



3301 CARMEN AVE, 78575  
Phone 956-350-4093  
Fax 956-350-4156

# **BOARD OF ALDERMEN**

## **REGULAR MEETING**

### **April 9, 2013**



3301 CARMEN AVE, 78575

Phone 956-350-4093

Fax 956-350-4156

NOTICE OF A PUBLIC MEETING

TOWN OF RANCHO VIEJO

BOARD OF ALDERMEN

REGULAR MEETING

APRIL 9, 2013

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 APRIL 9, 2013 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 - March 12, 2013
6. Discussion and Action on Town Marquee
7. Consideration/Acceptance of Certification of Unopposed Candidates; Consideration/Approval of Order of Cancellation; and Consideration/Approval of Ordinance Declaring Unopposed Candidates in the May 11, 2013 General Municipal Election Elected to Office, Canceling the Election, Providing for a Severability Clause, and Providing an Effective Date
8. Consideration/Action on Reappointment of Members to the Planning and Zoning Commission
9. Consideration/Approval to Declare One 2005 Dodge Magnum (Seized Vehicle that is Asset Forfeiture) Surplus Property to be Sold and Authorize the Police Chief/Mayor to Accept the Highest Offer

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

APRIL 9, 2013  
6:00 P.M.

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10. Consideration/Action on Resolution Regarding Current Drought Situation and Water Delivery Issues with Mexico
11. Presentation on Development Status Update by Mr. Anthony DePonce
12. Public Comment
13. Adjourn

  
Cheryl J. Kretz  
Town Administrator

# #1 Call to Order

by Mayor Medrano

# #2 Roll Call

by Isabel Perales

Aldерwoman Carr

Aldерwoman Hager

Aldерwoman Guerrero

Aldерwoman Rathbun

Aldерwoman Truan

Legal Counsel, Daniel Rentfro, Jr.

Town Administrator, Cheryl J. Kretz.

# #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 – March 12, 2013



MINUTES OF A REGULAR MEETING  
TOWN OF RANCHO VIEJO  
MARCH 12, 2013

A Regular Meeting of the Board of Aldermen of the Town of Rancho Viejo, Texas was held on March 12, 2013, 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. Jean Hager  
Mrs. Cyndie Rathbun  
Mrs. Bitty Truan

Mrs. Maribel Guerrero arrived at 6:03 P.M. and Mrs. Lupita Carr arrived at 6:04 P.M.

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

Those present in the audience were:

|                    |                    |
|--------------------|--------------------|
| Marilyn Lindeman   | Dick Lindeman      |
| E. J. Chaney, M.D. | Craig Stowell      |
| Gladys Cummins     | Maria Long         |
| Richard P. Lewis   | Chief M. Cruz, Jr. |
| Geoffrey Ryan      | Rosalinda Tijerina |
| Xavier Montemayor  | Kelly Cuff         |
| Glenn Carr         |                    |

INVOCATION AND PLEDGE:

Alderwoman Hager led the group in the invocation and pledge of allegiance to the American and Texas flags.

PUBLIC COMMENT:

There were no public comments from the audience.

APPROVAL OF MINUTES:

Motion was made by Alderwoman Rathbun, seconded by Alderwoman Hager, and unanimously carried, that the Minutes of the Regular Meeting held on February 12, 2013 at 6:00 P.M. be approved as written.

PRESENTATION BY RANCHO VIEJO RESORT & COUNTRY CLUB ON  
PAINTING CLUB LOGO ON WATER TOWER:

Mr. Xavier Montemayor and Mr. Kelly Cuff from the Rancho Viejo Resort and Country Club made a presentation for their new logo to be painted on the water tower. The Club was willing to incur this expense. It was the consensus of the board members that this logo would be a modern and updated look.

CONSIDERATION/ACTION ON AUTHORIZING FUNDS FOR PAINTING OF  
CURRENT LOGO ON WATER TOWER - \$12,997; FUNDS TO BE MOVED  
FROM GENERAL RESERVE:

Since Rancho Viejo Resort and Country Club was willing to pay for the painting of their logo on the water tower, no action was taken on this item.

