



NOTICE OF A PUBLIC MEETING
BOARD OF ALDERMEN
REGULAR MEETING
JANUARY 16, 2024
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 JANUARY 16, 2024, 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 December 12, 2023
6. Consideration/Action to Approve Texas Regional Bank's Request to Release Pledged Securities
7. Consideration/Action to Approve Plains Capital Bank's Request to Release Pledged Securities
8. Consideration/Action on Approval of Standards of Conduct and Conflicts of Interest Policy
9. Consideration/Action on Contract with GMS Architects, LLC for Architectural Services for an American Rescue Plan Act (ARPA) multi-use facility project.
10. Consideration/Possible Action to Approve Task Order No. P972-01 with Guzman & Munoz Engineering and Surveying.
11. Comprehensive Plan Update
12. Review/Approval of Investment Policy
13. Consideration/Approval to Designate the Town of Rancho Viejo Town Hall as an Early Voting Site for the Democratic and Republican Primary Elections to be held on March 5, 2024
14. Consideration/Approval of a Resolution Ordering the Election for Rancho Viejo, Designation of Election Precincts and Polling Places, Designation of Method of Voting, Submission of Application by Candidates, Appointment of Early Voting Clerk, and Providing for Publication Notice
15. Town Administrator's Report
 - a. November 2023 Financial Report
 - b. Building Committee Report
16. December 2023 Police Report - Police Chief
17. Executive Session: Pursuant to the Following Section of the Texas Government Code: Sections 551.071 and 551.074 To Consider the Reappointment, Employment, Evaluation, or Duties of the Town Administrator and to Consider a Proposed Contract for The Town Administrator
18. Possible action on matters discussed in Executive Session
19. 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 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 January 12, 2024 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 Alfredo Hernandez

Alderman Mark Johnson

Alderwoman Laura Kaechele

Alderman Marcos Ricoy

Alderman Javier Vera

Legal Counsel, Daniel Rentfro, Jr.

Town Administrator, Fred Blanco

Police Chief, Robert Tyler.

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:

"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 December 12, 2023

MINUTES OF A REGULAR MEETING
TOWN OF RANCHO VIEJO
BOARD OF ALDERMEN
DECEMBER 12, 2023

A REGULAR MEETING of the BOARD OF ALDERMEN of the TOWN OF RANCHO VIEJO, TEXAS, was held on, December 12, 2023, 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:

The meeting was called to order by Mayor Guerrero at 6:05 PM.

2. ROLL CALL:

Roll call was made by Isabel Perales, Assistant Town Secretary.

Members present at the meeting were:

Alfredo Hernandez, Mark Johnson, Laura Kaechele, Marcos Ricoy, and Javier Vera.

A quorum was present at the meeting.

Legal counsel Daniel Rentfro, Jr., Town Administrator Fred Blanco, and Police Chief Robert Tyler were also present at the meeting.

Those present in the audience were:

DeeDee C. Arismendez

Derel Katznelson

Robert Wessels

Ulrich Weisse

Roxanna Salas

3. INVOCATION AND PLEDGE:

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

4. PUBLIC COMMENT:

Motion was made by Alderman Vera, seconded by Alderman Hernandez, and unanimously carried, to open the public comment. Mr. Robert Wessels asked about the noise ordinance and mentioned that he complained about neighbors having loud music.

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

5. APPROVAL OF MINUTES – SPECIAL MEETING NOVEMBER 8, 2023, REGULAR MEETING NOVEMBER 14, 2023:

Motion was then made by Alderman Vera, seconded by Alderman Johnson, and unanimously carried, to approve the minutes of a Special Meeting held November 8, 2023, as written.

Motion was then made by Alderman Vera and seconded by Alderwoman Kaechele, to approve the minutes of a Regular Meeting held on November 14, 2023, as written. Motion carried with the following vote:

AYES: Alderman Hernandez, Alderwoman Kaechele, Alderman Ricoy, and Alderman Vera

NAYES: None

ABSTAINING: Alderman Johnson

6. CONSIDERATION/ACTION TO APPROVE PLAINS CAPITAL BANK'S REQUEST TO RELEASE PLEDGED SECURITIES:

Roxana Salas, Public Fund Officer from Plains Capital Bank stated that they were asking for authorization for the Town to release the pledged securities.

Motion was then made by Alderman Johnson and seconded by Alderman Hernandez to table the item for further review and to be put on the agenda next month. There were some questions from the Board.

Motion passed with the following vote:

AYES: Alderman Hernandez, Alderman Johnson, Alderwoman Kaechele, and Alderman Ricoy

NAYES: Alderman Vera

ABSTAINING None

7. CONSIDERATION/ACTION TO DESIGNATE THE MAYOR TO NEGOTIATE AN ARCHITECTURAL SERVICES CONTRACT WITH GMS ARCHITECTS, LLC FOR AN AMERICAN RESCUE PLAN ACT (ARPA) PROJECT FOR DESIGNING A BASKETBALL COURT WITH OVERHANG FOR PROPERTY PARCEL ADJOINING RANCHO VIEJO PARK STREET MAINTENANCE:

Mayor Guerrero explained that this item was to authorize her to be able to negotiate a contract with GMS Architects, LLC.

Motion was then made by Alderman Hernandez, seconded by Alderman Ricoy, and unanimously carried, to authorize the Mayor to enter into negotiation for an Architectural Services Contract with GMS Architects, LLC for an American Rescue Plan Act (ARPA) Project for designing a multi-use facility for property parcel adjoining Rancho Viejo Park street maintenance.

8. CONSIDERATION OF BIDS AND AWARD OF CONTRACT FOR COMMON AREA MAINTENANCE:

Town Administrator Fred Blanco stated that the Town only received one bid proposal and the bid opening was held on December 8, 2023. There were no changes to the areas to be maintained. After review, he affirmed that it complied with our specifications.

Motion was then made by Alderwoman Kaechele, seconded by Alderman Vera, and unanimously carried, to award the Common Area Maintenance contract to South Texas Superscapes for a two-year term in the amount of \$ 63,768.75 per year.

9. CONSIDERATION/ACTION OF CONTRACT WITH BUILDING INSPECTOR:

Town Administrator Fred Blanco mentioned that he, Building Inspector Brent Cannon, and Alderman Marcos Ricoy all met with Mr. Moises Navarro. He agreed with the current fee schedule and there were no changes to the existing fees. He would have to work after work hours, but we could set a structure for inspections.

Motion was then made by Alderwoman Kaechele, seconded by Alderman Ricoy, and unanimously carried, to approve a contract for Building Inspector for one year with Moises Navarro with the current fee schedule.

10. NOVEMBER 2023 POLICE REPORT - POLICE CHIEF:

Police Chief Tyler went over the November 2023 Police Report.

11. ADJOURN INTO EXECUTIVE SESSION, AS AUTHORIZED BY SUBCHAPTER D OF CHAPTER 551 OF THE GOVERNMENT CODE TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY:

Motion was then made by Alderwoman Kaechele, seconded by Alderman Vera, and unanimously carried, to adjourn into EXECUTIVE SESSION, As Authorized by Subchapter D of Chapter 551 of the Government Code to Deliberate the Purchase, Exchange, Lease, or Value of Real Property, at 6:56 P.M.

The meeting was reconvened at 7:13 P.M.

12. POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION:

No action was taken on this item.

13. ADJOURN:

Motion was made by Alderman Ricoy, seconded by Alderwoman Kaechele, and unanimously carried to adjourn the meeting at 7:16 P.M.

BY: _____
Fred Blanco, Town Administrator

APPROVED: _____
Maribel B. Guerrero, Mayor

DATE: _____

6. Consideration/Action to Approve Texas Regional Bank's Request to Release Pledged Securities



Member driven,
Community focused.

fhlb.com

Release of Pledged Collateral

Member Information:

Name: TEXAS REGIONAL BANK

FHFA ID#: [REDACTED]

Description of Pledged Collateral:

Name: T 0 3/4 08/31/26

CUSIP#: [REDACTED]

Depositor Information:

Name: RANCHO VIEJO

Amount: 600,000

Yes, please send me notice that this Release of Pledged Collateral has been processed.

