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NOTICE OF A PUBLIC MEETING  
TOWN OF RANCHO VIEJO  
BOARD OF ALDERMEN  
REGULAR MEETING

DECEMBER 14, 2010

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 December 14, 2010 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 - November 9, 2010
6. Consideration/Action on Building Inspector Job Description  
And Contract
7. Consideration/Action to Advertise for Building Inspector  
Position and Approval for Mayor to Enter Negotiations  
With Applicant
8. Public Comment
9. Adjourn

  
Cheryl J. Kretz  
Town Administrator

Item #1:  
Call to Order  
by Mayor Medrano

Item #2:

## Roll Call

by Isabel V. Perales, those present are:

Aldерwoman Carr

Aldерwoman Hager

Aldерwoman Hinojosa

Alderman Lackner

Alderman Rafac

Legal Counsel, Daniel Rentfro, Jr.

Town Administrator, Cheryl J.

Kretz.

Item #3:

Invocation and Pledge

The pledge of allegiance for 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 for the Texas State Flag is,

*“Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”*

# Item #4: Public Comment

Item #5:

Approval of Minutes -  
November 9, 2010

MINUTES OF A REGULAR MEETING  
TOWN OF RANCHO VIEJO  
NOVEMBER 9, 2010

A Regular Meeting of the Board of Aldermen of the Town of Rancho Viejo, Texas was held on Tuesday, November 9, 2010, at the Town Municipal Office, 3301 Carmen Avenue, Rancho Viejo, Texas, the same being open to the public. The meeting was called to order by Mayor Roberto Medrano at 6:00 P.M. Roll call was made by Isabel Perales, Assistant Town Secretary. Members present at the meeting were:

Mrs. Lupita Carr  
Mrs. Jean Hager  
Mrs. Maria Hinojosa  
Mr. Robert Lackner  
Mr. Joe Rafac

A quorum was present at the meeting.

Mr. Daniel Rentfro, Jr., legal counsel was present. Town Administrator Cheryl J. Kretz was also present at the meeting.

Those present in the audience were:

Clifford Rowell	Chief M. Cruz, Jr.
Gustavo Guerra	Marilyn Lindeman
Dick Lindeman	Ron Cassels
Kaye Fullerton	Cathy Cassels
James Jarreau	Glenn Carr
Laura Partridge	

INVOCATION AND PLEDGE:

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

PUBLIC COMMENT:

Mr. Clifford Rowell mentioned Allied Waste vehicles dropping hydraulic fluid on the street. Mrs. Kaye Fullerton commented on the building inspector matters. Mr. Ron Cassels read a statement in reference to his job as building inspector. Mrs. Laura Partridge inquired about code enforcement for brush piles and trash.



APPROVAL OF MINUTES - REGULAR MEETING OCTOBER 12, 2010:

Motion was made by Alderwoman Carr, seconded by Alderwoman Hager, and unanimously carried, that the Minutes of the Regular Meeting held on October 12, 2010 be approved as written.

RECOGNIZE ANNUAL CHRISTMAS DRIVE - GOOD NEIGHBOR SETTLEMENT HOUSE DAY - DECEMBER 18, 2010:

Alderwoman Hinojosa and her family will be coordinating the 2010 Good Neighbor Settlement House Drive scheduled for Saturday, December 18<sup>th</sup> from 10:00 AM to Noon. Items can be dropped off at 4 Pizarro.

