

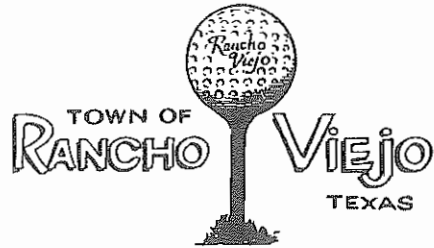


3301 CARMEN AVE, 78575  
Phone 956-350-4093  
Fax 956-350-4156

# **BOARD OF ALDERMEN**

## **REGULAR MEETING**

### **May 14, 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

MAY 14, 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, May 14, 2013 at 6:00 P.M., in the TOWN MUNICIPAL OFFICE, 3301 CARMEN AVENUE, RANCHO VIEJO, TEXAS to consider the following items:

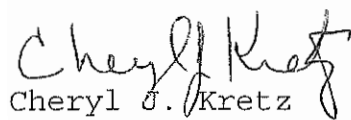
1. Call to Order
2. Roll Call
3. Invocation and Pledge
4. Proclamations
5. Public Comment
6. Approval of Minutes  
Regular Meeting - April 9, 2013
7. Public Hearing to Consider a Specific Use Permit Application by Arturo Garcia, Rancho Viejo Pet Club, LLC, 3470 Carmen Avenue, Rancho Viejo, Texas for Dog Boarding
8. Consideration, Discussion and Action on Final Recommendation to the Board of Aldermen on a Specific Use Permit Application by Arturo Garcia, Rancho Viejo Pet Club, LLC, 3470 Carmen Avenue, Rancho Viejo, Texas for Dog Boarding

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

MAY 14, 2013  
6:00 P.M.

Page 2

9. Public Hearing to Consider an Ordinance of the Town of Rancho Viejo, Texas Amending the Comprehensive Zoning Ordinance, Establishing Multi Family Complex Privacy Wall Provision, Providing for an Effective Date, and Publication in Caption Form
10. Consideration, Discussion and Action on Final Recommendation to the Board of Aldermen on Ordinance of the Town of Rancho Viejo, Texas Amending the Comprehensive Zoning Ordinance, Establishing Multi Family Complex Privacy Wall Provision, Providing for an Effective Date, and Publication in Caption Form
11. Consideration/Action on Resolution of the Town of Rancho Viejo, Texas Authorizing Review of Texas Gas Service Company's ("TGS") Cost of Service Adjustment ("COSA") Tariff; Approving of a Joint Review of TGS' Application Along With Other Cities Served by TGS; Hiring Legal and Consulting Services to Negotiate with the Company and Direct Any Necessary Litigation and Appeals; Requiring TGS to Reimburse All Reasonable Costs Associated with Cities' Efforts in this Ratemaking Effort; Finding That the Meeting at which this Resolution is Passed is Open to the Public As Required by Law; Requiring Notice of this Resolution to the Company and Legal Counsel
12. Announcement of Operation Stonegarden Grant To Rancho Viejo Police Department
13. Public Comment
14. Executive Session pursuant to Texas Government Code Section 551.071 to seek the advice of the Town's attorney about litigation
15. 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.”*

# Proclamations

# Public Comment



# Approval of Minutes – April 9, 2013

MINUTES OF A REGULAR MEETING  
TOWN OF RANCHO VIEJO  
APRIL 9, 2013

A Regular Meeting of the Board of Aldermen of the Town of Rancho Viejo, Texas was held on April 9, 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 Cheryl J. Kretz, Town Administrator. Members present at the meeting were:

Mrs. Lupita Carr  
Mrs. Maribel Guerrero  
Mrs. Jean Hager  
Mrs. Cyndie Rathbun

Members absent:

Mrs. Bitty Truan

Mr. Daniel Rentfro, Jr., legal counsel, was present.

Those present in the audience were:

Dinand M. Walk	Gladys Cummins
Mack Sterling	Richard P. Lewis
Arnulfo Montano	Lydia Montano
Kelly Cuff	Xavier Montemayor
E. J. Chaney	Chief M. Cruz, Jr.
Javier Vera	Bill Stevenson
Geoffrey Ryan	Avis Mettlen
Jack W. Walker	Rita Conde
Dora Bermudez	Janie Alvarado
Rosalinda Tijerina	Eric Schwab
M.C. Millsapps	

INVOCATION AND PLEDGE:

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

PUBLIC COMMENT:

Mr. Bill Stevenson commented on the marquee sign. Alderwoman Carr thanked the Advocate Group for their handling of three dogs.

