohibit burning inside the corporate limits of a city or town and that are consistent with the Texas Clean Air Act, Chapter 382, Subchapter E, Authority of Local Governments, and the requirements of §111.219(3), (4), (6), and (7) of this title. Commission notification or approval is not required.
- (5) at a site designated for consolidated burning of waste generated from specific residential properties. A designated site must be located outside of a municipality and within a county with a population of less than 50,000. The owner of the designated site or the owner’s authorized agent shall:
  - (A) post at all entrances to the site a placard measuring a minimum of 48 inches in width and 24 inches in height and containing, at a minimum, the words “DESIGNATED BURN SITE - No burning of



(C) Such burning shall be subject to the requirements of §111.219 of this title.

**§111.213. Exception for Hydrocarbon Burning.**

Outdoor burning shall be authorized for hydrocarbon burning from pipeline breaks and oil spills only upon proper notification as set forth in §101.6 of this title (relating to Notification Requirements for Major Upset), and if the executive director has determined that the burning is necessary to protect the public welfare. Sampling and monitoring may be required to determine and evaluate environmental impacts.

**§111.215. Executive Director Approval of Otherwise Prohibited Outdoor Burning.**

If not otherwise authorized by this chapter, outdoor burning may be authorized by written permission from the executive director if there is no practical alternative and if the burning will not cause or contribute to a nuisance, traffic hazard or to a violation of any federal or state primary or secondary ambient air standard. The executive director may specify procedures or methods to control or abate emissions from outdoor burning authorized pursuant to this rule. Authorization to burn may be revoked by the executive director at any time if the burning causes nuisance conditions, is not conducted in accordance with the specified conditions, violates any provision of an applicable permit, or causes a violation of any air quality standard.

**§111.219. General Requirements for Allowable Outdoor Burning.**

Outdoor burning which is otherwise authorized shall also be subject to the following requirements when specified in any section of this subchapter.

- (1) Prior to prescribed or controlled burning for forest management purposes, the Texas Forest Service shall be notified.
- (2) Burning must be outside the corporate limits of a city or town except where the incorporated city or town has enacted ordinances which permit burning consistent with the Texas Clean Air Act, Subchapter E, Authority of Local Governments.
- (3) Burning shall be commenced and conducted only when wind direction and other meteorological conditions are such that smoke and other pollutants will not cause adverse effects to any public road, landing strip, navigable water, or off-site structure containing sensitive receptor(s).

(4) If at any time the burning causes or may tend to cause smoke to blow onto or across a road or highway, it is the responsibility of the person initiating the burn to post flag-persons on affected roads.

(5) Burning must be conducted downwind of or at least 300 feet (90 meters) from any structure containing sensitive receptors located on adjacent properties unless prior written approval is obtained from the adjacent occupant with possessory control.

(6) Burning shall be conducted in compliance with the following meteorological and timing considerations:

(A) The initiation of burning shall commence no earlier than one hour after sunrise. Burning shall be completed on the same day not later than one hour before sunset, and shall be attended by a responsible party at all times during the active burn phase when the fire is progressing. In cases where residual fires and/or smoldering objects continue to emit smoke after this time, such areas shall be extinguished if the smoke from these areas has the potential to create a nuisance or traffic hazard condition. In no case shall the extent of the burn area be allowed to increase after this time.

(B) Burning shall not be commenced when surface wind speed is predicted to be less than six miles per hour (mph) (five knots) or greater than 23 mph (20 knots) during the burn period.

(C) Burning shall not be conducted during periods of actual or predicted persistent low level atmospheric temperature inversions.

(7) Electrical insulation, treated lumber, plastics, non-wood construction/demolition materials, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber must not be burned.

**§111.221. Responsibility for Consequences of Outdoor Burning.**

The authority to conduct outdoor burning under this regulation does not exempt or excuse any person responsible from the consequences, damages, or injuries resulting from the burning and does not exempt or excuse anyone from complying with all other applicable laws or ordinances, regulations, and orders of governmental entities having jurisdiction, even though the burning is otherwise conducted in compliance with this regulation.

## Appendix D: Background

30 TAC 111.201 prohibits outdoor burning in Texas, except as stated in Sections 111.205–15. It also prohibits storing spontaneously combustible materials other than “solid fossil fuel” (i.e., coal) outside. The exception for coal was made to be consistent with the intent expressed in the preamble to the 1989 revisions to the rule.

*Land-clearing operation.* The last sentence of this definition indicates two different kinds of exclusions. The first, for on-site property waste burns, is covered in Section 111.209(4); the second, for burns for ecological restoration, is covered in Section 111.211(1). In practice, prescribed burns and land-clearing burns may have similarities; occasionally it is necessary in a prescribed burn to bulldoze trees or brush into piles to obtain the appropriate effect. The key difference is the concept of “conversion.” The goal of land clearing is a major change in land use, i.e. the conversion of the land from one use to another; the goal of a prescribed burn is to restore, maintain, or renew the ecosystem.