CONSIDERATION/ACTION ON RESOLUTION OF THE TOWN OF RANCHO VIEJO BOARD OF ALDERMEN REQUESTING THE MEMBERS OF THE 82<sup>ND</sup> LEGISLATIVE SESSION OF THE STATE OF TEXAS SUPPORT LEGISLATION THAT INCREASES FUNDING FOR THE TEXAS RECREATION & PARKS ACCOUNT LOCAL PARK GRANT PROGRAM AND THE TEXAS STATE PARK SYSTEM:

Motion was made by Alderwoman Hager, seconded by Alderman Rafac, and unanimously carried, to pass, adopt and approve RESOLUTION NO. 228 - A RESOLUTION OF THE TOWN OF RANCHO VIEJO BOARD OF ALDERMAN REQUESTING THE MEMBERS OF THE 82<sup>ND</sup> LEGISLATIVE SESSION OF THE STATE OF TEXAS SUPPORT LEGISLATION THAT INCREASES FUNDING FOR THE TEXAS RECREATION & PARKS ACCOUNT LOCAL PARK GRANT PROGRAM AND THE TEXAS STATE PARK SYSTEM.

CONSIDERATION/ACTION ON EMPLOYMENT OF RESERVE POLICE OFFICER:

Motion was made by Alderman Rafac, seconded by Alderwoman Hinojosa, and unanimously carried, to approve the employment of Gustavo Guerra as a Reserve Police Officer.

PUBLIC COMMENT:

Mr. Clifford Rowell stated that he felt very safe in Rancho Viejo with the fine job that the Police Department was doing. Mr. Richard Lindeman inquired about the sign.

EXECUTIVE SESSION: PURSUANT TO THE FOLLOWING SECTION OF THE TEXAS GOVERNMENT CODE: SECTION 551.074 TO DISCUSS PERSONNEL MATTERS:

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Motion was made by Alderwoman Hinojosa, seconded by Alderwoman Hager, and unanimously carried, to go into Executive Session at 6:29 P.M. pursuant to the Texas Government Code Section 551.074 to discuss Personnel Matters.

ADJOURNMENT:

The Board reconvened to open session at 7:11 P.M. Motion was made by Alderman Lackner, seconded by Alderwoman Carr, and unanimously carried, to adjourn the meeting.

BY: \_\_\_\_\_  
Cheryl J. Kretz, Town Secretary

APPROVED: \_\_\_\_\_  
Roberto Medrano, Mayor

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

Item #6:  
Consideration/Action on  
Building Inspector Job  
Description and Contract

## AGREEMENT FOR BUILDING INSPECTOR SERVICES

AGREEMENT made on \_\_\_\_\_ [date] at Rancho Viejo, Texas, between THE TOWN OF RANCHO VIEJO, TEXAS, a municipal corporation, located at \_\_\_\_\_ [address] (the "Client") and \_\_\_\_\_, of \_\_\_\_\_ [address], the "Consultant".

### Recitals

The Client is a Type A General Law Municipality, operating under the provisions of the Texas Local Government Code, and has its principal place of business at \_\_\_\_\_. The Client desires to engage the services of the Consultant, as an independent contractor and not as an employee, to fulfill the position of building inspector for the Client on the terms and conditions provided in this agreement.

The Consultant is a[n] \_\_\_\_\_ [specify profession] properly \_\_\_\_\_ [licensed or certified or qualified] to practice in the State of Texas. Consultant desires to render professional building inspection services for the Client on the terms and conditions provided in this agreement].

THEREFORE, the Client engages the services of the Consultant. In consideration of the mutual promises contained in this contract, the parties agree as follows:

### Term

1. This agreement is for a period of one year, commencing on \_\_\_\_\_. It is renewable annually at the discretion of the Board of Aldermen. It may be terminated by mutual agreement upon a 30 day written notice, or under the provisions of Article 8 below.

### Services

2. The services to be rendered by the Consultant to the Client consist of fulfilling the position of building inspector for the Client. Those services are more fully described in the job description attached here to as Exhibit "A", which is incorporated herein by reference and made a part of this contract as fully as if set forth herein.

### Use of Agents or Assistants

3. This job is personal to the Consultant, and he/she is not authorized to engage the services of any agents, assistants, persons, or corporations in its performance.