My email address is: rsahm@texasregionalbank.com

The Depositor authorizes Federal Home Loan Bank of Dallas ("FHLB Dallas") to release and transfer the Pledged Collateral to the Member. The Depositor agrees that FHLB Dallas has no further obligation to hold the Pledged Collateral as custodian for Depositor. The Depositor terminates and releases any and all security interests, liens and encumbrances held by the Depositor in the Pledged Collateral. The person executing this Release represents and warrants that he or she has been duly authorized by Depositor to execute and deliver to the Bank this Release.

Depositor:

Signature _____

Printed Name _____

Title _____

Date _____

If you have any questions, please contact the Member Services Department via email at Member.Services@fhlb.com or via phone at (844) FHL-Bank.

FOR FHLB DALLAS USE ONLY

Confirm Depositor Signature Present: Before input by: _____ 2nd Review after release by: _____
(Initial) (Initial) (Date)

Federal Home Loan Bank of Dallas | Attn: Member Services desk
8500 Freepoint Parkway South, Suite 600 | Irving, Texas 75063-2547 | Phone: 844.345.2265
Fax: 214.441.8512 | member.services@fhlb.com

7. Consideration/Action to Approve Plains Capital Bank's Request to Release Pledged Securities

PlainsCapital Bank

6565 Hillcrest Ave, Suite 100
Dallas, TX 75205

To: Federal Reserve Bank of Boston
600 Atlantic Avenue
Boston, MA 02210
Attn: Wholesale Operations/Joint Custody

Re: Pledged Securities Release Authorization
Town of Rancho Viejo

Please release the pledge on the following described securities from Town of Rancho Viejo,
ABA Routing No. [REDACTED] Account No. **K7DQ**.

<u>CUSIP</u>	<u>Description</u>	<u>Par Value</u>	<u>Maturity Date</u>
[REDACTED]	FNMA POOL #BL7931	4,000,000.00	8/1/2032

Sincerely,

Town of Rancho Viejo

INSURED CASH SWEEP SERVICES

INSURED CASH SWEEP

Insured Cash Sweep (ICS) services provided by PlainsCapital Bank, which leverage the DDA Option of the IntraFiSM Network DepositsSM, allow you to place your funds into a demand deposit account and:

Rest assured knowing your funds are eligible for multi-million-dollar FDIC insurance that's backed by the full faith and credit of the U.S. government.

Earn returns and put your money to work for you.

Access your funds with unlimited program withdrawals (using the ICS demand option).

Support your community by keeping the full amount of your deposit local.¹

Eliminate the ongoing tracking burdens associated with collateralization and the need to footnote uninsured deposits in financial statements if you are accustomed to these practices.

MONITOR YOUR ACCOUNTS ONLINE

You will receive a regular monthly statement showing your ICS balances and other key information. And you can check your ICS balances and track other important information online, 24/7, through a specifically designated Depositor Control Panel. Your confidential information remains protected.

HOW DOES IT WORK?

When PlainsCapital Bank places your funds using ICS, your deposit is sent from your PlainsCapital transaction account into deposit accounts at other IntraFi Network Deposits banks in amounts below \$250,000, the standard FDIC insurance maximum. As a result, you can access FDIC insurance coverage from many institutions while working directly with just us.

CONTACT US

Contact us for more information on Insured Cash Sweep.

TreasuryManagement.com@plainscapital.com

PLAINSCAPITAL.COM

¹When deposited funds are exchanged on a dollar-for-dollar basis with other banks in the IntraFiSM Network DepositsSM, a participating institution can use the full amount of a deposit placed through DDA Option for local lending, satisfying some depositors' local investment goals or mandates. Alternatively, with a depositor's consent to certain types of DDA Option transactions, the bank may choose to receive fee income instead of deposits from other banks. Under these circumstances, deposited funds would not be available for local lending. Placement of funds through the DDA Option service is subject to the terms, conditions, and disclosures in the service agreements, including the Deposit Placement Agreement ("DPA"). Limits and customer eligibility criteria apply. Although funds are placed at destination banks in amounts that do not exceed the FDIC standard maximum deposit insurance amount ("SMDIA"), a depositor's balances at the relationship institution that places the funds may exceed the SMDIA (e.g., before DDA Option settlement for a deposit or after DDA Option settlement for a withdrawal) or be ineligible for FDIC insurance (if the relationship institution is not a bank). As stated in the DPA, the depositor is responsible for making any necessary arrangements to protect such balances consistent with applicable law. If the depositor is subject to restrictions on placement of its funds, the depositor is responsible for determining whether its use of DDA Option satisfies those restrictions. DDA-MMDA Option are registered service marks of the IntraFi Network LLC.

PlainsCapitalBank 

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Using ICS® for Public Funds In the State of Texas



Texas Government Code
Title 10 General Government
Subtitle F State and Local Contracts and Fund Management
Chapter 2256 Public Funds Investment
Subchapter A Authorized Investments for Government Entities
Sec. 2256.003. Authority to Invest Funds; Entities Subject to this Chapter.

(a) Each governing body of the following entities may purchase, sell, and invest its funds and funds under its control in investments authorized under this subchapter in compliance with investment policies approved by the governing body and according to the standard of care prescribed by Section 2256.006:

- (1) a local government;
- (2) a state agency;
- (3) a nonprofit corporation acting on behalf of a local government or a state agency; or
- (4) an investment pool acting on behalf of two or more local governments, state agencies, or a combination of those entities.

Sec. 2256.002 Definitions

* * *

(7) "Local government" means a **municipality, a county, a school district**, a district or authority created under Section 52(b)(1) or (2), Article III, or Section 59, Article XVI, Texas Constitution, a fresh water supply district, a hospital district, and any political subdivision, authority, public corporation, body politic, or instrumentality of the State of Texas, and any nonprofit corporation acting on behalf of any of those entities.

Sec. 2256.009: Authorized Investments: Obligations of, or Guaranteed by, Governmental Entities

[As amended; effective immediately]

(a) Except as provided by Subsection (b), the following are authorized investments under this subchapter:

* * *

(7) interest-bearing banking deposits that are guaranteed or insured by:

- (A) the Federal Deposit Insurance Corporation or its successor; or
- (B) the National Credit Union Share Insurance Fund or its successor; and

(8) interest-bearing banking deposits other than those described by Subdivision (7) if:

(A) the funds invested in the banking deposits are invested through:

- (i) a broker with a main office or branch office in this state that the investing entity selects from a list the governing body or designated investment committee of the entity adopts as required by Section 2256.025; or
- (ii) a depository institution with a main office or branch office in this state that the investing entity selects;

- (B) the broker or depository institution selected as described by Paragraph (A) arranges for the deposit of the funds in the banking deposits in one or more federally insured depository institutions, regardless of where located, for the investing entity's account;
- (C) the full amount of the principal and accrued interest of the banking deposits is insured by the United States or an instrumentality of the United States; and
- (D) the investing entity appoints as the entity's custodian of the banking deposits issued for the entity's account:

- (i) the depository institution selected as described by Paragraph (A);
- (ii) an entity described by Section 2257.041(d); or
- (iii) a clearing broker dealer registered with the Securities and Exchange Commission and operating under Securities and Exchange Commission Rule 15c3-3 (17 C.F.R. Section 240.15c3-3).

Texas Municipal Utility Districts (MUD)

Sec. 49.157 of the Texas Water Code provides that "All district [MUD] investments shall be governed by Subchapter A, Chapter 2256, Government Code [See Sec. 2256.009(a)(8) above]."



SECURE

YOUR FUNDS WITH

CONFIDENCE

INSURED CD

The standard FDIC insurance maximum is \$250,000 for each deposit insurance ownership category, per bank. However, by using The CD Option of IntraFiSM Network DepositsSM you can receive the same coverage on larger deposits through a single relationship. When you place your large-dollar deposit with PlainsCapital Bank, a member of the IntraFi Network Deposits, your deposit is divided into smaller amounts and placed with IntraFiSM Network DepositsSM members—each an FDIC-insured institution. Those member institutions issue CDs in amounts under \$250,000, so that your deposit is eligible for FDIC insurance at each member bank. You can work directly with PlainsCapital Bank, but receive insurance from many institutions. One Relationship. One Rate. One Statement.