PUBLIC HEARING TO RECEIVE FINAL RECOMMENDATION OF THE  
PLANNING AND ZONING COMMISSION OF THE TOWN OF RANCHO VIEJO,  
TEXAS ON AN ORDINANCE OF THE TOWN OF RANCHO VIEJO, TEXAS  
AMENDING THE COMPREHENSIVE ZONING ORDINANCE, ESTABLISHING  
PROCEDURE FOR OBTAINING A SPECIFIC USE PERMIT, PROVIDING  
FOR AN EFFECTIVE DATE AND PUBLICATION IN CAPTION FORM:

Mayor Medrano and Alderwoman Rathbun explained the importance and use for the Specific Use Ordinance. After Mayor Medrano opened the public hearing, Mr. Geoffrey Ryan asked about the difference in this ordinance and a variance, and Mr. Dick Lindeman inquired about the procedures of this ordinance.

After everyone was given an opportunity to speak on the matter, motion was made by Alderwoman Guerrero, seconded by Alderwoman Truan, and unanimously carried, to close the public hearing.

CONSIDERATION, DISCUSSION AND ACTION ON FINAL  
RECOMMENDATION TO THE BOARD OF ALDERMEN ON WHETHER TO ENACT  
AN ORDINANCE OF THE TOWN OF RANCHO VIEJO, TEXAS AMENDING  
THE COMPREHENSIVE ZONING ORDINANCE, ESTABLISHING PROCEDURE  
FOR OBTAINING A SPECIFIC USE PERMIT, PROVIDING FOR AN  
EFFECTIVE DATE AND PUBLICATION IN CAPTION FORM:

The Planning and Zoning Commission, at their March 7, 2013 meeting, made a unanimous final recommendation to the Board of Aldermen to enact this ordinance. Motion was made by Alderwoman Hager, seconded by Alderwoman Carr, and unanimously carried, to

pass, adopt and approve ORDINANCE NO. 205 - AN ORDINANCE OF THE TOWN OF RANCHO VIEJO, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE, ESTABLISHING PROCEDURE FOR OBTAINING A SPECIFIC USE PERMIT, PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION IN CAPTION FORM.

CONSIDERATION/ACTION ON RESOLUTION SUPPORTING THE ADOPTION OF LEGISLATION TO CONSOLIDATE THE FACILITIES AND PROGRAMS AT THE UNIVERSITY OF TEXAS-PAN AMERICAN, THE UNIVERSITY OF TEXAS AT BROWNSVILLE AND THE REGIONAL ACADEMIC HEALTH CENTER INTO A SINGLE INSTITUTION:

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Motion was made by Alderwoman Guerrero, seconded by Alderwoman Rathbun, and unanimously carried, to pass, adopt and approve RESOLUTION NO. 253 - A RESOLUTION SUPPORTING THE ADOPTION OF LEGISLATION TO CONSOLIDATE THE FACILITIES AND PROGRAMS AT THE UNIVERSITY OF TEXAS-PAN AMERICAN, THE UNIVERSITY OF TEXAS AT BROWNSVILLE AND THE REGIONAL ACADEMIC HEALTH CENTER INTO A SINGLE INSTITUTION.

PUBLIC COMMENT:

Mrs. Maria Long commented on the stray dog situation, and Mayor Medrano noted that guidelines for dealing with stray dogs were being developed.

EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 TO SEEK THE ADVICE OF THE TOWN'S ATTORNEY ABOUT LITIGATION:

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Motion was made by Alderwoman Hager, seconded by Alderwoman Carr, and unanimously carried, to go into Executive Session pursuant to the Texas Government Code, Section 551.0781, to seek the advice of the Town's attorney about litigation at 6:38 P.M.

Motion was made by Alderwoman Guerrero, seconded by Alderwoman Hager, and unanimously carried, to reconvene the regular meeting at 7:49 P.M.

POSSIBLE ACTION ON MATTERS OR ITEMS DISCUSSED IN EXECUTIVE SESSION:

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There was no action on this item.

March 12, 2013

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ADJOURNMENT:

Motion was made by Alderwoman Guerrero, seconded by Alderwoman Carr, and unanimously carried, to adjourn the meeting at 7:50 P.M.