### **Equipment**

4. The Consultant will furnish all equipment that may be necessary to perform services required under this agreement.

### **Facilities**

5. The Client will furnish all facilities during normal business hours, for use by the consultant as may be required for preparing reports, copying and research.

### **Fee**

6. For services to be rendered under this agreement, the Consultant will be entitled to fees according to the fee schedule of Rancho Viejo.

### **Devotion of Time**

7. The Consultant will devote the time that is reasonably necessary for a satisfactory performance to the performance of Consultant's duties under this agreement. If the Client requires additional services not included under this agreement, the Consultant will make a reasonable effort to fit those additional services into Consultant's time schedule without decreasing the effectiveness of performance of duties required under this agreement. However, the availability of additional services is subject to the provisions for additional fees for additional services as discussed in Paragraph 5, above.

### **Termination**

8. This Agreement may be terminated by Client upon (1) a finding by a majority of the Board of Aldermen, after notice and an opportunity to be heard, that Consultant has been guilty of incompetence, corruption, misconduct, or malfeasance in office, (2) a vote of no confidence approved by two-thirds of the Board of Aldermen, or (3) as stated in Section 1 above.

### **Entire Agreement**

9. This agreement constitutes the sole and only agreement of the parties and supersedes any prior understandings or written or oral agreements between the parties respecting this subject matter.

### **Assignment**

10. Neither this agreement nor any duties or obligations may be assigned by the Consultant without the prior written consent of the Client. In the event of an assignment by the Consultant to which the Client has consented, the assignee or the assignees' legal representative must agree in writing with the Client to personally assume, perform, and be bound by all the provisions of this agreement.

### **Successors and Assigns**

11. Subject to the provisions regarding assignment, this agreement is binding on and inures to the benefit of the parties to it and their respective heirs, executors, administrators, legal representatives, successors, and assigns.

### **Attorney's Fees**

12. If any action at law or in equity is brought to enforce or interpret the provisions of this agreement, the prevailing party is entitled to reasonable attorney's fees in addition to any other relief to which \_\_\_\_\_ [he *or* she *or* it] may be entitled.

### **Governing Law**

13. This agreement, and the rights and duties of the parties under it, are governed by the laws of the State of Texas.

### **Amendment**

14. This agreement may be amended by the mutual agreement of the parties to it, in a writing to be attached to and incorporated in this agreement.

### **Legal Construction**

15. In the event that any one or more of the provisions contained in this agreement is for any reason be held to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability will not affect any other provisions, and the agreement will be construed as if the invalid, illegal, or unenforceable provision had never been contained in it.

Executed at \_\_\_\_\_ [place] Texas, on \_\_\_\_\_ [date].

\_\_\_\_\_ [signature]  
\_\_\_\_\_ [typed name of consultant]

[OR]

\_\_\_\_\_ [typed name of firm]  
By: \_\_\_\_\_ [signature]  
\_\_\_\_\_ [typed name and title, if any, of person signing]

\_\_\_\_\_ [typed name of firm]  
By: \_\_\_\_\_ [signature]  
\_\_\_\_\_ [typed name and title, if any, of person signing]

**Position Title: BUILDING OFFICIAL**

**Reports to: Mayor**

**Job Summary:** The Building Official is responsible for building, planning, mechanical, and plumbing code inspection, and compliance work, and enforcement of the International Residential Code, and other codebooks, including any Town ordinances. The Building Official evaluates construction plans, associated reports, and permit applications to ensure compliance with all related city, state, and national construction codes, ordinances and regulations. The position may be filled as a part-time employee, or via contract, at the agreement of the Town and the employee.