APPROVAL OF MINUTES:

Motion was made by Alderwoman Guerrero, seconded by Alderwoman Hager, and unanimously carried, that the Minutes of the Regular Meeting held on March 12, 2013 be approved as written.

DISCUSSION AND ACTION ON TOWN MARQUEE:

On the recommendation of the Beautification Committee, motion was made by Alderwoman Guerrero, seconded by Alderwoman Rathbun, and unanimously carried, to approve the removal of the Town marquee sign and obtain quotes on the cost of removal of this sign.

CONSIDERATION/ACCEPTANCE OF CERTIFICATE 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:

Motion was made by Alderwoman Carr, seconded by Alderwoman Guerrero, and unanimously carried, to accept the Certification of Unopposed Candidates; to approve the Order of Cancellation; and pass, approve and adopt ORDINANCE NO. 206 - AN ORDINANCE DECLARING UNOPPOSED CANDIDATES IN THE MAY 11, 2013 GENERAL MUNICIPAL ELECTION ELECTED TO OFFICE, CANCELING THE ELECTION; AND PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

CONSIDERATION/ACTION ON REAPPOINTMENT OF MEMBERS TO PLANNING AND ZONING COMMISSION:

Motion was made by Alderwoman Hager, seconded by Alderwoman Carr, and unanimously carried, to reappoint Mrs. Laura Partridge and Mr. Oscar Gonzalez as members of the Planning and Zoning Commission. The term is for two years.

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:

---

Motion was made by Alderwoman Hager, seconded by Alderwoman Carr, and unanimously carried, 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.

CONSIDERATION/ACTION ON RESOLUTION REGARDING CURRENT DROUGHT SITUATION AND WATER DELIVERY ISSUES WITH MEXICO:

---

Motion was made by Alderwoman Guerrero, seconded by Alderwoman Rathbun, and unanimously carried, to pass, adopt and approve RESOLUTION NO. 254 - A RESOLUTION REGARDING CURRENT DROUGHT SITUATION AND WATER DELIVERY ISSUES WITH MEXICO.

PRESENTATION ON DEVELOPMENT STATUS UPDATE BY MR. ANTHONY DEPONCE:

---

Mr. Anthony DePonce was unable to attend the meeting. Mayor Medrano noted that Mr. DePonce did not know that the multi family development would include low income units and he has directed his attorney to cancel the agreement.

PUBLIC COMMENT:

Several residents inquired and commented on the Town's authority in the extra territorial jurisdiction. Ms. Janie Alvarado inquired about trash containers being left at the curb.

ADJOURNMENT:

Motion was made by Alderwoman Carr, seconded by Alderwoman Hager, and unanimously carried, to adjourn the meeting at 6:37 P.M.

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

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

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

Public Hearing to Consider a  
Specific Use Permit Application by  
Arturo Garcia, Rancho Viejo Pet  
Club, LLC, 3470 Carmen Avenue,  
Rancho Viejo, Texas for Dog  
Boarding

SPECIFIC USE PERMIT APPLICATION FORM

Town of Rancho Viejo, Texas

Planning and Zoning Commission  
Board of Aldermen

Tentative Date: \_\_\_\_\_  
Tentative Date: \_\_\_\_\_

Owner Information

Name: ARTURO Garcia  
Applicant's Name (if different from Owner): Rancho Viejo Pet Club, LLC.  
Address: 3470 CARMEN AVE. Ste 3  
City: Rancho Viejo  
State: TX  
Zip Code: 78575  
Telephone: (980) 350 3787 Fax: \_\_\_\_\_

Property

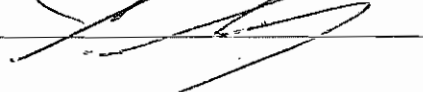
Property Tax ID #: 20-3064502  
Property Address: 3470 CARMEN AVE. Ste 3  
Current Zoning: BUSINESS District Overlay District: \_\_\_\_\_  
Proposed Use: Animal Boarding Gross Acreage: \_\_\_\_\_

**For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed for a specific use permit, and a complete legal field note description.**

Upon submitting this form to the Town of Rancho Viejo, Texas, I have enclosed the following items, which are not to be appended to the specific use ordinance, as follows:

1. No Filing fee;
2. Proof of title for each owner of record site;
3. Duly notarized authorization form of any said owner(s) who have not signed;
4. Letter describing all processes and activities involved with the proposed use;
5. Site plan drawn to scale with the information required by **Exhibit 1**; as determined by Town Hall.
6. 8 1/2" x 11" photocopy of the site plan;
7. Map showing boundaries of site covered by this application; and,
8. Concept site plan, signage plans, and elevations of the building.
9. Inspection required yearly or as determined by Town. Inspection Fee \$50.00.