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

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

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

# Discussion and Action on Town Marquee

**Rancho Viejo Beautification Committee  
March 14, 2013  
Town Hall  
5:30 P.M.**

**The Rancho Viejo Beautification Committee recommends that the marquee in front of Town Hall be removed because of its poor construction which discourages further investment in its limited use as communication to residents.**

**The Committee agreed to use its budgeted funds to pay for the cost of removal.**

**Jean Hager, Chairman  
Bob Richardson  
Rosie Fruia  
Maribel Guerrero**

Consideration / Acceptance of  
Certification of Unopposed  
Candidates; Consideration /  
Approval of Order of  
Cancellation; and  
Consideration/ Approval of  
Ordinance Declaring  
Unopposed Candidates in the  
May 11, 2013 General  
Municipal Election Elected to  
Office, Canceling the Election,  
Providing for a Severability  
Clause, and Providing an  
Effective Date

ORDINANCE NO.

AN ORDINANCE DECLARING UNOPPOSED CANDIDATES IN THE MAY 11, 2013 GENERAL MUNICIPAL ELECTION ELECTED TO OFFICE; CANCELING THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the general municipal election was called for May 11, 2013 for the purpose of electing members to the Board of Aldermen; and

WHEREAS, the City Secretary has certified in writing that there is no proposition on the ballot, that no person has made a declaration of write-in candidacy, and that each candidate on the ballot is unopposed for election to office; and

WHEREAS, under these circumstances, Subchapter C, Chapter 2, Election Code, authorizes the Board of Aldermen to declare the candidates elected to office and cancel the election;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF RANCHO VIEJO:

Section 1. The following candidates, who are unopposed in the May 11, 2013 general municipal election, are declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed:

|             |          |
|-------------|----------|
| Jean Hager  | Mayor    |
| Bitty Truan | Alderman |
| Javier Vera | Alderman |

Section 2. The May 11, 2013 general municipal election is canceled, and the City Secretary is directed to cause a copy of the Order of Cancellation to be posted on election day at each polling place that would have been used in the election.



Section 3. It is declared to be the intent of the Board of Aldermen that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance since the Board of Aldermen would have enacted them without the invalid portion.

Section 4. This ordinance shall take effect upon its passage and it is so ordained.

PASSED, APPROVED, AND ADOPTED on this the 9<sup>th</sup> day of April, 2013.

Roberto Medrano  
Mayor

ATTEST:

Cheryl J. Kretz  
Town Secretary

**CERTIFICATION OF UNOPPOSED CANDIDATES  
FOR OTHER POLITICAL SUBDIVISIONS (NOT COUNTY)  
CERTIFICACIÓN DE CANDIDATOS ÚNICOS  
PARA OTRAS SUBDIVISIONES POLITICAS (NO EL CONDADO)**

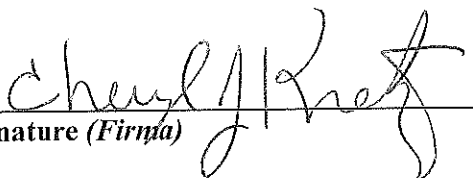
**To: Presiding Officer of Governing Body**  
*Al: Presidente de la entidad gobernante*

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 11, 2013.

*Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 11 de mayo del 2013.*

**List offices and names of candidates:**  
*Lista de cargos y nombres de los candidatos:*

| <b>Office(s) Cargo(s)</b> | <b>Candidate(s) Candidato(s)</b> |
|---------------------------|----------------------------------|
| Mayor                     | Jean Hager                       |
| Alderman                  | Bitty Truan                      |
| Alderman                  | Javier Vera                      |

  
Signature (*Firma*)

Cheryl J. Kretz  
Printed name (*Nombre en letra de molde*)

Town Secretary  
Title (*Puesto*)

April 3, 2013  
Date of signing (*Fecha de firma*)

(Seal) (*sello*)

**ORDER OF CANCELLATION**  
**ORDEN DE CANCELACIÓN**

The Board of Aldermen hereby cancels the election scheduled to be held on  
(official name of governing body)  
May 11, 2013 in accordance with Section 2.053(a) of the Texas  
(date on which election was scheduled to be held)  
Election Code. The following candidates have been certified as unopposed and are hereby  
elected as follows:

*La junta de concejales por la presente cancela la elección que, de lo contrario,  
(nombre oficial de la entidad gobernante)  
se hubiera celebrado el 11 de mayo del 2013 de conformidad, con  
(fecha en que se hubiera celebrado la elección)  
la Sección 2.053(a) del Código de Elecciones de Texas. Los siguientes candidatos han sido  
certificados como candidatos únicos y por la presente quedan elegidos como se haya indicado  
a continuación:*

| Candidate (Candidato) | Office Sought (Cargo al que presenta candidatura) |
|-----------------------|---|
| Jean Hager            | Mayor   |
| Bitty Truan           | Alderman  |
| Javier Vera           | Alderman  |

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

*El Día de las Elecciones se exhibirá una copia de esta orden en todas las mesas electorales que se hubieran utilizado en la elección.*

\_\_\_\_\_  
Mayor (Alcalde)

\_\_\_\_\_  
Secretary (Secretario)

(seal) (sello)

April 9, 2013  
\_\_\_\_\_  
Date of adoption (Fecha de adopción)

See reverse side for instructions  
*Instrucciones en el reverso*

Consideration /Action on  
Reappointment of Members to  
the Planning and Zoning  
Commission

Reappoint:

Mrs. Laura Partridge

Mr. Oscar Gonzalez

Consideration /Approval to  
Declare One 2005 Dodge  
Magnum (Seized Vehicle that is  
Asset Forfeiture) Surplus  
Property to be Sold and  
Authorize the Police  
Chief/Mayor to Accept the  
Highest Offer

Seized Vehicle

2005 Dodge Magnum

Accept Best Offer

Consideration /Action on  
Resolution Regarding Current  
Drought Situation and Water  
Delivery Issues with Mexico



RESOLUTION NO.

**WHEREAS**, the 1944 Treaty between the United States and Mexico provides that the United States is entitled to one-third of the flow reaching the main channel of the Rio Grande from the Conchos, San Diego, San Rodrigo, Escondido and Salado Rivers and the Las Vacas Arroyo, provided that this third shall not be less, as an average amount in cycles of five consecutive years, than 350,000 acre-feet (431,721,000 cubic meters) annually; and,

**WHEREAS**, Texas water right holders are the sole beneficiaries of the United States' one-third ( $\frac{1}{3}$ ) portion of such flow in the Rio Grande; and,

**WHEREAS**, the 1944 Treaty further states that any deficits during a five (5) cycle caused by "extraordinary drought" which is a year in a five (5) year cycle in which there are insufficient surface water runoff in the Rio Grande Basin in Mexico to provide for the required Treaty flows to the Rio Grande or a serious accident to the hydraulic systems on the measured Mexican tributaries must be made up within the five (5) year period/cycle; and,

**WHEREAS**, the current five (5) year cycle began on October 25, 2010 and will end on October 25, 2015; as of February 9, 2013, Mexico has delivered 403,082 acre-feet. Based on an average annual delivery of 350,000 acre-feet, Mexico is approximately 392,000 acre-feet behind in their deliveries as of February 9, 2013; and,

**WHEREAS**, the Rio Grande Watermaster has reported that our water right holders have 60% less water starting off in 2013 as compared to this time last year, and this situation is due in part to the lingering drought conditions in Texas and to the continued lack of inflows from Mexico during this five (5) year cycle; and,

**WHEREAS**, the State of Chihuahua, Mexico has plans in place to undertake infrastructure projects which include the construction of at least fifteen (15) storage reservoirs of which seven (7) to nine (9) could potentially reduce the inflows into the Rio Grande and our reservoir system; and,

**WHEREAS**, the Rio Grande Regional Water Planning Group (Region M, Texas Water Development Board) has determined that water requirements will exceed supply for the next 30 and 50 year planning horizons in the Region on the Rio Grande dependent upon the Treaty water from Mexico; and,

**WHEREAS**, the Rio Grande Valley is expected to be in a water shortage for irrigation and is headed toward a serious water shortage for municipalities in the near future; and,

**WHEREAS**, the United States gives priority to its obligations under the 1944 Treaty to assure required flows of the Colorado River in the Colorado River Watershed in the western United States reach Mexico and takes actions to ensure that Mexico receives required flows of water from the Colorado River Watershed in the United States to which it is entitled under the Treaty.