*Practical alternative.* This definition contains four criteria, each of which must be considered to determine whether an alternative is practical. The standard of judgment should be that of a reasonable person. For example, an option that is technologically available but neither economically affordable nor logistically possible is not practical. A method other than burning may not be practical if it cannot achieve the desired ecological outcome. An alternative that is technologically, economically, and logistically feasible is not practical if it causes a greater ecological harm than burning.

In Section 111.205(b), the wording “at which training routinely will be conducted” is used to eliminate potential confusion. For example, if training is conducted weekly except during holidays and when meteorological conditions are unfavorable, the facility still would qualify under this section of the rule. Other similar situations may also qualify.

Section 111.209(1) specifies that collection of domestic waste by the local governmental agency or authorized agent must occur on the premises where the waste is generated. The governmental provision of a transfer or convenience station to which residents may bring waste does not constitute collection of domestic waste; therefore, burning may take place in that instance. Any authorization of collection services by a government or other jurisdiction must be specific and well-defined. For a government merely to say it

is OK for anybody to collect garbage commercially within its jurisdiction does not constitute authorized collection for the purposes of this rule.

Section 111.209(6) recognizes an agricultural practice that continues in many parts of the state. The key factor is whether a practical alternative exists. Determining whether there is a practical alternative requires evaluating such things as the type of crop, soil moisture level, soil nutrient benefits, cropping sequence, and cost of alternative disposal methods.

Section 111.209(7) was added to deal with situations in which accumulated vegetation has the potential to do such things as obstruct the flow of water and cause flooding or provide habitat for vermin, but where it is not feasible to burn on-site because doing so would create a nuisance or traffic hazard. Each such burn requires prior approval from the regional office. A site cannot be designated by the municipality or county for continual use, as a standard operating procedure, to augment normal brush disposal. The intent is that the government (or other organization) will not conduct such a burn more frequently than once every two months, no matter how many sites it may have available. For example, it is not permissible for it to conduct a burn at one site and then have another burn at another site a few days later, circumventing the intent of the rule.

Section 111.211 recognizes the use of fire as a necessary management tool for particular situations for which there is no practical alternative. All such burns are subject to the General Requirements for Allowable Outdoor Burning (111.219).

Section 111.213 sets forth a mechanism for remediation to avoid additional environmental degradation in an emergency, such as preventing a petroleum substance from entering a waterway. Once the emergency is under control, it is not permissible to burn the material used to absorb the hydrocarbon or other wastes associated with emergency control. This section should not be used to sanction disposal. Note that the Outdoor Burning Rule refers to Section 101.6 (Notification Requirements for Major Upsets). However, that section has been repealed and replaced by Section 101.201 (Emissions Events Reporting and Record-keeping Requirements).

Section 111.219(6)(A) allows flexible burn opportunities with consideration for meteorological conditions conducive to dispersion. The requirement for having a responsible



## OUTDOOR BURNING IN TEXAS

party in attendance during the active burn phase does not mean someone has to be in attendance once the fire is virtually complete and is not advancing, i.e., once it principally consists of glowing coals with possibly some patchy residual fires. The extent of the burn may not be allowed to increase after one hour before sunset. A fire that has burned down to glowing coals has consumed most of the volatile substances and will not progress as a flame. It is understood that items such as stumps may burn for several days. Residual fires and smoldering objects without the potential to create a nuisance or traffic hazard need not be quenched. For example, if you

wish to burn 100 acres with a road on one side and no sensitive structures in other directions from the burn area, you would be prudent to extinguish residual fires and smoldering objects within a swath along the boundary with the road where the potential for nuisance or traffic hazard exists, but allow the remaining portion of the burn site to subside at a natural rate.

Section 111.219(7) specifically prohibits the burning of insulated wire without prohibiting the burning of piles created by fence demolition that contain wire and untreated wood wastes.