Furthermore, I understand that all conditions in **Exhibit 1** must be met in order to formally request a specific use permit from the Board of Aldermen of the Town of Rancho Viejo, Texas, and that obtaining such permit is subject to formal approval by the Board of Aldermen.

Signature: \_\_\_\_\_  


6. File Number  
200563391

7. Loan Number

8. Mortgage Ins. Case No.

### Settlement Statement

**C. Note:** This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(POC)" were paid outside the closing; they are shown here for information purposes and are not included in the totals.

**D. Name of Borrower:** DIANA INEZ SANTISO DEL RIO, 1424 WEST PRICE RD., BROWNSVILLE, TX 78520

**E. Name of Seller:** GIMSA, LLC., 2220 EL DORADO, RANCHO VIEJO, TX 78575 **TIN:**

**F. Name of Lender:**

**G. Property Location:** Unites 3,4,5,& 7 RANCHO VIEJO PLAZA CONDOMINIUMS  
3470 Carmen Ave., Rancho Viejo, TX

**H. Settlement Agent:** Southern Texas Title Company (956) 642-6777 **TIN:** 74-204562  
**Place of Settlement:** 717 N. Expressway, Brownsville, TX 78520.

**I. Settlement Date:** 2/8/2005 **Proration Date:** 2/8/2005

J. Summary of Borrower's Transaction		K. Summary of Seller's Transaction	
100. Gross amount due from borrower:		400. Gross amount due to seller:	
101. Contract sales price	700.00	401. Contract sales price	
102. Personal property		402. Personal property	
103. Settlement charges to borrower (line 1400)	3.00	403. .	
104.		404.	
105.		405.	
Adjustments for items paid by seller in advance:		Adjustments for items paid by seller in advance:	
106. City/town taxes		406. City/town taxes	
107. County taxes		407. County taxes	
108. Assessments		408. Assessments	
109. School Taxes		409. School Taxes	
110.		410.	
111.		411.	
112.		412.	
120. Gross amount due from borrower:	.00	420. Gross amount due to seller:	
Adjustments paid by or in behalf of the borrower:		500. Reduction in amount due to seller:	
201. Deposit or earnest money	.00	501. Excess deposit (see Instructions)	
202. Principal amount of new loan(s)		502. Settlement charges to seller (line 1400)	
203. Existing loan(s) taken subject to		503. Existing loan(s) taken subject to	
204.		504. Payoff of first mortgage loan	
205.		505. Payoff of second mortgage loan	
206.		506.	
207.		507.	
208.		508.	
209.		509.	
Adjustments for items unpaid by seller:		Adjustments for items unpaid by seller:	
210. City/town taxes 1/1/2005 to 2/8/2005		510. City/town taxes 1/1/2005 to 2/8/2005	
211. County taxes 1/1/2005 to 2/8/2005		511. County taxes 1/1/2005 to 2/8/2005	
212. Assessments		512. Assessments	
213. .22 ADDITIONAL REN 2/8/2005 to 2/28/2005		513. .22 ADDITIONAL REN 2/8/2005 to 2/28/2005	
214. February rent/#5 2/8/2005 to 2/28/2005		514. February rent/#5 2/8/2005 to 2/28/2005	
215. February rent/#7 2/8/2005 to 2/28/2005		515. February rent/#7 2/8/2005 to 2/28/2005	
216. SECURITY DEPOSIT UNIT 6		516. SECURITY DEPOSIT UNIT 6	
217. SECURITY DEPT. UNIT 7		517. SECURITY DEPT. UNIT 7	
218. 2/08/05 TO 2/28/05 .22 ADDIT RENT UNIT #7		518. 2/08/05 TO 2/28/05 .22 ADDIT RENT UNIT #7	
219. INS. PRO RATION 12/07/04 TO 2/08/05		519. INS. PRO RATION 12/07/04 TO 2/08/05	
220. Total paid by/for borrower:	8	520. Total reduction in amount due seller:	8
300. Cash at settlement (from) borrower:		600. Cash at settlement (to) from seller:	
301. Gross amount due from borrower (line 120)		601. Gross amount due to seller (line 420)	
302. Less amount paid by/for borrower (line 220)		602. Less total reduction in amount due seller (line 520)	
303. CASH (X) FROM ( ) TO BORROWER		603. CASH ( ) FROM (X) TO SELLER	