**NOW THEREFORE BE IT RESOLVED**, that the Board of Aldermen of the Town of Rancho Viejo, Texas request the United States Section of the International Boundary and Water Commission and the United States Department of State to pursue through appropriate Minute Orders and formal agreements whereby Mexico formalizes a compliance program under the 1944 Treaty to annually set aside water in sufficient amounts, as a priority allocation to the United States from the named tributaries in Mexico to ensure Mexico's full compliance with the 1944 Treaty.

PASSED, ADOPTED, and APPROVED by the Board of Aldermen of the Town of Rancho Viejo on this the 9<sup>th</sup> day of April, 2013.

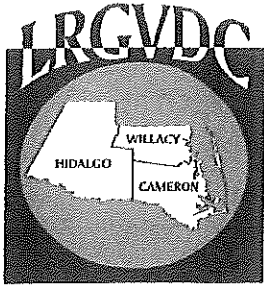
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Roberto Medrano, Mayor  
Town of Rancho Viejo

ATTEST:

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Cheryl J. Kretz, Town Secretary



# Lower Rio Grande Valley Development Council

Mayor Steve Brewer, La Feria .....President  
 Hon. Norma G. Garcia, Member-at-Large.....1<sup>st</sup> Vice-President  
 Mayor Tony Martinez, Brownsville.....2<sup>nd</sup> Vice-President  
 Mayor Chris Boswell, Harlingen.....Secretary  
 Commissioner Gerardo "Jerry" Tafolla, Weslaco.....Treasurer  
 Mayor Pro-Tem Eddy Gonzalez, Edcouch .....Immediate Past President

## BOARD MEMBERS

Sofia Benavides  
 Commissioner, Cameron County

Hector "Tito" Palacios  
 Commissioner, Hidalgo County

John F. Gonzales  
 Judge, Willacy County

Pilar Garza  
 Commissioner, Alamo

David S. Simmons  
 Mayor, Donna

Gus Garcia  
 Council Member, Edinburg

Jim Darling  
 Commissioner, McAllen

Henry Hinojosa  
 Mayor, Mercedes

Norie Gonzalez Garza  
 Council Member, Mission

Leo "Polo" Palacios, Jr.  
 Mayor, Pharr

Orlando Correa  
 Mayor, Raymondville

Joe D. Gonzalez  
 Commissioner, San Benito

Armando Garza  
 Mayor Pro-tem, San Juan

Dr. Cesar Maldonado  
 TSTC, Harlingen

Roberto Loreda  
 Donna I.S.D.

Gale Armstrong  
 El Jardin Water Supply

J. Shane Cameron  
 Willacy Navigation District

Alvin Samano  
 Member-at-Large

Don Medina  
 Member-at-Large

Arturo Ramirez  
 Grassroots Organizations

EXECUTIVE DIRECTOR  
 Kenneth N. Jones, Jr.

## MEMORANDUM

TO: LRGVDC Membership and Interested Entities

FROM: Ken Jones, Executive Director

SUBJ: Request to Adopt Resolution

DATE: March 6, 2013

At the February 28<sup>th</sup> meeting of the LRGVDC Board of Directors the attached resolution addressing Mexico's compliance to the 1944 Treaty was unanimously approved. In summary, the resolution outlines Mexico's responsibilities to provide United States Water Right Holders with a specified amount of surface water as defined in the 1944 Treaty. Additionally, the current status of Mexico's delayed deliveries is noted as well as the State of Chihuahua's plans for construction of storage reservoirs which could reduce the inflows into the Rio Grande and our reservoir system.

With the current state of our drought situation time is of the essence to regionally encourage the IBWC and the U.S. State Department to pursue through appropriate Minute Orders and formal agreements for Mexico to formalize a compliance program under the 1944 Treaty to annually set aside water in sufficient amounts to ensure Mexico's full compliance to the Treaty. In order to move our regional voice forward on this issue, the LRGVDC Board of Directors is asking for your consideration to adopt a similar resolution that can be submitted to the State Department, IBWC, and our Federal and State Delegation. For your convenience I have also attached a "model" resolution in PDF format for customization. Also, please let us know when your resolution is scheduled for consideration so we can try to have a resource person present if needed. Upon adoption, please forward a copy so we can compile for submission to the entities noted.