# 9. Discussion/Action on the Extension of the Disaster Declaration filed with the Office of the Governor





3301 Carmen Avenue  
Rancho Viejo, Texas 78575  
Phone (956) 350-4093 Fax (956) 350-4156

## DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH EMERGENCY

**WHEREAS,** BEGINNING IN DECEMBER 2019, A NOVEL CORONAVIRUS, NOW DESIGNATED COVID-19, WAS DETECTED IN WUHAN CITY, HUBEI PROVINCE, CHINA, AND HAS SINCE SPREAD THROUGHOUT THE WORLD; AND

**WHEREAS,** SYMPTOMS OF COVID-19 INCLUDE FEVER, COUGHING, AND SHORTNESS OF BREATH, IN SOME CASES THE VIRUS HAS CAUSED DEATH; AND

**WHEREAS,** EXTRAORDINARY MEASURES MUST BE TAKEN TO CONTAIN COVID-19 AND PREVENT ITS SPREAD THROUGHOUT THE TOWN OF RANCHO VIEJO, INCLUDING THE QUARANTINE OF INDIVIDUALS, GROUPS OF INDIVIDUALS, AND PROPERTY AND, ADDITIONALLY, INCLUDING COMPELLING INDIVIDUALS, GROUPS OF INDIVIDUALS, OR PROPERTY TO UNDERGO ADDITIONAL HEALTH MEASURES THAT PREVENT OR CONTROL THE SPREAD OF DISEASE; AND

**WHEREAS,** ON MARCH 20, 2020, THE MAYOR OF THE TOWN OF RANCHO VIEJO DECLARED A LOCAL STATE OF DISASTER, WHICH HAS BEEN RENEWED BY THE BOARD OF ALDERMEN BY RESOLUTION ADOPTED ON APRIL 14, 2020, MAY 12, 2020, JUNE 9, 2020, JULY 14, 2020, AUGUST 11, 2020, SEPTEMBER 8, 2020, OCTOBER 12, 2020, NOVEMBER 17, 2020, DECEMBER 8, 2020, JANUARY 12, 2021, FEBRUARY 9, 2021, MARCH 9, 2021, APRIL 13, 2021, MAY 11, 2021, JUNE 8, 2021, JULY 13, 2021, AUGUST 10, 2021, SEPTEMBER 14, 2021, OCTOBER 12, 2021, NOVEMBER 9, 2021, DECEMBER 14, 2021, JANUARY 11, 2022, FEBRUARY 8, 2022, MARCH 8, 2022, APRIL 12, 2022, MAY 17, 2022, JUNE 14, 2022 AND JULY 12, 2022.

**NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE BOARD OF ALDERMEN OF THE TOWN OF RANCHO VIEJO:**

1. THAT A LOCAL STATE OF DISASTER FOR PUBLIC HEALTH EMERGENCY IS HEREBY DECLARED FOR THE TOWN OF RANCHO

VIEJO, TEXAS PURSUANT TO SECTION §418.108(A) OF THE TEXAS GOVERNMENT CODE.

2. PURSUANT TO §418.108(B) OF THE GOVERNMENT CODE, THE STATE OF DISASTER FOR PUBLIC HEALTH EMERGENCY SHALL CONTINUE FOR A PERIOD OF NOT MORE THAN THIRTY DAYS STARTING AUGUST 20, 2022 TO SEPTEMBER 19, 2022, UNLESS CONTINUED OR RENEWED BY THE BOARD OF ALDERMEN OF THE TOWN OF RANCHO VIEJO.
3. PURSUANT TO §418.108(C) OF THE GOVERNMENT CODE, THIS DECLARATION OF A LOCAL STATE OF DISASTER FOR PUBLIC HEALTH EMERGENCY SHALL BE GIVEN PROMPT AND GENERAL PUBLICITY AND SHALL BE FILED PROMPTLY WITH THE TOWN ADMINISTRATOR.
4. PURSUANT TO §418.108(D) OF THE GOVERNMENT CODE, THIS DECLARATION OF A LOCAL STATE OF DISASTER ACTIVATES THE TOWN'S EMERGENCY MANAGEMENT PLAN.
5. THAT THIS PROCLAMATION SHALL TAKE EFFECT STARTING AUGUST 20, 2022 TO SEPTEMBER 19, 2022, UNLESS TERMINATED EARLIER BY OPERATION OF LAW OR FURTHER ACTION OF THE BOARD OF ALDERMEN.

ORDERED THIS 9<sup>th</sup> DAY OF AUGUST 2022, PURSUANT TO THE ACTION OF THE BOARD OF ALDERMEN ON SAID DATE.

MARIBEL B. GUERRERO,

TOWN OF RANCHO VIEJO MAYOR  
RANCHO VIEJO, TEXAS



# 10. Present/Discuss Proposed Budget for Fiscal Year October 1, 2022, to September 30, 2023

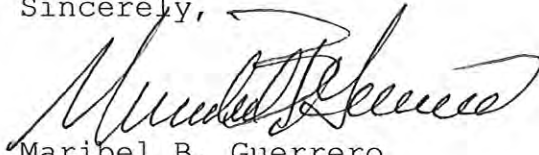
August 5, 2022

Mr. Fred Blanco  
Town Administrator  
Town of Rancho Viejo  
3301 Carmen Avenue  
Rancho Viejo, Texas 78575

Dear Mr. Blanco:

Pursuant to Texas Law, I hereby file with you as Town Administrator the Proposed Budget for the Fiscal Year October 1, 2022 to September 30, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Maribel B. Guerrero". The signature is written in a cursive style with a large, stylized initial "M".