IMPORTANT FACTS

- Insured CD orders must be placed with PlainsCapital Bank by 3 p.m. CT on Tuesday each week.
- Funds will be debited from your PlainsCapital Bank account on Wednesday morning the week of your investment. CDs are placed on Thursday each week.
- Insured CD statements and notices are mailed to your address on file.
- Insured CDs do not auto renew. PlainsCapitalBank will contact you prior to your maturity date to inquire about reinvestment or redemption. All redemptions and interest payments will be credited to your PlainsCapital Bank account.

CONTACT US

For more information on Insured CDs, please contact your local Treasury Management representative.

PLAINSCAPITAL.COM

Placement of your funds through the IntraFiSM Network DepositsSM is subject to the terms, conditions, and disclosures set forth in the agreements you enter into with us, including the applicable Deposit Placement Agreement. Limits apply, and customer eligibility criteria may apply. IntraFiSM Network DepositsSM are registered service marks of IntraFi Network LLC.

PlainsCapitalBank 

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Using CD Option® for Public Funds In the State of Texas

House Bill 2226 (Signed by the Governor, effective 6/17/2011) amends Section 2256.010(b) of the Government Code to read as follows:

- b) In addition to the authority to invest funds in certificates of deposit under Subsection (a), an investment in certificates of deposit made in accordance with the following conditions is an authorized investment under this subchapter:
 - 1) the funds are invested by an investing entity through:
 - a. a broker that has its main office or a branch office in this state and is selected from a list adopted by the investing entity as required by Section 2256.025; or
 - b. a depository institution that has its main office or a branch office in this state and that is selected by the investing entity;
 - 2) the broker or depository institution selected by the investing entity under Subdivision (1) arranges for the deposit of the funds in certificates of deposit in one or more federally insured depository institutions, wherever located, for the account of the investing entity;
 - 3) the full amount of the principal and accrued interest of each of the certificates of deposit is insured by the United States or an instrumentality of the United States; and
 - 4) the investing entity appoints the depository institution selected by the investing entity under Subdivision (1) or an entity described by Section 2257.041(d) as custodian for the investing entity with respect to the certificates of deposit issued for the account of the investing entity.

8. Consideration/Action on Approval of Standards of Conduct and Conflicts of Interest Policy

STANDARDS OF CONDUCT AND CONFLICT OF INTEREST POLICY

TOWN OF RANCHO VIEJO, TEXAS (THE “TOWN”)

The information compiled in this template is neither an exhaustive treatment of the law on this subject nor a substitute for the advice of an attorney. It is important to consult the individual state and local laws cited for detailed information about the issues discussed here and to consult with the Town’s attorney to apply these legal principles to specific situations.

Every state and local City/County of government may have unique and specific requirements related to carrying out federal, state, and local activities. In some circumstances, a home rule charter, local policy, or ordinance may also have more stringent requirements.

This document is being provided as an option for recipients of ARPA SLFRF to demonstrate compliance.

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SECTION 1 – PRINCIPLES & VALUES

The Town’s management of the ARPA-SLFRF efforts are governed by an unyielding commitment to our Standards of Conduct and Conflict of Interest Policies (the Standards). Decisions and actions are made with the highest degree of integrity. The Standards are based on honesty, objectivity, fairness, and respect.

The Town’s core principles and values guide relationships within our community, and all of those impacted by the use of ARPA-SLFRF funds including beneficiaries, subrecipients, consultants/contractors, vendors, awardees, local officials, staff, and all individuals who are directly affiliated with ARPA-SLFRF recovery efforts:

- **Integrity.** We will act in a lawful and ethical manner, never knowingly violating any law or our principles and standards of ethical conduct in the selection, award, and administration of all ARPA-SLFRF transactions.
- **Stewardship, Trust, & Service.** We will serve the people of our community to ensure an equitable recovery effort while following the prescribed rules of managing taxpayer resources.
- **Equity.** We will strive for a community that is fair for everyone and will ensure ARPA-SLFRF funded activities are selected and managed with equity fully in mind.
- **Transparency.** We will disclose any conflicts of interest we may have (or be made aware of) related to our responsibilities to the applicable parties including the State of Texas Ethics Commission, our internal Conflict of Interest Point of Contact, and the U.S. Treasury, and remove conflicts when necessary.
- **Honesty & Communication.** We will work to ensure an environment where employees (and all engaged stakeholders) are encouraged to seek advice, report misconduct, or question a business practice in good faith and without retaliation.
- **Partnership and Respect.** We will work with others who share our objectives and values and respect our stakeholders and fellow staff members, treating others with fairness and courtesy.

SECTION 2 – RESOURCE REFERENCES

Multiple federal, state, and local conduct and conflict of interest related laws govern the ARPA-SLFRF funded activities. ARPA funds are primarily governed by the ARPA regulations, the jurisdiction’s signed agreement to the [ARPA-SLFRF Terms and Conditions](#), and specific requirements of 2 CFR § 200.318(c). The conflict of interest policy applies to each activity funded under the ARPA-SLFRF award. Recipients (and subrecipients) must disclose in writing to the U.S. Treasury or the pass-through entity, as appropriate, any conflict and/or potential conflict of interest affecting the awarded funds in accordance with 2 CFR § 200.

This policy also aligns with and adheres to existing local and State of Texas requirements to the extent applicable. While the following is not a fully exhausted list, the standards outlined in this policy conform with the following applicable federal and state regulations. Existing municipal, county and state-level adopted policies will also apply and may be referenced throughout this document as well, and where overlapping policies are identified, the most stringent application should apply.

Uniform Guidance 2 CFR 200:

- [2 CFR 200.318\(c\)](#)
- [§ 200.112 Conflict of interest.](#) The Federal awarding agency must establish a conflict of interest policy for Federal awards. The non-Federal entity must disclose in writing any potential conflict of interest to the Federal awarding agency or pass-through entity by applicable Federal awarding agency policy.

State of Texas: The following includes references to additional relevant State of Texas conflict of interest and disclosure laws applicable to city officials, employees, and vendors. A home rule charter, local policy, or ordinance may provide for more stringent requirements in some circumstances.

- <https://www.ethics.state.tx.us/resources/laws-regulations/>
- [Local Government Code Chapter 171: Real Property and Business Interests](#)
- [Local Government Code Chapter 176: Income and Gifts from and Family Relationships with Vendors](#)
- [Government Code Chapter 552: Public Information](#)
- [Government Code Chapter 572 Open Govt; Ethics. Personal Financial Disclosure, Standards of Conduct, and Conflict of Interest](#)
- [Local Government Code Chapter 145: Financial Disclosure in Cities with a population of 100,000 or more](#)
- [Government Code Section 2252.908](#) Vendor Disclosure of Interested Parties (Form 1295)
 - <https://www.ethics.state.tx.us/>
 - https://www.ethics.state.tx.us/resources/FAQs/FAQ_Form1295.php
 - <https://www.ethics.state.tx.us/filinginfo/videos/Form1295/CreateCertificate/CreateCertificate.html>
 - <https://www.ethics.state.tx.us/data/filinginfo/1295Changes.pdf>
- https://www.ethics.state.tx.us/statutes/ch36_39.php
- [Texas Penal Code Title 8 Chapter 36 Bribery and Corrupt Influence](#)
- [Texas Penal Code Title 8, Chapter 39 Abuse of Office](#)
- [Chapter 305, Registration of Lobbyists and Chapter 34, Commission Rules: Regulations of Lobbyists \(](#)
<https://www.ethics.state.tx.us/resources/lobby/>
- [Texas Ethics Commission – Lobbying in Texas – A Guide to the TX Law](#)

External Resource Reference Guides:

- [TX Ethics Commission A Guide to Ethics Laws for State Officers and Employees](#)
- [TX Municipal League COI Disclosure Laws for City Officials, Employees and Vendors](#)

In the event of any discrepancy between the provisions of Federal and local regulations, the most stringent provision will prevail. This Policy does not supersede the authority and duty to comply with the laws and regulations cited above.

This Standard of Conduct and Conflict of Interest Policy will be made available to government officers and employees as well as other identified stakeholders so that they are aware of shared responsibilities, individually or jointly, to ensure that the objectives of the Policy are fully met.