Thank you for consideration of this request and please contact me should there be any questions.

Subj: **Resolution re Current Drought & Mexican Water Issues for Consideration**  
 Date: 3/8/2013 12:38:16 P.M. Central Daylight Time  
 From: dmorales@lrgvdc.org  
 To: [aelizondo@myharlingen.us](mailto:aelizondo@myharlingen.us), [afelix@cityofmercedes.net](mailto:afelix@cityofmercedes.net), [mando.garza.jr@gmail.com](mailto:mando.garza.jr@gmail.com),  
[ceolrgv@vtxb.com](mailto:ceolrgv@vtxb.com), [becky.chapa@co.willacy.tx.us](mailto:becky.chapa@co.willacy.tx.us), [acarrillo@missiontexas.us](mailto:acarrillo@missiontexas.us),  
[Blanca.Villalpando@senate.state.tx.us](mailto:Blanca.Villalpando@senate.state.tx.us), [brodriguez@cityofsanjuantexas.com](mailto:brodriguez@cityofsanjuantexas.com),  
[cesar.maldonado@harlingen.tstc.edu](mailto:cesar.maldonado@harlingen.tstc.edu), [cboswell@southtexlaw.com](mailto:cboswell@southtexlaw.com), [citysec@cityofedinburg.com](mailto:citysec@cityofedinburg.com),  
[dsimmons@donnaisd.net](mailto:dsimmons@donnaisd.net), [delma2443@prontonet.net](mailto:delma2443@prontonet.net), [don\\_molina@hotmail.com](mailto:don_molina@hotmail.com),  
[eddyg1050@sbcglobal.net](mailto:eddyg1050@sbcglobal.net), [cindy.concha@co.willacy.tx.us](mailto:cindy.concha@co.willacy.tx.us), [ewalker@weslacotx.gov](mailto:ewalker@weslacotx.gov),  
[estelavh@cob.us](mailto:estelavh@cob.us), [ejwscorp@sbcglobal.net](mailto:ejwscorp@sbcglobal.net), [jerrytafolia10@gmail.com](mailto:jerrytafolia10@gmail.com), [gusgarcia99@aol.com](mailto:gusgarcia99@aol.com),  
[elizabeth.montes@co.hidalgo.tx.us](mailto:elizabeth.montes@co.hidalgo.tx.us), [mayor@cityofmercedes.net](mailto:mayor@cityofmercedes.net), [humberto.garza@mail.house.gov](mailto:humberto.garza@mail.house.gov),  
[wcdpm@granderiver.net](mailto:wcdpm@granderiver.net), [jjanes@themonitor.com](mailto:jjanes@themonitor.com), [javier.deleon@harlingen.tstc.edu](mailto:javier.deleon@harlingen.tstc.edu), [J.Darling@dhr-rgv.com](mailto:J.Darling@dhr-rgv.com),  
[JDG5556@yahoo.com](mailto:JDG5556@yahoo.com), [jomendoza@donnaisd.net](mailto:jomendoza@donnaisd.net), [john.villarreal@cob.us](mailto:john.villarreal@cob.us),  
[hilda.pedraza@pharr-tx.gov](mailto:hilda.pedraza@pharr-tx.gov), [wcdpdm2@gmail.com](mailto:wcdpdm2@gmail.com), [orlandocorrea@yahoo.com](mailto:orlandocorrea@yahoo.com), [worksgud@aol.com](mailto:worksgud@aol.com),  
[lpasement@cityofsanbenito.com](mailto:lpasement@cityofsanbenito.com), [mlara@cityofsanbenito.com](mailto:mlara@cityofsanbenito.com), [msaenz@alamotexas.org](mailto:msaenz@alamotexas.org),  
[malvarado@cityofdonna.org](mailto:malvarado@cityofdonna.org), [mary.castanon@harlingen.tstc.edu](mailto:mary.castanon@harlingen.tstc.edu), [mvallejo@weslacotx.gov](mailto:mvallejo@weslacotx.gov),  
[noriegarza@aol.com](mailto:noriegarza@aol.com), [norma.garcia@treasurer.co.hidalgo.tx.us](mailto:norma.garcia@treasurer.co.hidalgo.tx.us), [n.herrera@dhr-rgv.com](mailto:n.herrera@dhr-rgv.com),  
[raycity@prontonet.net](mailto:raycity@prontonet.net), [pmatamoros@co.cameron.tx.us](mailto:pmatamoros@co.cameron.tx.us), [pmorriss@southtexlaw.com](mailto:pmorriss@southtexlaw.com),  
[mdpgarza@aol.com](mailto:mdpgarza@aol.com), [raul.lozano@co.hidalgo.tx.us](mailto:raul.lozano@co.hidalgo.tx.us), [rfloredo@donnaisd.net](mailto:rfloredo@donnaisd.net),  
[rmcginnis@cityofsanbenito.com](mailto:rmcginnis@cityofsanbenito.com), [torresfortexas@att.net](mailto:torresfortexas@att.net), [sandra@mbymlaw.com](mailto:sandra@mbymlaw.com),  
[Sharon.Farias@harlingen.tstc.edu](mailto:Sharon.Farias@harlingen.tstc.edu), [Sofia.benavides@co.cameron.tx.us](mailto:Sofia.benavides@co.cameron.tx.us), [mister63@aol.com](mailto:mister63@aol.com),  
[tgarcia@mcallen.net](mailto:tgarcia@mcallen.net), [tony@mbymlaw.com](mailto:tony@mbymlaw.com), [yolanda.cisneros@co.hidalgo.tx.us](mailto:yolanda.cisneros@co.hidalgo.tx.us),  
[aozuna@cityofedinburg.com](mailto:aozuna@cityofedinburg.com), [agutierrez@sullivancity.org](mailto:agutierrez@sullivancity.org), [aidagutierrez@combespolice.com](mailto:aidagutierrez@combespolice.com),  
[arivas@cityofpalmview.us](mailto:arivas@cityofpalmview.us), [espinozaalfredo68@yahoo.com](mailto:espinozaalfredo68@yahoo.com), [cityoflavilla@lavillatx.com](mailto:cityoflavilla@lavillatx.com),  
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[knjones@lrgvdc.org](mailto:knjones@lrgvdc.org)