Cameron Appraisal District  
 P.O. BOX 1010  
 2021 Amistad Dr  
 San Benito, Tx 78586

Cameron County  
 Appraisal Records

Information current as of 8/30/2011

Certified 2011 Values

DEL RIO DIANA INEZ SANTISO  
 1474 W PRICE RD  
 PMB 414  
 BROWNSVILLE, TX 78521

Owner ID  
 317205  
 Account Number  
 5200840000004000  
 Property ID  
 96412  
 Related Information  
 Tax Office

**Taxing Entities**

Taxing Entities	2011 Tax Rates
BROWNSVILLE NAVIGATION DISTRICT	0.047828
CAMERON COUNTY	0.364291
CC DRAINAGE DIST #1	0.0314
CENTRAL APPRAISAL DISTRICT	0
CITY OF RANCHO VIEJO	0.366737
LOS FRESNOS ISD	1.2
SOUTH TEXAS INDEPENDENT SCHOOL DISTRICT	0.0492
TEXAS SOUTHMOST COLLEGE	0.162423
VALLEY MUD #2	0.37

**Subdivision**

  
 Restrictions  
 [7 credits]

**Property Legal Description**

RANCHO VIEJO PLAZA CONDOMINIUMS UNIT 4

**Property Physical Address**

3470 CARMEN AVE

**Exemptions**

**Sale Information**

Sale Date Deed Vol. / Inst. Type. Deed Pg. / Clerk # Deed

**Property Tax Valuation**

Land:	\$11,610.00
Improvements:	\$44,433.00
Total:	\$56,043.00
Agriculture Use:	\$0.00

**Land**

Land Type	SPTB Code	Homesite Y/N	Mkt. Value	Acre Size	SQ FT	Unit Price	Front Footage	Depth	Eff Front Footage	Eff Depth
UNKNOWN	F1	N	\$11,610.00	0.0485	2111	\$0.00			0	0

**Improvements**

Sketch	Picture	Type	SPTB Code	Home Site	Value	Market Modifier
	N/A	C	COMMERCIAL REAL PROPERTY	N	\$44,433.00	N/A

**Improvement Segments**

Seg. No.	Type	Class	Unit Price	Area	Seg. Value	Const	FNDN	Ext Wall	Int. Finish	Roof	Floor	HT/AC	Bath	Year Built
78434	MAIN AREA	VCG4	\$0.00	627	\$39,436.00									2004
277680	OPEN PORCH WOOD 1	*	\$0.00	35	\$137.00									2004
432215	CONCRETE DRIVE	*	\$0.00	1340	\$2,345.00									2004



Cameron Appraisal District  
 P.O. BOX 1010  
 2021 Amistad Dr  
 San Benito, Tx 78586

Cameron County  
 Appraisal Records

Owner ID  
 317205  
 Account Number  
 520084000003000  
 Property ID  
 96411  
 Related Information  
 Tax Office

Information current as of 8/30/2011

DEL RIO DIANA INEZ SANTISO  
 1474 W PRICE RD  
 PMB 414  
 BROWNSVILLE, TX 78521

Certified 2011 Values

Taxing Entities	2011 Tax Rates
BROWNSVILLE NAVIGATION DISTRICT	0.047828
CAMERON COUNTY	0.364291
CC DRAINAGE DIST #1	0.0314
CENTRAL APPRAISAL DISTRICT	0
CITY OF RANCHO VIEJO	0.366737
LOS FRESNOS ISD	1.2
SOUTH TEXAS INDEPENDENT SCHOOL DISTRICT	0.0492
TEXAS SOUTHMOST COLLEGE	0.162423
VALLEY MUD #2	0.37

Subdivision : Property Legal Description  
 RANCHO VIEJO PLAZA CONDOMINIUMS UNIT 3  
 Property Physical Address  
 3470 CARMEN AVE  
 Exemptions

Sale Information  
 Sale Date Deed Vol. / Inst. Type. Deed Pg. / Clerk # Deed

Property Tax Valuation

Land:	\$14,691.00
Improvements:	\$55,728.00
Total:	\$70,419.00
Agriculture Use:	\$0.00

Land

Land Type	SPTB Code	Homesite Y/N	Mkt. Value	Acre Size	SQ FT	Unit Price	Front Footage	Depth	Eff Front Footage	Eff Depth
UNKNOWN	F1	N	\$14,691.00	0.0613	2671	\$0.00			0	0