Maribel B. Guerrero  
Mayor

MG/fb  
Enclosure





## 2022-2023 BUDGET

This budget will raise more revenue from property taxes than last year's budget by \$26,062 or 2.065693%, and of that amount, \$17,925 is tax revenue to be raised from new property added to the roll this year.

	2023	2022
No New Revenue Rate	.447263	.447265
No New Revenue M&O Rate	.363325	.360210
Voter-Approval Tax Rate	.464711	.461698
Debt Rate	.088670	.088881
Adopted Rate		.450000

Debt Obligations Secured By Property Tax (2022)	\$248,920
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### BOARD OF ALDERMEN VOTE

AYES:  
NAYS:  
ABSTAINING:  
NOT PRESENT:  
PRESENT AND NOT VOTING:

**PROPOSED 8/5/2022**  
**TOWN OF RANCHO VIEJO**  
**BUDGET**  
**2022-2023**

	PROPOSED BUDGET 2022-2023	APPROVED(2) BUDGET 2021-2022
<b>GENERAL FUND</b>		
<b>REVENUES:</b>		
1820.0000 Adm. Cost Recovered	15,000.00	20,000.00
1811.2013 Ad Val. Tax 2013	0.00	300.00
1811.2014 Ad Val. Tax 2014	300.00	300.00
1811.2015 Ad Val. Tax 2015	500.00	500.00
1811.2016 Ad Val. Tax 2016	500.00	800.00
1811.2017 Ad Val. Tax 2017	800.00	1,500.00
1811.2018 Ad Val. Tax 2018	1,500.00	2,500.00
1811.2019 Ad Val. Tax 2019	2,000.00	6,000.00
1811.2020 Ad Val. Tax 2020	6,000.00	16,000.00
1811.2021 Ad Val. Tax 2021	16,000.00	1,017,938.00 (1)
1811.2021 Ad Val. Tax 2021- 2% allowance		(20,359.00) (1)
1811.2022 Ad Val. Tax 2022	1,033,983.00 (3)	
1811.2022 Ad Val. Tax 2022 - 2% allowance	(20,680.00) (3)	
2090.0000 Discount on Taxes	(21,000.00)	(19,000.00)
1920.0000 P&I on Taxes	16,000.00	16,000.00
1830.0000 Alcohol & Beverage Tax	8,500.00	6,500.00
1840.0000 Building Permits	60,000.00	50,000.00
1850.0000 Citations & Fines	82,000.00	80,000.00
1851.0000 MC Tech Fund	1,200.00	1,000.00
2090.5000 State Costs & Fees	(26,000.00)	(25,000.00)
1870.0000 Franchise - Electrical	73,000.00	72,000.00
1880.0000 Franchise - Telephone	4,000.00	6,000.00
1890.0000 Franchise - Cable TV	46,000.00	45,000.00
1900.0000 Franchise - Gas	4,000.00	5,000.00
1905.0000 Franchise - Solid Waste	12,000.00	10,000.00
1910.0000 Interest from Investments	2,000.00	2,000.00
1921.0000 Lien Revenue	5,000.00	5,000.00
1930.0000 Sales Tax	140,000.00	115,000.00
1963.0000 Police Fund Income	0.00	100.00
1963.5000 Seasonal Improvements Donation	1,000.00	1,000.00
7000.0000 Operation Stone Garden grant	36,900.00	20,000.00
7001.0000 Local Border Star grant	10,000.00	10,000.00
9000.0012 PD Grants	1,100.00	1,100.00
<b>Total Revenues</b>	<b>\$1,511,603.00</b>	<b>\$1,447,179.00</b>

(1) BASED ON TAX RATE OF \$.361119 for M&O Tax Rate  
\$.088881 Debt Service Tax Rate  
for a TOTAL TAX RATE of \$.450000 per \$100.00 Taxable Value and 98% Collections  
RANCHO VIEJO'S TAXABLE VALUE FOR 2021/2022 IS \$281,884,306

(2) AS APPROVED AT 9/14/21 MEETING

(3) BASED ON TAX RATE OF \$.361330 for M&O Tax Rate  
\$.088670 Debt Service Tax Rate  
for a TOTAL TAX RATE of \$.450000 per \$100.00 Taxable Value and 98% Collections  
RANCHO VIEJO'S TAXABLE VALUE FOR 2022/2023 IS \$286,160,120