Please see the attached Memo regarding the current drought situation and water delivery issues with

Mexico. Also attached is the resolution unanimously passed by the LRGVDC Board of Directors at the end of February and a sample resolution for consideration by your Board or Commission.

Please forward this message to any entity I may have missed that would also have an interest in supporting this effort.

Please send your executed resolution to me as a central collection site and I will forward accordingly.

Thank you,

*Debby Morales*

LRGVDC Executive Secretary

301 W Railroad

Weslaco, TX 78596

Office: 956-682-3481

Cell: 956-607-1081

Fax: 956-686-8259

## RESOLUTION

**WHEREAS**, the 1944 Treaty between the United States and Mexico provides that the United States is entitled to one-third (1/3) of the flow reaching the main channel of the Rio Grande from the Conchos, San Diego, San Rodrigo, Escondido and Salado Rivers and the Las Vacas Arroyo, provided that this third shall not be less, as an average amount in cycles of five consecutive years, than 350,000 acre-feet (431,721,000 cubic meters) annually; and,

**WHEREAS**, Texas water right holders are the sole beneficiaries of the United States' one-third (1/3) portion of such flow in the Rio Grande; and,

**WHEREAS**, the 1944 Treaty further states that any deficits during a five (5) cycle caused by "extraordinary drought" which is a year in a five (5) year cycle in which there are insufficient surface water runoff in the Rio Grande Basin in Mexico to provide for the required Treaty flows to the Rio Grande or a serious accident to the hydraulic systems on the measured Mexican tributaries must be made up within the five (5) year period/cycle; and,