Vendors, contractors, and subcontractors must also be made aware of their responsibilities related to the Town's Standard of Conduct and Conflict of Interest Policy.

This Policy should align with and adhere to existing local and State of Texas requirements as well as 2 CFR § 200.318(c), as agreed upon within the executed ARPA-SLFRF Terms and Conditions.

SECTION 3 – DEFINITIONS

- **Business Entity** means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law.
- **Conflict of Interest (COI)** is an actual or potential COI situation described at 2 CFR 200.318(c)(1) or (c)(2). The term also includes situations that create, or may create, an unfair competitive advantage, or the appearance of such.
- **COI Point of Contact** means the individual identified in Section 7 of this Policy designated to receive, review, and coordinate necessary guidance, disclosures, and reporting steps as applicable to federal, state, and local handling requirements of all real or potential conflict of interests.
- **Contract** means, for the purpose of Federal Financial Assistance, a legal instrument by which the Entity purchases property or services needed to carry out a program or project under a Federal award, not limited to but including agreements, memorandums of understanding, and purchase orders properly executed with the recipient (or subrecipient).
- **Contractor** means an entity or individual that receives a Contract.
- **Covered Individual** means a Public Officer, employee, or agent of the Town.
- **Covered Nonprofit Organization** means a nonprofit corporation, organization, or association, incorporated or otherwise, that is organized or operating for religious, charitable, scientific, literary, public health and safety, or educational purposes, excluding any board, entity, or other organization created by the State or any political subdivision of the State (including the Town).
- **Covered Transaction** is a non-procurement or procurement transaction that is subject to the prohibitions outlined within this Policy.
- **Direct Benefit** means, with respect to a Public Officer or employee of the Town, or the spouse of any such Public Officer or employee, or a person related to within the first degree by consanguinity or affinity, as determined by Chapter 573, Tex. Gov't Code, has a substantial interest under TEX. LOCAL GOV'T CODE § 171.002, or otherwise (i) having a ten percent (10%) ownership interest or other interest in a Contract or Subaward; (ii) deriving any income or commission directly from a Contract or Subaward; or (iii) acquiring property under a Contract or Subaward.

- **Equity** means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.
- **Federal Financial Assistance** means Federal financial assistance that the Town receives or administers in the form of grants, cooperative agreements, non-cash contributions or donations of property (including donated surplus property), direct appropriations, food commodities, and other Federal financial assistance (except that the term does not include loans, loan guarantees, interest subsidies, or insurance).
- **Gifts** means payment or enrichment without equivalent retribution or of lesser value. Includes, but is not limited to, money, goods, or any other object, favorable economic opportunities, tips, concessions, benefits, discounts, privileges, or special considerations.
- **Governing Board** means the Board of Aldermen of the Town.
- **Immediate Family Member** is described at 2 CFR 200.465(c)(4) and means, with respect to any Covered Individual, (i) a spouse, and parents thereof, (ii) a child, and parent thereof, (iii) a parent, and spouse thereof, (iv) a sibling, and spouse thereof, (v) a grandparent and grandchild, and spouses thereof, (vi) domestic partners and parents thereof, including domestic partners of any individual in (ii) through (v) of this definition; and (vii) any individual related by blood or affinity whose close association with the Covered Individual is the equivalent of a family relationship.
- **Involved in Making or Administering** means (i) with respect to a Public Official or employee, (a) overseeing the performance of a Contract or Subaward, or having authority to make decisions regarding a Contract or Subaward or to interpret a Contract or Subaward, or (b) participating in the development of specifications or terms or the preparation or award of a Contract or Subaward, (ii) only with respect to a Public Official, being a member of a board, commission, or other body of which the Public Official is a member, taking action on the Contract or Subaward, whether or not the Public Official participates in that action.
- **Local Government Officer** is defined as a member of the governing body of a local governmental entity; Mayor, Council Members, local government corporation board members, the City Manager, and employees or other agents of a local governmental entity who exercise discretion in the planning, recommending, selecting, or contracting of a vendor. Also see ---“*local public official*” which means a member of the governing body or another officer, whether elected, appointed, paid, or unpaid, of any district (including a school district), county, municipality, precinct, central appraisal district, transit authority or district, or other local governmental entity who exercises responsibilities beyond those that are advisory in nature.
- **Non-Federal Entity** is defined at 2 CFR 200.1.

- **Pass-Through Entity** means a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program.
- **Public Officer** means an individual who is elected or appointed to serve or represent the Town (including, without limitation, any member of the Governing Board), other than an employee or independent contractor of the Town. Other names for the same position may include: “Public Servant” (Texas Penal Code, Ch’s 36 & 37, “Municipal Officer” (TEX. LOCAL GOV’T CODE Ch. 145), “Local Public Official” (TEX. LOCAL GOV’T CODE Ch. 171), “Local Governmental Officer” (TEX. LOCAL GOV’T CODE LGC Ch. 176), and “Public Official” (TEX. GOV’T CODE Ch. 573).
- **Recipient (“ARPA Recipient”)** means an entity, usually but not limited to a non-Federal entity, that receives a Federal award directly from a Federal awarding agency. The term does not include Subrecipients or individuals that are beneficiaries of the award (2 CFR 200.1).
- **Related Party** means (i) an Immediate Family Member of a Covered Individual, (ii) a partner of a Covered Individual, or (iii) a current or potential employer (other than the City/County) of a Covered Individual, of a partner of a Covered Individual, or an Immediate Family Member of a Covered Individual.
- **Subaward** means an award provided by a Pass-Through Entity to carry out part of a Federal award received by the Pass-Through Entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program.
- **Subcontract** means any agreement entered into by a Subcontractor to furnish supplies or services for the performance of a Contract or a Subcontract. It includes, but is not limited to, purchase orders, and changes and modifications to purchase orders.
- **Subcontractor** means an entity that receives a Subcontract.
- **Subrecipient** means an entity, usually but not limited to a non-Federal entity, that receives a subaward from a Pass-Through Entity to carry out part of a Federal award; but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

SECTION 4 – CONFLICT OF INTEREST REQUIREMENTS IN TEXAS

4.1 CONFLICT OF INTEREST STANDARDS OVERVIEW

These standards of conduct contained herein are applicable to all procurement application selections, and/or ARPA-SLFRF funds disbursement activities. A common source of alleged wrongdoing revolves around conflicts of interest. Whether real or perceived, these allegations often arise out of situations involving personal financial gain, employment, or special treatment for family members or business relations. To protect all ARPA transactions from the undue influence of such conflicts and to bolster an equitable recovery process, the Town will maintain this Standards of Conduct and Conflict of Interest Policy throughout the ARPA period of performance.

Prohibited Conflicts of Interest in Contracting. No employee, officer, or agent of the Town (including Subrecipients) may participate in the selection, award, or administration of a contract if he or she has a real or apparent conflict of interest. Such conflict of interest would arise when the employee, officer, or agent, any member of his or her family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. In the case of any aforementioned relationships, he/she shall not intervene, either directly or indirectly, in any matter related to them.

- Real Conflict of Interest. A real conflict of interest shall exist when the Covered Individual or any Related Party has a financial or other interest in or a tangible personal benefit from a firm considered for a Contract or Subaward.
- Apparent Conflict of Interest. An apparent conflict of interest shall exist where a real conflict of interest may not exist under Section 4 (4.2)(A), but where a reasonable person with knowledge of the relevant facts would find that an existing situation or relationship creates the appearance that a Covered Individual or any Related Party has a financial or other interest in or a tangible personal benefit from a firm considered for a Contract or Subaward.

4.2 CONFLICT OF INTEREST DISCLOSURE RESPONSIBILITIES

Officers, employees, and agents of the governmental entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, other than an unsolicited item of nominal value that may be accepted under a written policy adopted by the Town. This includes, but may not be limited to, gifts, gratuities, favors, benefits, loans, commissions, or other special discounts.

All persons covered by this policy shall fully disclose any real or potential conflicts of interest. Every person must report any act that violates the provisions of this Policy and Standards of Conduct. All persons shall collaborate with any investigation initiated by the Town, the State of Texas or the Federal Government related

to conflicts of interest.

The Town shall adhere to Local Government Code Chapter 176 for specific requirements related to governmental officer disclosures in Texas.