EXPENSES:	PROPOSED BUDGET 2022-2023	APPROVED(2) BUDGET 2021-2022
<b>Administration:</b>		
2100.0000 Travel-Admin.	5,400.00	5,400.00
2110.0000 Seminar & Edu. - Admin.	1,500.00	1,500.00
2150.0000 Salaries - Admin.	183,486.00	173,700.00
2155.0000 Longevity - Admin	495.00	435.00
2160.0000 Retirement - Admin.	11,600.00	14,900.00
2161.0000 S.S./Medicare - Admin.	15,600.00	15,350.00
2170.0000 Insurance Medical - Adm.	26,300.00	24,300.00
2171.0000 Medical Dependent	5,700.00	5,500.00
2180.0000 Insurance Life - Admin.	300.00	320.00
2190.0000 Ins. Workman's Comp	500.00	500.00
2200.0000 Part Time Labor - Admin.	20,000.00	20,000.00
<b>Total Administration:</b>	<b>\$270,881.00</b>	<b>\$261,905.00</b>
<b>General:</b>		
3140.0000 Telephone	3,200.00	3,000.00
3150.0000 Electricity Office	7,800.00	7,600.00
3160.0000 Insurance Liability	30,000.00	27,200.00
3170.0000 Legal Notices	2,700.00	2,500.00
3200.0000 Office Supplies	7,000.00	6,500.00
3220.0000 Postage	2,000.00	2,000.00
3230.0000 Dues & Publications	2,800.00	2,600.00
3240.0000 Appraisal & Tax Collection	31,650.00	31,000.00
3250.0000 Water	2,500.00	2,300.00
3260.0000 Election Costs	6,000.00	5,000.00
3270.0000 Building/Yard Maintenance	17,500.00	16,500.00
3280.0000 Cameron Co. Court Costs	600.00	550.00
3300.0000 Public Relations	2,000.00	1,950.00
3305.0000 Continuing Education	1,500.00	1,500.00
3310.0000 Town Events	5,200.00	5,200.00
3320.0000 Office Equip. Maint.	10,500.00	9,500.00
3323.0000 Comprehensive Planning	0.00	0.00
3324.0000 Hazard Mitigation Plan	0.00	6,375.00
4220.0000 Municipal Court Supplies	5,900.00	4,900.00
1720.6730 Transfer Out to Debt Service	5,075.00	5,011.00
<b>Total General:</b>	<b>\$143,925.00</b>	<b>\$141,186.00</b>
<b>General Service:</b>		
5660.0000 Fire Protection Contract	30,000.00	30,000.00
<b>Total General Service:</b>	<b>\$30,000.00</b>	<b>\$30,000.00</b>
<b>Professional:</b>		
5100.0000 Legal Fees	42,500.00	40,000.00
5200.0000 Audit Fees	9,900.00	8,700.00
5400.0000 Building Inspection	26,500.00	25,000.00
5500.0000 Municipal Judge	14,500.00	14,050.00
<b>Total Professional:</b>	<b>\$93,400.00</b>	<b>\$87,750.00</b>

	PROPOSED BUDGET 2022-2023	APPROVED(2) BUDGET 2021-2022
<b>Police General:</b>		
4150.0000 Salaries- Police	437,833.00	443,349.00
4151.0000 Salaries- Police - O.P.S.G. grant	36,900.00	20,000.00
4152.0000 Salaries- Police - L.B.S. grant	10,000.00	10,000.00
4155.0000 Longevity - Police	2,005.00	1,560.00
4160.0000 Police Ret & Empl. Tax	26,200.00	28,050.00
4161.0000 Medicare & S.S.	30,200.00	30,200.00
4170.0000 Ins. Medical	39,500.00	39,700.00
4171.0000 Ins. Medical Dependent	2,600.00	2,100.00
4180.0000 Ins. Life	580.00	580.00
4190.0000 Ins. Workman's Comp	12,000.00	11,500.00
4210.0000 Police Supplies	6,000.00	6,000.00
4240.0000 Seminar & Education - PD	6,000.00	6,000.00
4250.0000 Auto Repairs	6,600.00	6,600.00
4260.0000 Auto Fuel	24,000.00	18,000.00
4291.6220 Hurricane Preparedness	5,000.00	5,000.00
4330.0000 Dispatch	4,100.00	4,100.00
4331.0000 Police Investigation	21,200.00	21,200.00
<b>Total Police General:</b>	<b>\$670,718.00</b>	<b>\$653,939.00</b>
<b>Public Works:</b>		
6300.0000 Signs & Safety Markers	3,000.00	3,000.00
6500.0000 Lighting Expenses	47,000.00	46,500.00
6600.0000 Lot Mowing	2,500.00	2,700.00
6640.0000 Common Area Maint.	58,100.00	57,000.00
6700.0000 Comm Area Water&Elec.	7,800.00	7,800.00
6660.0000 Beautification Project	5,000.00	11,000.00
6660.0002 Community Alert System	2,250.00	2,100.00
6660.0003 Animal Control	2,500.00	1,800.00
6660.0004 Security Device Reserve	750.00	750.00
6705.0001 Security Device Maint.	7,600.00	7,600.00
6710.0000 Mosquito Spraying	8,500.00	8,500.00
<b>Total Public Works:</b>	<b>\$145,000.00</b>	<b>\$148,750.00</b>
<b>Streets:</b>		
6000.0000 St. Rehab.	20,000.00	20,000.00
6100.0000 St. Rehab. Engineer	3,000.00	3,000.00
6200.0000 Street Reserve	75,000.00	75,000.00
<b>Total Street Expense:</b>	<b>\$98,000.00</b>	<b>\$98,000.00</b>
<b>Capital Outlay:</b>		
2513.2000 Automobile Equipment - OPSG Grant		0.00
3210.0000 Office Equipment	5,000.00	5,000.00
<b>Total Capital:</b>	<b>\$5,000.00</b>	<b>\$5,000.00</b>
<b>Total Operating Expense:</b>	<b>\$1,456,924.00</b>	<b>\$1,426,530.00</b>
<b>General Fund Net Excess/(Deficit):</b>	<b>\$54,679.00</b>	<b>\$20,649.00</b>