**Duties and Responsibilities/Essential Functions:**

- ❖ Review plans, drawings and specifications for conformance with building, plumbing and mechanical codes and Town ordinances.
- ❖ Prepare list of items to be corrected prior to issuance of building permits.
- ❖ Conduct building inspections during various stages of construction and remodeling, to ensure compliance with current applicable codes, ordinances, and regulations. Please reference Rancho Viejo Code of Ordinances, Building Ordinance, Chapter 14.
- ❖ Conduct inspections of swimming pools at construction sites for compliance with regulations.
- ❖ Maintain or oversee and monitor the maintenance of files regarding inspection and plan check activities and findings.
- ❖ Perform code enforcement activities of the building ordinances of Rancho Viejo.
- ❖ Advise by written report or oral presentation the Board of Aldermen, the Planning and Zoning Commission, and the Building Committee on issues related to building standards and code enforcement.



- ❖ Investigate citizen complaints involving building, nuisance, health and life-safety issues, and construction site maintenance; work with Town Administrator and Mayor to resolve issues.
- ❖ Perform related duties as required.

**Education (Certification) and Experience:**

- ❖ High school diploma or equivalent.
- ❖ Valid Texas driver's license.
- ❖ Background in and knowledge of various codes and regulations.
- ❖ Five years minimum experience in building construction and reading construction plans
- ❖ Preferably hold a license as a Professional Inspector from the Texas Real Estate Commission, or obtain such license within one year after employment.

**Qualifications:**

While requirements may be representative of minimum levels of knowledge, skills and abilities, to perform this job successfully, the incumbent will possess the ability to perform each duty proficiently, including:

- Knowledge of:
  - Applicable federal, state, and local laws, codes, ordinances, regulations, policies and procedures related to plan review, building inspection, and code enforcement.
  - Building construction, materials, and methods.
  - Principles and techniques of building inspection and plans examining work.

- Ability to:
  - Meet and deal effectively with various officials and agencies, as well as with the public, contractors, developers, and co-workers.
  - Deal with the public courteously, tactfully, and professionally.
  - Prepare reports, letters, and other documents.
  - Interpret and apply pertinent federal, state and local laws, codes, and regulations.
  - Read and interpret complex plans, specifications and building codes.
  - Apply technical knowledge and follow proper inspection techniques to examine workmanship and materials and detect deviations from plans, regulations and standard construction practices.
  - Enforce regulations with firmness and tact.
  - Understand and follow oral and written instructions.
  - Respect the confidentiality of all files and records pertaining to applicants
  
- Other Skills
  - The possession of tact, integrity and common sense.
  - Excellent communication and administrative skills.
  - Ability to work both independently and as part of a team.

## **WORKING CONDITIONS**

Work is performed indoors and outdoors. Work is performed in office and field environments and requires travel to a variety of locations to perform work. Hazardous areas may be routinely encountered, including but not limited to construction hazards, open trenches, traffic and specialized equipment. Protective clothing may be required for completion of some job requirements, including safety equipment, hard hats and/or other protective equipment.

## **PHYSICAL REQUIREMENTS:**

The Building Official must have the overall stamina and ability to perform moderate to strenuous physical activity, including the ability to stand or walk for long periods of time, tolerating South Texas heat and elements, traversing rough terrain, working at heights or on scaffolding, and lifting or carrying up to 50 pounds. Job requirements may include the ability to climb, bend and work in tight or confined spaces. The work also involves indoor work involving a computer, and reviewing plans and code books that require the job holder to sit for long periods of time.

## **CONTACTS AND RELATIONSHIPS**

The Building Official is responsible for the inspection of new construction, alterations, or repair of residential and commercial structures to ensure compliance with city ordinances and uniform codes. Work involves coordination with members of the Town staff, as well as considerable contact with private citizens, contractors, builders, and others where firmness, tact, discretion within existing guidelines, and diplomacy are required to secure cooperation and compliance.

Supervision of this position is occasional, consisting of meeting with the Mayor and Town Administrator to discuss policy directives, priorities, tasks, and review of work.

## Item #7:

Consideration/Action to Advertise for Building Inspector Position and Approval for Mayor to Enter Negotiations with Applicant

# Item #8: Public Comment

Item #9:  
Adjourn