**WHEREAS**, the current five (5) year cycle began on October 25, 2010 and will end on October 25, 2015; as of February 9, 2013, Mexico has delivered 403,082 acre-feet. Based on an average annual delivery of 350,000 acre-feet, Mexico is approximately 392,000 acre-feet behind in their deliveries as of February 9, 2013; and,

**WHEREAS**, the Rio Grande Watermaster has reported that our water right holders have 60% less water starting off in 2013 as compared to this time last year, and this situation is due in part to the lingering drought conditions in Texas and to the continued lack of inflows from Mexico during this five (5) year cycle; and,

**WHEREAS**, the State of Chihuahua, Mexico has plans in place to undertake infrastructure projects which include the construction of at least fifteen (15) storage reservoirs of which seven (7) to nine (9) could potentially reduce the inflows into the Rio Grande and our reservoir system; and,

**WHEREAS**, the Rio Grande Regional Water Planning Group (Region M, Texas Water Development Board) has determined that water requirements will exceed supply for the next 30 and 50 year planning horizons in the Region on the Rio Grande dependent upon the Treaty water from Mexico; and,

**WHEREAS**, the Rio Grande Valley is expected to be in a water shortage for irrigation and is headed toward a serious water shortage for municipalities in the near future; and,

**WHEREAS**, the United States gives priority to its obligations under the 1944 Treaty to assure required flows of the Colorado River in the Colorado River Watershed in the western United States reach Mexico and takes actions to ensure that Mexico receives required flows of water from the Colorado River Watershed in the United States to which it is entitled under the Treaty.

**NOW THEREFORE BE IT RESOLVED**, that the \_\_\_\_\_ request the United States Section of the International Boundary and Water Commission and the United States Department of State to pursue through appropriate Minute Orders and formal agreements whereby Mexico formalizes a compliance program under the 1944 Treaty to annually set aside water in sufficient amounts, as a priority allocation to the United States from the named tributaries in Mexico to ensure Mexico's full compliance with the 1944 Treaty. Passed and executed this \_\_\_\_ day of \_\_\_\_\_, 2013.

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Jim Darling, President

# RESOLUTION

2013 - 02

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**WHEREAS**, Texas water right holders are the sole beneficiaries of the United States' one-third (1/3) portion of such flow in the Rio Grande; and,

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**WHEREAS**, the Rio Grande Watermaster has reported that our water right holders have 60% less water starting off in 2013 as compared to this time last year, and this situation is due in part to the lingering drought conditions in Texas and to the continued lack of inflows from Mexico during this five (5) year cycle; and,

**WHEREAS**, the State of Chihuahua, Mexico has plans in place to undertake infrastructure projects which include the construction of at least fifteen (15) storage reservoirs of which seven (7) to nine (9) could potentially reduce the inflows into the Rio Grande and our reservoir system; and,

**WHEREAS**, the Rio Grande Regional Water Planning Group (Region M, Texas Water Development Board) has determined that water requirements will exceed supply for the next 30 and 50 year planning horizons in the Region on the Rio Grande dependent upon the Treaty water from Mexico; and,

**WHEREAS**, the Rio Grande Valley is expected to be in a water shortage for irrigation and is headed toward a serious water shortage for municipalities in the near future; and,

**WHEREAS**, the United States gives priority to its obligations under the 1944 Treaty to assure required flows of the Colorado River in the Colorado River Watershed in the western United States reach Mexico and takes actions to ensure that Mexico receives required flows of water from the Colorado River Watershed in the United States to which it is entitled under the Treaty.

**NOW THEREFORE BE IT RESOLVED**, that the Lower Rio Grande Valley Development Council (LRGVDC) Board of Directors request the United States Section of the International Boundary and Water Commission and the United States Department of State to pursue through appropriate Minute Orders and formal agreements whereby Mexico formalizes a compliance program under the 1944 Treaty to annually set aside water in sufficient amounts, as a priority allocation to the United States from the named tributaries in Mexico to ensure Mexico's full compliance with the 1944 Treaty. Passed and executed this 28<sup>th</sup> day of February, 2013.



Mayor Steve Brewer, President



Presentation on Development  
Status Update by  
Mr. Anthony DePonce



Mr. Anthony DePonce will  
make a Presentation

# Public Comment

Adjourn