	PROPOSED BUDGET 2022-2023	APPROVED(2) BUDGET 2021-2022
<b>DEBT FUND</b>		
<b>REVENUES:</b>		
5811.2020 Ad Val. Debt Tax 2021		250,542.00 (1)
5811.2020 Ad Val. Debt Tax 2021 - 2% allowance		(5,011.00) (1)
5811.2021 Ad Val. Debt Tax 2022	253,739.00 (3)	
5811.2021 Ad Val. Debt Tax 2022 - 2% allowance	(5,075.00) (3)	
5811.8704 Discount on Debt Taxes	(3,000.00)	(1,000.00)
5811.8703 P&I on Debt Taxes	2,000.00	1,400.00
5720.8615 Transfer In - General Fund	5,075.00	5,011.00
<b>Total Debt Revenues</b>	<b>\$252,739.00</b>	<b>\$250,942.00</b>

**EXPENSES:**

**Town Hall Debt Service Account:**

5820.8715 Interest Payable	8,997.00	10,567.00
5820.8710 Scheduled Principal	40,000.00	40,000.00

**Total Town Hall Debt Service:** **\$48,997.00** **\$50,567.00**

**Streets Debt Service Account:**

5820.8725 Interest Payable	84,923.00	88,725.00
5820.8720 Scheduled Principal	115,000.00	110,000.00

**Total Streets Debt Service:** **\$199,923.00** **\$198,725.00**

**Total Debt Service:** **\$248,920.00** **\$249,292.00**

**Debt Fund Net Excess/(Deficit):** **\$3,819.00** **\$1,650.00**

**CERTIFICATES OF OBLIGATIONS FUND**

**REVENUES:**

8655.0000 Interest from Investments	0.00	500.00
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**Total Certificates of Obligations Revenues:** **\$0.00** **\$500.00**

**EXPENSES:**

9280.6000 Street Rehab Reserves M&O Phase 1	0.00	5,000.00
9280.6001 Street Cert. Obligations 2016 Phase 1	0.00	417,000.00

**Total Certificates of Obligations Expenses:** **\$0.00** **\$422,000.00**

**Certificates of Obligations Net Excess/(Deficit):** **\$0.00** **(\$421,500.00)**

**Total All Expenses:** **\$1,705,844.00** **\$2,097,822.00**

**Total All Revenues:** **\$1,764,342.00** **\$1,698,621.00**

**Total All Net Excess/(Deficit):** **\$58,498.00** **(\$399,201.00)**

**Other Financing Sources**

1810.7600 Fund Balance TRF In - Street Reserves Phase 1	0.00	5,000.00
1810.7600 Fund Balance TRF In - Obligations 2016 Phase 1	0.00	417,000.00

**Total Other Financing Sources:** **\$0.00** **\$422,000.00**

**To General Fund:** **\$58,498.00** **\$22,799.00**

11. Provide for Public Notice of Date, Time, and Location of Public Hearing on Proposed Budget for Fiscal Year October 1, 2022, to September 30, 2023

Public Hearing on the proposed Budget for the Fiscal Year October 1, 2022 to September 30, 2023, is scheduled for Tuesday, September 6, 2022 at 6:00 P.M.



# 12. Discuss Proposed Ad Valorem Tax Rate and Consideration/Action on Proposal for Tax Rate Increase

## Notice about 2022 Tax Rates

Property tax rates in TOWN OF RANCHO VIEJO.