Improvements

Sketch	Picture	Type	SPTB Code	Home Site	Value	Market Modifier
	N/A	C	COMMERCIAL REAL PROPERTY	N	\$55,728.00	N/A

Improvement Segments

Seg. No.	Type	Class	Unit Price	Area	Seg. Value	Const	FNDN	Ext Wall	Int. Finish	Roof	Floor	HT/AC	Bath	Year Built
78433	MAIN AREA	VCG4	\$0.00	794	\$49,430.00									2004
277659	OPEN PORCH WOOD 1	*	\$0.00	44	\$176.00									0
544514	CONCRETE DRIVE	*	\$0.00	1696	\$2,968.00									2004

Town of Rancho Viejo, Texas

March 27, 2013

To whom it may concern,

I authorized Mr. Arturo Garcia to set up a business of Pet Grooming, Boutique and Boarding in the Suites B3 and B4 of the Rancho Viejo Plaza building that I am leasing to him located on 3470 Carmen Ave.

I'd appreciate all the support that you can give him to assure a success of his company named Rancho Viejo Pet Club, LLC.

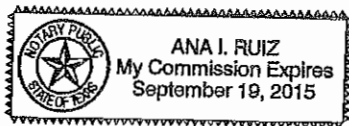
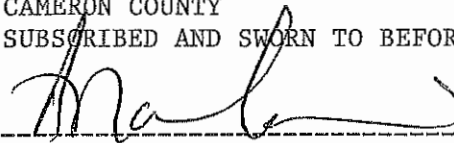
Very Truly yours,



Diana del Rio

ARTURO GARCIA, OWNER  
RANCHO VIEJO PET CLUB

STATE OF TEXAS  
CAMERON COUNTY  
SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 8TH DAY OF APRIL, 2013



## Rancho Viejo Pet Club, LLC.

The Pet Club has three main activities which are Grooming, Boutique and Boarding for dog and cats and following will be explained.

### **Grooming:**

This is the bathing and hair style for the pets. We have 14 professional and first quality kennels of different sizes to keep the pets during the waiting time when they are at the Club. We count with all the grooming equipment and special dryers for this purpose and of course all the high quality products for bathing.

During the waiting time the pets should be taken out to an area in this building which is used just by the Pet Club for these purposes and a waste station is installed there to assure that the area is free of pet waste and odors. This waste station can be used by the public that are walking their dogs nearby. This area is shown in an attached plan.

All the areas are equipped with security cameras and a music system which helps significantly in maintaining the pets calmed and relaxed avoiding a nuisance ambiance.

In the Boutique area you can find all kind of apparel, food, toys, wellness products and accessories for the pets, this area is nicely decorated and also well equipped with security cameras, music system, A/C, etc.

### **Boarding:**

The Boarding area will have kennels for boarding which are bigger than the Grooming area and where the dog can be standing and have some movement around it, the smaller kennel dimension is 3'W x 4'L x 7'H. The Boarding area will have capacity for 7 dogs, a plan is attached.

During the day the dogs are taken out to the area above mentioned where the waste station is and we take care that this space is maintained with no waste on it and odorless using products for these purposes. The dimensions of the area is 148'L x 6'W.

The customers can also ask to take their pets for a walk in periods of 20 minutes and this is given on the streets of Rancho Viejo according to the attached route.

The kennels are equipped with special plastic trays to carry the dogs waste when it happens and can be easily cleaned and disinfected and as the area has a tile floor it can

also be cleaned as many times as it requires and also disinfected and aromatized to keep the area odorless. Although it sounds like it could be a big job to do this, it is not so, even at full capacity they are not so many dogs that can make a smelly area inside or outside if we do what I mentioned and most of the dogs are trained to go outside to depose, moreover, we have had more than 10 dogs for grooming which represents almost the same problem and we have kept the area impeccable and quite, if we do not do so the boutique area would be smelly and nuisance, so, we have probed during 5 months of operation that the neighbors won't have any dogs noise nor odors.

Thanking in advance for your attention to this letter, I will be more happy than obliged to explain any doubt that you have.

Very Truly Yours,

Arturo Garcia  
Rancho Viejo Pet Club  
President

## Rancho Viejo Pet Club, LLC.

We'd like to clarify that the area where the waste station is, is big enough for this purpose because we don't take out all the dogs at once, we take one or two at a time and the area is cleaned every time is used, moreover, when we walk the dogs in the route we showed, they also used all that area which is cleaned too according to the ordinance.