In addition to the expectation that all officers understand and follow local, state, and federal law, and review all solicitation/contract documents and provisions closely, the Town's designated COI Point of Contact (see [Section 5](#) of this document) will be available to provide guidance on the proper use of a disclosure form and other related code of conduct requirements and details including required federal, state, and local reporting timelines, as applicable.

4.3 FEDERAL, STATE, AND/OR AGENCY-LEVEL DISCLOSURES

4.3.10 CONFLICT OF INTEREST QUESTIONNAIRE (CIQ)

CIQ: A questionnaire defined by Chapter 176, TEX. LOCAL GOV' CODE, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

A vendor is required to file a conflict of interest questionnaire if the vendor has a business relationship with the Town and has: (1) an employment or other business relationship with an officer or an officer's family member that results in the officer receiving taxable income that is more than \$2,500 in the preceding twelve months; (2) has given an officer or an officer's family member one or more gifts totaling more than \$100 in the preceding twelve months; or (3) has a family relationship with an officer.

A vendor is required to file a questionnaire not later than the seventh business day after the later of the following: (1) the date that the vendor begins discussions or negotiations to enter into a contract with the Town or submits an application or response to a bid proposal; or (2) the date that the vendor becomes aware of a relationship or gives a gift to an officer or officer's family member, or becomes aware of a family relationship with an officer.

4.3.11 CERTIFICATION OF INTERESTED PARTIES FORM 1295

In 2015, the Texas Legislature adopted House Bill 1295, which added [Section 2252.908](#) to the TEX. GOV'T CODE. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least \$1 million, or (3) is for services that would require a person to register as a lobbyist under Chapter 305 of the Government Code. The disclosure requirement applies to a contract entered into on or after January 1, 2016.

The Texas Ethics Commission was required to adopt rules necessary to implement that law, prescribe the disclosure of interested parties form, and post a copy of the form on the Commission's website. The Commission adopted the Certificate of Interested Parties form (Form 1295) on October 5, 2015. The Commission also adopted new rules (Chapter 46) on November 30, 2015, to implement the law. The Commission does not have any additional authority to enforce or interpret House Bill 1295.

[The Conflict of Interest Questionnaire \(Form CIQ\) can be reviewed here.](#) *Note, this form copy is only for reference and cannot be filled out by hand. A vendor must use the filing application to generate the form and print it from there. Instructions for filing the form can be accessed [here](#).*

Also refer to <https://www.ethics.state.tx.us/> and [Section 2 – Resource References](#) of this document for additional links to access Form 1295 Frequently Asked Questions and related laws and regulations.

What Contracts Apply to Form 1295?

The law applies only to a contract between a governmental entity or state agency and a business entity at the time it is voted on by the governing body or at the time it binds the governmental entity or state agency, or whichever is earlier, including an amended, extended, or renewed contract, of a governmental entity or state agency that either:

- requires an action or vote by the governing body of the entity or agency before the contract may be signed; or
- has a value of at least \$1 million or is for services that would require a person to register as a lobbyist under Chapter 305 of the TEX. GOV'T CODE. TEX. GOV'T CODE § 2252.908; 1 T.A.C. §§ 46.1(b), 46.3(a). The disclosure requirement applies to a contract entered into on or after January 1, 2016.

A contract does not require an action or vote by the governing body of a governmental entity or state agency if:

- the governing body has legal authority to delegate to its staff the authority to execute the contract;
- the governing body has delegated to its staff the authority to execute the contract; and
- the governing body does not participate in the selection of the business entity with which the contract is entered into.

4.3.12 CONFLICT OF INTEREST DISCLOSURES BY GOVERNMENT OFFICER (CIS)

The notice to the appropriate local governmental entity when a local government officer has become aware of facts that require the officer to file this statement in accordance with [Chapter 176, TEX. LOCAL GOV'T CODE](#). It provides the nature and extent of business and/or family relationships between officer and vendor and other disclosures, in accordance with Section 176.003 of the Local Government Code. This form is required to be filed with the records administrator of the local governmental entity not later than 5 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of this statement.

1. An officer must file a statement if the officer or officer's family member has an employment or other business relationship with a vendor that results in the officer or officer's family member receiving

taxable income of more than \$2,500 in the preceding twelve (12) months. An officer who only receives investment income, regardless of the amount, is not required to file a disclosure statement. Investment income includes dividends, capital gains, or interest income gained from a personal or business checking or savings account or another similar account, a personal or business investment, or a personal or business loan.

2. An officer is required to file a statement if the officer or officer's family member accepts one or more gifts (including lodging, transportation, and entertainment accepted as a guest) from a vendor that has an aggregate value of more than \$100 in the preceding twelve months. An officer is not required to file a statement in relation to a gift, regardless of amount, if the gift: (1) is a political contribution; (2) is food accepted as a guest; or (3) is offered on account of kinship or a personal, professional, or business relationship independent of the official status of the recipient.
3. An officer is required to file a statement if the officer has a family relationship with the vendor.

SECTION 5 – GIFT STANDARDS

[Chapter 36 of the TEX. PENAL CODE](#) prohibits public servants from accepting certain gifts or benefits. Violations of the laws in this chapter carry criminal penalties, and complaints alleging such violations are handled by local prosecutors, not by the Texas Ethics Commission.

Subject to the few exceptions set forth below and further described in TEX. PENAL CODE § 36.08, a Covered Individual may not solicit or accept gratuities, favors, or anything of monetary value from a Vendor/Contractor, or a Subcontractor or other direct recipients of ARPA-SLFRF related benefits.

Exception. A Covered Individual may accept an unsolicited gift from a Contractor or Subcontractor of one or more types specified below if the gift has an aggregate market value of \$20 or less per source per occasion, provided that the aggregate market value of all gifts received by the Covered Individual pursuant to this does not exceed \$50 in a calendar year:

- Honorariums for participating in meetings;
- Advertising items or souvenirs of nominal value; or
- Meals furnished at banquets.

Even if the acceptance of a gift is legally permissible, a governmental Officer or employee as well as vendors/contractors should always consider whether the gift raises the appearance of impropriety before giving or accepting.

Internal Reporting. A Covered Individual shall report any gift accepted to the COI Point of Contact. If required by regulation of a Federal awarding agency, the COI Point of Contact shall report such gifts to the Federal awarding agency.

- A subrecipient shall also report all potential instances of known or potential conflicts of interest to the Town (also referred to as the ARPA Recipient or the Pass-Through Entity) and all instances of gifts, excluding those that fall within the exceptions outlined in 5.1(a).

SECTION 6 – VIOLATIONS OF POLICY

Any alleged violations of the standards set forth in this Policy shall be immediately referred to the Town’s COI Point of Contact. The offending employee, officer, or agent will be subject to disciplinary actions up to and possibly including termination of employment.

Disciplinary Actions for Covered Individuals. Any Covered Individual that fails to disclose a real, apparent, or potential real or apparent conflict of interest arising concerning the Covered Individual or Related Party may be subject to disciplinary action, including, but not limited to, an employee’s termination or suspension of employment with or without pay, the consideration or adoption of a resolution of censure of a Public Official by the Governing Board, or termination of an agent’s contract.

Disciplinary Actions for Contractors and Subcontractors. The Town shall terminate any Contract with a Contractor or Subcontractor that violates any provision of this Policy.

Knowingly violating the terms of an agency’s ethics and conflict of interest policy may also be penalized as a criminal offense. Any such occurrence will be reviewed on a case-by-case basis to determine steps beyond above stated disciplinary actions.

- As outlined in Chapter 176 of the TEX. GOV’T CODE, “an officer or vendor who knowingly fails to file a statement or a disclosure when required to do so commits a Class A, B, or C misdemeanor, depending on the amount of the contract. It is an exception to prosecution that an officer/vendor files a statement/questionnaire not later than the seventh day after the date the person receives notice from the city of the alleged violation.”

Protections for Whistleblowers. In accordance with [41 U.S.C. § 4712](#), the Town shall not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant: (i) a member of Congress or a representative of a committee of Congress; (ii) an Inspector General; (iii) the Government Accountability Office; (iv) a Treasury or other federal agency employee responsible for grant oversight or management; (v) an authorized official of the Department of Justice or other law enforcement agency; (vi) a court or grand jury; or (vii) a management official or other employee of the Town, a Contractor, or Subcontractor who has the responsibility to investigate, discover, or address misconduct.