This notice concerns the 2022 property tax rates for TOWN OF RANCHO VIEJO. This notice provides information about two tax rates used in adopting the current tax year's tax rate. The no-new-revenue tax rate would impose the same amount of taxes as last year if you compare properties taxed in both years. In most cases, the voter-approval tax rate is the highest tax rate a taxing unit can adopt without holding an election. In each case, these rates are calculated by dividing the total amount of taxes by the current taxable value with adjustments as required by state law. The rates are given per \$100 of property value.

This year's no-new-revenue tax rate	\$0.447263/\$100
This year's voter-approval tax rate	\$0.464711/\$100

To see the full calculations, please visit [www.ranchoviejotexas.com](http://www.ranchoviejotexas.com) for a copy of the Tax Rate Calculation Worksheet.

### Unencumbered Fund Balances

The following estimated balances will be left in the taxing unit's accounts at the end of the fiscal year. These balances are not encumbered by corresponding debt obligation.

Type of Fund	Balance
General Fund	20,649

### Current Year Debt Service

The following amounts are for long-term debts that are secured by property taxes. These amounts will be paid from upcoming property tax revenues (or additional sales tax revenues, if applicable).

Description of Debt	Principal or Contract Payment to be Paid from Property Taxes	Interest to be Paid from Property Taxes	Other Amounts to be Paid	Total Payment
Town Hall Debt	40,000	8,997	0	48,997
Street Rehabilitation Debt	115,000	84,923	0	199,923

Total required for 2022 debt service	\$248,920
- Amount (if any) paid from funds listed in unencumbered funds	\$0
- Amount (if any) paid from other resources	\$0
- Excess collections last year	\$0
= Total to be paid from taxes in 2022	\$248,920
+ Amount added in anticipation that the unit will collect only 98.10% of its taxes in 2022	\$4,821
= Total debt levy	\$253,741

This notice contains a summary of actual no-new-revenue and voter-approval calculations as certified by Fred Blanco, Town Administrator on 08/05/2022 .

Visit [Texas.gov/PropertyTaxes](http://Texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.



# 13. Consideration/Action to Acknowledge Receipt of Submission of Ad Valorem Property Tax Calculations for the 2022 Levy

# 14. Provide for Public Notice of Date, Time, and Location of Public Hearings for Tax Rate Increase

Public Hearing on Tax Rate  
Increase is scheduled for Tuesday,  
September 6, 2022 at 6:00 P.M.



15. Consideration/  
Authorization to Advertise for  
Bids for Solid Waste Collection  
and Brush Removal

16. Consideration/  
Authorization to Advertise for  
Statement of Qualifications for  
Town Engineer



# 17. Street Committee Report

# 18. July 2022 Police Report - Chief of Police





**RANCHO VIEJO POLICE DEPARTMENT**  
**MONTHLY STATISTICAL REPORT**  
 MONTH OF: July 2022  
 Chief Robert R. Tyler



I	PENAL CODE:	SECTOR	No.	Prior	YTD	ARST	COMMENTS
	SEXUAL ASSAULT				1	0	
	STALKING					0	
	ASSAULT FV		1	2	9	5	under investigation
	HARASSMENT			1	12	1	
	BURGLARY HAB				4	3	
	BURLGARY VEH		2		7	3	Suspect ID DA Review
	THEFT (M)		3	1	9	0	
	THEFT (F)			1	1	1	
	FRAUD/CREDIT		2	1	7	0	
	CRIMINAL MISCHIEF		1	1	6	2	arrest domestic(son)
	POSSESSION (M)				6	0	
	POSSESSION (F)			1	2	2	
	Endangering Child			1		1	
	IMPROPER PHOTO					0	
	BAIL JUMPING FTA				1	0	
	DWI		1		4	4	Vehicle Accident
	Public Intox		1	1	6	2	
	DUTY STRIKING FIXT			1		1	
	CRIMINAL TRESPASS		2		12	0	
	UNLAWFUL RESTRT			1	1	1	
	<b>TOTAL</b>		<b>13</b>	<b>12</b>	<b>88</b>	<b>26</b>	
II	INCIDENT REPORTS:	SECTOR	NO.	Prior	YTD	Citation	COMMENTS
	DOMESTIC NV		8	4	46	0	
	Civil Dispute		1	5	28	0	
	WELFARE CHECK		8	4	37	0	
	Traffic Accident		2	1	13	0	
	Neighbor Disturbance		4	6	31	2	
	DIST (Music) (K9)		1	2	14	5	
	PUBLIC INTOX				1	0	
	Suspicious V/P		8	8	32		
	LOST/FOUND PROP		3	1	6	0	boat/recovered
	LIVESTOCK DIST					0	
	VEH IMPOUNDMENTS				3	0	
	ALARM RESIDENTIAL		10	12	6	0	
	EMS			10	47	0	
	FIRE				3	0	
	Agency ASSIST		8	4	15	1	
	<b>TOTAL</b>		<b>53</b>	<b>45</b>	<b>251</b>	<b>0</b>	
III	TRAFFIC STOPS:		NO.	Prior	YTD	Collect	Warrants Issued
	Citations		16	303	319	\$5,167	0
IV	TRAFFIC WARRANTS		NO.	CLRD	DIFF		
V	SPEED TRAILER		53				