SECTION 7 – CONFLICT OF INTEREST POINT OF CONTACT

While all stakeholders have a responsibility to understand what represents a potential, perceived, or real conflict of interest and to follow state and local disclosure mandates, Town has taken an additional step by identifying a centralized point of contact to oversee the collection, reporting, communications, and guidance related to real or potential conflicts of interest on all ARPA-SLFRF funded activities. The designated POC will ensure required state and local forms are completed, shared, and retained in a compliant manner. The designated POC will be available to provide information throughout the entire project life cycle for all SLFRF covered transactions.

The designated COI Point of Contact may be updated as needed, but at the time of publication of these Standards, the following information is accurate:

TITLE	FIRST & LAST NAME	EMAIL ADDRESS	PHONE NUMBER
COI Point of Contact ("Actual Title")	Fred Blanco	fblanco@ranchoviejotexas.com	(956) 350-4093

1. PRIOR TO AWARD OF CONTRACT OR SUBAWARD.

- a. Prior to the award of a Contract or Subaward, the COI Point of Contact shall advise Covered Individuals expected to be involved in the selection, award, or administration of the Contract or Subaward of such duty.
- b. Prior to the award of a Contract or Subaward, appropriate ethics and conflict of interest related provisions should be included in solicitations and contractual template language.
- c. Identified potential conflicts will be reviewed and evaluated. Removal from project involvement at any stage or removal from award consideration with a written record and other measures may be identified.

2. MANAGEMENT PRIOR TO AWARD OF CONTRACT OR SUBAWARD

If, after completing the Texas Ethics Commission COI related Forms, the COI Point of Contact identifies a potential real or apparent conflict of interest relating to a proposed Contract or Subaward, the COI Point of Contact shall disclose such finding in writing to the Town and to each member of the Governing Board. If the Governing Board desires to enter into the proposed Contract or Subaward despite the identification by the COI Point of Contact of a potential real or apparent conflict of interest, it may either:

- a. Accept the finding of the COI Point of Contact and direct the COI Point of Contact to obtain authorization to enter into the Contract or Subaward from either:
 - 1) the Federal awarding agency (US Treasury) with appropriate mitigation measures, or
 - 2) the Pass-Through Entity (the ARPA Recipient) if a subrecipient
- b. Reject the finding of the COI Point of Contact and enter into the Contract or Subaward. In rejecting any finding of the COI Point of Contact, the Governing Board shall, in writing, document a justification supporting such rejection. If the COI Point of Contact does not identify a potential real or apparent conflict of interest relating to a proposed Contract or Subaward, the Town may enter into the Contract or Subaward in accordance with the purchasing or subaward policy.

3. POST AWARD OF CONTRACT OR SUBAWARD

All contractors, subrecipients, awardees, beneficiaries and other identified stakeholder agents have an ongoing responsibility to provide notification immediately after the identification of any potential conflict of interest.

In accordance with Chapter 176, Local Government Code, if the conflict involves a government officer of the Town, the Conflicts Disclosure Statement (Form CIS) will be provided to the COI Coordinator serving as the "Records Administrator" no later than seven (7) business days from date of initial identification.

Confidentiality & Public Information Act

- Potential conflicts of interest reports by a third party will remain anonymous and will be reviewed with legal representatives as appropriate.
- Reports of potential conflict of interest by the affiliated parties will be reviewed with a determination of the next steps.
- All filed COI disclosures in Texas will be subject to the Public Information Act of Texas.

4. GENERAL ADMINISTRATION

The Texas statements and disclosures must be filed with the records administrator of the city. A records administrator includes a city secretary, a person responsible for maintaining city records, or a person who is designated by the city to maintain the statements and disclosures filed under Chapter 176.

A city that maintains a website is required to post on that site statements and disclosures that are required to be filed under Chapter 176. However, a city that does not have a website is not required to create or maintain one.

The following conflict of interest documents, as deemed necessary by legal counsel and as applicable to any ARPA-SLFRF transactions will be retained on record:

- All types of disclosures including conflict of interest notifications via Conflict of Interest Disclosure (Form CID) or any other format;
- Certification of Interested Parties (Form 1295) as applicable;
- Conflict of Interest Questionnaire (Form CIQ);
- Cases of failure to disclose;
- Reviews or investigation of alleged conflicts; or
- Action(s) taken, or resolution(s).

The Treasury Office of Inspector General and the Government Accountability Office, or their authorized representatives, shall have the right of access to records (electronic and otherwise) of Recipient in order to conduct audits or other investigations. Records shall be maintained by Recipient for a period of five (5) years after all funds have been expended or returned to Treasury, whichever is later.

These ARPA/SLFRF Standards of Conduct and Conflict of Interest Policies and Procedures have been reviewed and adopted as applicable by legal or otherwise authorized representatives of the [ARPA RECIPIENT NAME] and are thereby approved on _____ (enter date).

Printed Name

Title of ARPA Recipient Representative

Signature of ARPA Recipient Representative

Date

9. Consideration/Action on Contract with GMS Architects, LLC for Architectural Services for an American Rescue Plan Act (ARPA) multi-use facility project.

10. Consideration/Possible Action to Approve Task Order No. P972-01 with Guzman & Munoz Engineering and Surveying

**ATTACHMENT "E"
TASK ORDER FORM**

**TOWN OF RANCHO VIEJO
PROFESSIONAL ENGINEERING SERVICES Task Order No. P972-01**

GMES Project No.:	P972	Date:	January 11, 2024
Consultant Task Order No.:	01		
FROM: Town of Rancho Viejo Maribel B. Guerrero, Mayor 3301 Carmen Avenue Rancho Viejo, Texas Office (956) 350-4093		TO: Guzman & Muñoz Engineering and Surveying Jose L. Muñoz, PE, SIT, President 2020 E. Expressway 83 Mercedes, Texas 78570 Office (956)565-4637	
Project Description: Update Road Assessment prepared by Ambiotec in 2015			
Work Description for this Task Order (Include Location): Town of Rancho Viejo, Cameron County, Texas			
TASK	Description	Amount	
I	Review of Street Assessment Report by Ambiotec	\$ 1,200.00	
II	Street Condition Inspection/Assesment (update from 2015)	\$ 5,800.00	
III	Update of Street Maps for overall Town	\$ 6,000.00	
IV	Assesment and Prioritization of Streets	\$ 2,000.00	
V	Cost Estimate Update	\$ 5,000.00	
VI	Assesment Report Update	\$ 4,500.00	
VII	Meetings with staff and City Boardmembers	\$ 1,500.00	
	Total	\$ 26,000.00	
List of Attachments to be Included with every Task Order			
List of Attachments: Attachment "A" - Services to be Provided by the Owner (Same at outlined in the Main Contract - Upon request.) Attachment "B" - Services to be Provided by the Engineer Attachment "C" - Work Schedule Attachment "D" - Tasks Budget (Not to Exceed Amount) \$400,000 Attachment "E" - Construction Cost Estimate (If applicable) Study Only -No Construction			
		LEVEL OF EFFORT	\$ 26,000.00

Town of Rancho Viejo

BY: _____
TITLE: _____
DATE: _____

GUZMAN & MUNOZ ENGINEERING AND SURVEYING, INC

BY: _____
 Jose Muñoz, P.E.
TITLE: _____
 PRESIDENT
DATE: _____

11. Comprehensive Plan Update

12. Review/Approval of Investment Policy

PROCEDURES TO COMPLY WITH THE PUBLIC FUNDS INVESTMENT ACT

1. A copy of the investment policy adopted December 12, 1995 will be provided to the institutions authorized to provide investment services. The institutions must provide certification of having read the investment policy. The only institution at this time is Plains Capital Bank.
2. The investment officer is the Town Administrator, and he/she must attend at least one training session relating to his responsibilities under the Public Funds Investment Act.
3. A current audited financial statement of Plains Capital Bank will be kept on file and will be reviewed by the Mayor.
4. The annual internal control review will be conducted by Cascos & Associates, PC.
5. The monthly financial statements will include a breakdown of the investments of the Town.

INVESTMENT POLICY

It will be the policy of the Town of Rancho Viejo to invest only in the items listed below. Safety of principal is the main concern in the investment of funds. Liquidity to meet reasonably anticipated operating requirements of the Town will be maintained.

1. Bank checking, savings and certificates of deposit secured by the pledge of U.S Government and/or municipal securities of the kind and value as prescribed in Chapter 105 of the local Government Code, Revised Civil Statutes of Texas. Such pledge of security shall be made and maintained in accordance with and subject to the provisions of said Chapter 105.
2. United States Treasury bills, notes and bonds backed by the full faith and credit of the United States Government. Such securities will be purchased on a delivery - versus - payment basis and will be held in safekeeping by a bank with whom the Town has a depository contract.

The maturity of all investments will be less than one year.

Accounts established under depository contracts for bank deposits will be approved by the Board of Aldermen.

Individual investments other than bank deposits will be authorized jointly by the Town Mayor and Town Administrator in written form.

13. Consideration/Approval to Designate the Town of Rancho Viejo Town Hall as an Early Voting Site for the Democratic and Republican Primary Elections to be held on March 5, 2024



REMI GARZA, CERA
ELECTIONS ADMINISTRATOR

January 10, 2024

Mr. Alfredo Blanco
Town Administrator
Rancho Viejo City Hall
3301 Carmen Ave.
Olmito, Texas 78575

Dear Mr. Blanco

This is our official request to designate the following location as an Early Voting site for the Democratic and Republican Primary Elections to be held on March 5, 2024:

Town of Rancho Viejo City Hall, 3301 Carmen Ave., Rancho Viejo, Texas

The dates and times for early voting are as follow:

Tuesday, Feb. 20 thru Friday, Feb. 23	9:00 a.m. to 7:00 p.m.
Saturday, Feb. 24	10:00 a.m. to 5:00 p.m.
Sunday, Feb. 25	10:00 a.m. to 5:00 p.m.
Monday, Feb. 26 thru Friday, March 1	9:00 a.m. to 7:00 p.m.

If you agree, we will be delivering voting equipment a few days before Election Day begins. It will need to be stored in a secure area and be available during the election. We will also need three (3) folding tables, (4-6) chairs and working 120-volt electrical plugs for the equipment.

Upon consideration and agreement, please fax us a confirmation letter at (956) 550-7298 or email it to Maribel.diaz@co.cameron.tx.us. We greatly appreciate your help in making the approaching elections a success.

Thank you in advance for your consideration to this request.

Sincerely,

 for Remi Garza
Remi Garza
Elections Administrator

14. Consideration/Approval of a Resolution Ordering the Election for Rancho Viejo, Designation of Election Precincts and Polling Places, Designation of Method of Voting, Submission of Application by Candidates, Appointment of Early Voting Clerk, and Providing for Publication Notice

RESOLUTION NO.

A RESOLUTION ORDERING THE ELECTION FOR RANCHO VIEJO, DESIGNATION OF ELECTION PRECINCTS AND POLLING PLACES, DESIGNATION OF METHOD OF VOTING, SUBMISSION OF APPLICATION BY CANDIDATES, APPOINTMENT OF EARLY VOTING CLERK, AND PROVIDING FOR PUBLICATION NOTICE

WHEREAS, an election is hereby ordered for the purpose of voting for three (3) Aldermen for a two year term for the Town of Rancho Viejo.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF ALDERMEN OF THE TOWN OF RANCHO VIEJO, TEXAS:

SECTION 1. That the Order of Election for the Town of Rancho Viejo, Texas, signed by Mayor Maribel B. Guerrero and members of the Board of Aldermen dated January 16, 2024, for the election to be held on May 4, 2024, is hereby ratified and adopted in all respects.

SECTION 2. Said election is to be held on Saturday, May 4, 2024, between the hours of 7:00 A.M. and 7:00 P.M. for qualified electors residing within the incorporated area of the Town of Rancho Viejo, and notice is further given that the polling place for such election is hereby designated as the Town Municipal Office, 3301 Carmen Avenue, Rancho Viejo, Texas. Method of Voting shall be by paper ballots, AutoMark Assist Terminal, Version 1.8.6.1 and DS200 Scanner (precinct counter), Version 2.12.2.0.

SECTION 3. Application by candidates for the offices for which the herein described election is called, shall address application for a place on the ballot to the Town Administrator of the Town of Rancho Viejo, Texas and said application shall be accompanied by the statutory oath of candidate for election as provided by the Texas Election Code, and said application shall be filed with the Town Administrator at the Town Municipal Office, 3301 Carmen Avenue, Rancho Viejo, Texas. The first day for filing said application is Wednesday, January 17, 2024, and the last day for filing said application is Friday, February 16, 2024, at 5:00 P.M.

SECTION 4. The Town Administrator or his deputy is hereby appointed Clerk for Early Voting, which Early Voting shall be held at the Town Municipal Office located at 3301 Carmen Avenue in Rancho Viejo, Texas. The period to vote early in person at the Town Administrator's Office is Monday, April 22, 2024, through Monday, April 29, 2024, Monday through Friday, regular working hours (8:00 A.M. to 5:00 P.M.) and Tuesday, April 30, 2024 (8:00 A.M. to 7:00 P.M.).

Application to vote by mail shall be addressed to the Town Administrator, Town of Rancho Viejo, 3301 Carmen Avenue, Rancho Viejo, Texas 78575. Applications for ballot by mail or electronic submission of a scanned application must be received no later than the close of business on Tuesday, April 23, 2024. Electronic submission of a scanned application with an original signature shall be e-mailed to fblanco@ranchoviejotexas.com.

SECTION 5. Any person who wishes to be a write-in candidate must make a declaration of write-in candidacy pursuant to Chapter 146 of the Texas Election Code and in compliance with said law, no write-in vote will be counted unless the name written in appears on the list of write-in candidates as required by Chapter 146 of the Texas Election Code.

SECTION 6. Notice of the election order by the Mayor and Board of Aldermen of the Town of Rancho Viejo, Texas shall be given by publication in the SAN BENITO NEWS one time.

PASSED, ADOPTED AND APPROVED this the 16th day of January 2024.

Maribel B. Guerrero, Mayor

ATTEST:

Fred Blanco, Town Administrator

Applications for ballot by mail shall be mailed to:
(Las solicitudes para boletas que se votarán adelantada por correo deberán enviarse a:)

Fred Blanco

Name of Early Voting Clerk
(Nombre del Secretario/a de la Votación Adelantada)

3301 Carmen Ave

Address (Dirección)

Rancho Viejo 78575

City (Ciudad) Zip Code (Código Postal)

(956) 350-4093

Telephone Number (Número de teléfono)

fblanco@ranchoviejotexas.com

Email Address (Dirección de Correo Electrónico)

www.ranchoviejotexas.com

Early Voting Clerk's Website (Sitio web del Secretario/a de Votación Adelantada)

Applications for Ballots by Mail (ABBMs) must be received no later than the close of business on:
(Las solicitudes para boletas que se votarán adelantada por correo deberán recibirse no más tardar de las horas de negocio el:)

04 / 23 / 2024

(date)(fecha)

Federal Post Card Applications (FPCAs) must be received no later than the close of business on:
(La Tarjeta Federal Postal de Solicitud deberán recibirse no más tardar de las horas de negocio el:)

04 / 23 / 2024

(date)(fecha)

Issued this 16 day of January, 20 24
(day) (month) (year)

(Emitada este día 16 de Enero, 20 24.)
(día) (mes) (año)

Signature of Mayor (Firma del Alcalde)

Applications for ballot by mail shall be mailed to:
(Las solicitudes para boletas que se votarán adelantada por correo deberán enviarse a:)

Fred Blanco
Name of Early Voting Clerk
(Nombre del Secretario/a de la Votación Adelantada)

3301 Carmen Ave
Address (Dirección)

Rancho Viejo 78575
City (Ciudad) Zip Code (Código Postal)

(956) 350-4093
Telephone Number (Número de teléfono)

fblanco@ranchoviejotexas.com
Email Address (Dirección de Correo Electrónico)

www.ranchoviejotexas.com
Early Voting Clerk's Website (Sitio web del Secretario/a de Votación Adelantada)