RB



AVENUE	POSTED		AVG.		TOP	
CARMEN	25		27		35	
CARMEN	35		35		45	
MORELOS	25		24		30	
TESORO	25		25		35	
ESCANDON	25		26		35	
SANTA ANA	25		25		35	
SANTA ANA	15		16		20	
ZAPATA	25		23		30	
BALBOA	25		25		35	
PIZARRO	25		24		30	
CORTEZ	25		27		35	
BOLIVAR	25		23		33	
EL DORADO	25		22		33	
RANCHO NUEVO	25		24		34	
ALVARADO	25		24		35	
HIDALGO	25		28		35	
DELEON	25		24		35	
			24.824		33.52941	
VI POLICE MILEAGE:	Starting	Ending	Total	Gls	MPG	Miles Per Day
C-21	7254	10169	2915	262.1	11.12	
F21 (OPSG)	1730	2,387	657	49	13	
C-20 (OPSG)	57485	55658	768	768	9.14	
C18	34,640	35199	559	32	17.5	
F-18	105,445	106539	1,094	88	12.5	
F17	99,145	99222	77	21	4	
Totals		59,801	3,155	958	11	
VII CHIEF'S COMMENTS	<p>* Could you please consider adding food &amp; commercial box/van trucks to the ordinance dealing with boats and recreational vehicles. See attached photos...</p> <p style="text-align: center;"><i>AG</i></p>					



MUNICIPAL COURT REPORT - FILED CASES  
 RANCHO VIEJO MUNICIPAL COURT  
 Report For July 1, 2022 thru July 31, 2022 FILEDST

Violations by Filed Date...

TRAFFIC	16	
STATE LAW	0	
Total Filed Violations		16

Completed Cases...

Paid Fine...		
TRAFFIC	9	
STATE LAW	0	
Total Paid Fines		9
Before Judge...		
TRAFFIC	4	
STATE LAW	0	
Total Before Judge		4
Total Completed		13

Other Completed...

DISMISSED AFTER DEFERRED ADJ.		
TRAFFIC	5	
STATE LAW	1	
Total		6
DISMISSED/PRESENTED INSURANCE		
TRAFFIC	3	
STATE LAW	0	
Total		3
DISMISSED BY JUDGE		
TRAFFIC	1	
STATE LAW	0	
Total		1
DISMISSED/COMPLIANCE		
TRAFFIC	2	
STATE LAW	0	
Total		2
DISMISSED BY PROSECUTOR		
TRAFFIC	2	
STATE LAW	0	
Total		2
Total Other Completed		14
Grand Total Completed		27
Net Difference Filed/Complete		11-

Warrants...

Issued...		
TRAFFIC	0	
STATE LAW	0	
Total Violations		0
Total Warrants Issued		0
Cleared...		
TRAFFIC	0	
STATE LAW	0	
Total Violations		0
Total Warrants Cleared		0
Change in Total Warrants		0

Other Paid Cases...

Paid Fine...	Total Other Paid Fines	15
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FINE FINE	\$1,887.00	
CCC20 CCC 2020	\$1,615.70	
TFC TFC	\$66.18	
AR ARREST FEE	\$130.30	
STF19 STATE TRAFFIC FEE	\$1,102.99	
LMCBSF Local Building Security Fund	\$127.69	
LTPDF Local Truancy Prevention Fund	\$130.30	
LMCTF Local Court Technology Fund	\$104.24	
LMJF Local Municipal Jury Fund	\$2.60	
Total Fees/Fines Paid	\$5,167.00	













FOOD TRUCK

DOG STATION

121

PKS-1759



19. Adjourn into Executive Session, as authorized by Subchapter D of Chapter 551 of the Government Code to discuss with attorneys matters in which the duty of the attorneys under the Rules of Professional Conduct clearly conflicts with Chapter 551

A. Consultation with Town Attorney concerning the lot size requirements in the Town.

B. Consultation with Town Attorney concerning comprehensive planning for the Town.

## 20. Possible action on matters or items discussed in Executive Session



# 21. Adjourn