Applications for Ballots by Mail (ABBMs) must be received no later than the close of business on:
(Las solicitudes para boletas que se votarán adelantada por correo deberán recibirse no más tardar de las horas de negocio el:)

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(día) (mes) (año)

Signature of Mayor (Firma del Alcalde)

Signature of Councilperson
(Firma del Concejal)

Signature of Councilperson
(Firma del Concejal)

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(Firma del Concejal)

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(Firma del Concejal)

Signature of Councilperson
(Firma del Concejal)

Signature of Councilperson
(Firma del Concejal)

15. Town Administrator's Report
 - a. November 2023 Financial Report
 - b. Building Committee Report

16. December 2023 Police Report - Police Chief



RANCHO VIEJO POLICE DEPARTMENT
MONTHLY STATISTICAL REPORT
MONTH OF: DECEMBER 2023
Chief Robert R. Tyler



I	PENAL CODE:	SECTOR	No.	Prior	YTD	ARST	COMMENTS
	SEXUAL ASSAULT				2		
	STALKING						
	ASSAULT FV		2		4		no charges per victims
	HARASSMENT		1				1500 blk Santa Ana
	BURGLARY HAB						
	BURLGARY VEH		2	1	4		see notes
	THEFT (M)						
	THEFT (F)		1		12		attempted theft m/v
	FRAUD/CREDIT				7		
	CRIMINAL MISCHIEF						
	POSSESSION (M)			1	7		
	POSSESSION (F)				2		
	Endangering Child						
	Indecency W/A Child						
	BAIL JUMPING FTA			1		1	Municipal Warrant
	DWI						
	Public Intox				4		
	DUTY STRIKING FIXT				4		
	CRIMINAL TRESPASS				17		
	UNLAWFUL RESTRT						
		TOTAL	6	3	63		
II	INCIDENT REPORTS:	SECTOR	NO.	Prior	YTD	Citation	COMMENTS
	DOMESTIC NV		2	3	19		
	Civil Dispute		1	1	33		child custody
	WELFARE CHECK		12	1	22		
	Traffic Accident			2	22		
	Neighbor Disturbance		1		2		
	DIST (Music) (K9)		2	3	26		
	Natural Death Report				1		
	Suspicious V/P		8	10	47		
	LOST/FOUND PROP			1	3		
	LIVESTOCK DIST						
	VEH IMPOUNDMENTS		1		5		
	ALARM RESIDENTIAL		6	9	100		
	EMS		4	3	84		
	FIRE		3		9		
	Agency ASSIST				23		assist SO
		TOTAL	40	33	396	0	
III	TRAFFIC STOPS:		NO.	Prior	YTD	Collect	Warrants Issued
	Citations		34	509	594	\$3,822	35
IV	TRAFFIC WARRANTS		NO.	CLRD	DIFF		

	WARRANTS		35	1	34	161	
V	SPEED TRAILER						
	AVENUE	POSTED		AVG.		TOP	
	CARMEN	25		28		35	
	CARMEN	35		37		44	
	MORELOS	25		25		33	
	TESORO	25		26		35	
	ESCANDON	25		26		35	
	SANTA ANA	25		25		35	
	SANTA ANA	15		18		25	
	ZAPATA	25		27		34	
	BALBOA	25		24		26	
	PIZARRO	25		25		31	
	CORTEZ	25		28		35	
	BOLIVAR	25		23		31	
	EL DORADO	25		23		30	
	RANCHO NUEVO	25		23		34	
	ALVARADO	25		28		34	
	HIDALGO	25		28		34	
	DELEON	25		23		29	
		25		25.706		32.9412	
VI	POLICE MILEAGE:	Starting	Ending	Total	Gls	MPG	Miles Per Day
	C-21	51101	53300	2199	197.7	11.1229	
	F21 (OPSG)	25586	26,426	840	64	13	
	C-20 (OPSG)	79419	81040	1621	164.3	9.8661	
	C16	48,024	49344	1,320	33	39.6396	training fuel
	F-18	0	0	0	0	0	out of rotation
	F17	107,432	108084	652	63	10	
	Totals	311562	280,217	6,632	523	14	
VII	CHIEF'S COMMENTS						
<p>- Assault 500 block of Santa Ana victim refused to file charges / 400 block of Escandon Ave victim refused to file charges.</p> <p>-Attempt burglary of vehicle 200 block of Resaca Bend / Past burglary of vehicle 4600 block of Carmen Ave.</p> <p>-Attempt Theft of motor vehicle 200 block of Morelos Ave. (requesting warrant for suspect)</p> <p>-Arrested male for active warrant for POCS and Dist or Man of Controlled substance. 3500 block of Carmen / Wanted female out of Cameron County also detained for CCSO.</p> <p>-Traffic stop lead to the arrest of a wanted subject out of Los Fresnos Police for Fail to Appear.</p>							

Violations by Filed Date...		
TRAFFIC	25	
STATE LAW	8	
CITY ORDINANCE	1	
Total Filed Violations		34

Completed Cases...		
Paid Fine...		
TRAFFIC	3	
STATE LAW	0	
CITY ORDINANCE	0	
Total Paid Fines		3
Before Judge...		
TRAFFIC	4	
STATE LAW	0	
CITY ORDINANCE	0	
Total Before Judge		4
Total Completed		7

Other Completed...		
DISMISSED DSC SECTION 1		
TRAFFIC	1	
STATE LAW	0	
CITY ORDINANCE	0	
Total		1
DISMISSED AFTER DEFERRED ADJ.		
TRAFFIC	13	
STATE LAW	1	
CITY ORDINANCE	0	
Total		14
DISMISSED/COMPLIANCE		
TRAFFIC	1	
STATE LAW	0	
CITY ORDINANCE	0	
Total		1
DISMISSED BY PROSECUTOR		
TRAFFIC	1	
STATE LAW	0	
CITY ORDINANCE	0	
Total		1
Total Other Completed		17
Grand Total Completed		24
Net Difference Filed/Complete		10

Warrants...		
Issued...		
TRAFFIC	21	
STATE LAW	14	
CITY ORDINANCE	0	
Total Violations		35
Total Warrants Issued		35
Cleared...		
TRAFFIC	1	
STATE LAW	0	
CITY ORDINANCE	0	
Total Violations		1
Total Warrants Cleared		1
Change in Total Warrants		34

Other Paid Cases...		
Paid Fine...		
Total Other Paid Fines		20

FINE FINE	\$1,646.90	
CCC20 CCC 2020	\$1,160.18	
TFC TFC	\$28.67	
AR ARREST FEE	\$102.11	
STF19 STATE TRAFFIC FEE	\$477.93	
LMCBSF Local Building Security Fund	\$95.16	
LTPDF Local Truancy Prevention Fund	\$97.11	
LMCTF Local Court Technology Fund	\$77.68	
LMJF Local Municipal Jury Fund	\$1.96	
TLFTA1 OMNI FEES	\$9.52	
TLFTA2 OMNI BASE STATE	\$2.86	
TLFTA3 LOCAL OMNI BASE FEE	\$1.90	
TP-L TIME PAYMENT PLAN - LOCAL	\$24.76	
TP-L-C TIME PAYMENT - LOCAL EFFICIENT	\$6.19	
TP-S TIME PAYMENT PLAN - STATE	\$30.97	
CCC04 CONSOLIDATED COURT FEES	\$40.00	
CTF COURT TECHNOLOGY FUND	\$4.00	
SJRF STATE JURY FEE	\$4.00	
JFCI Judicial Fee- City	\$0.60	
JFCT2 Judicial Fee-State	\$5.40	
IDF Indigent Defense Fee	\$2.00	
TPF TRUANCY PREVENTION FUND	\$2.00	
CJFS Civil Justice Fee State	\$0.09	
CJFC Civil Justice Fee Court	\$0.01	
Total Fees/Fines Paid	\$3,822.00	

17. Executive Session: Pursuant to the Following Section of the Texas Government Code: Sections 551.071 and 551.074 to Consider the Reappointment, Employment, Evaluation, or Duties of the Town Administrator and to Consider a Proposed Contract for the Town Administrator

18. Possible Action on Matters Discussed in Executive Session

19. Adjourn