If we add to the above mentioned that the capacity of boarding is 7 dogs, it is evident that there is more than enough room for the waste station.

Sincerely,

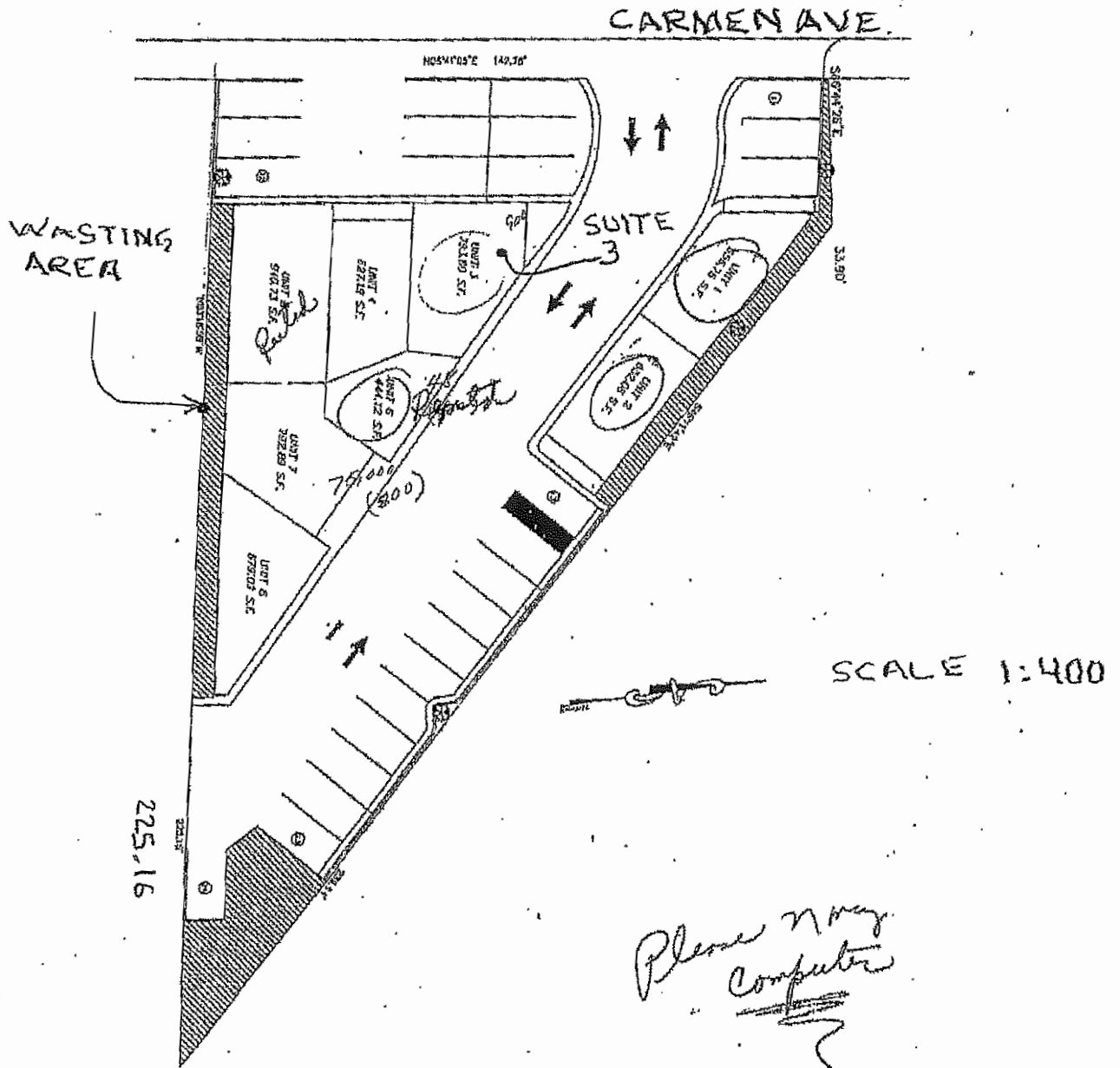
Arturo Garcia  
Rancho Viejo Pet Club  
President



*original not a copy*

# RANCHO VIEJO PLAZA CONDOMINIUMS

## EXHIBIT "C"



*Please bring  
Computer*

SCALE 1:40

11.50

24.50

BATHING

GROOMING

33.50

K7

K6

K5

2

3

K4

K3

K2

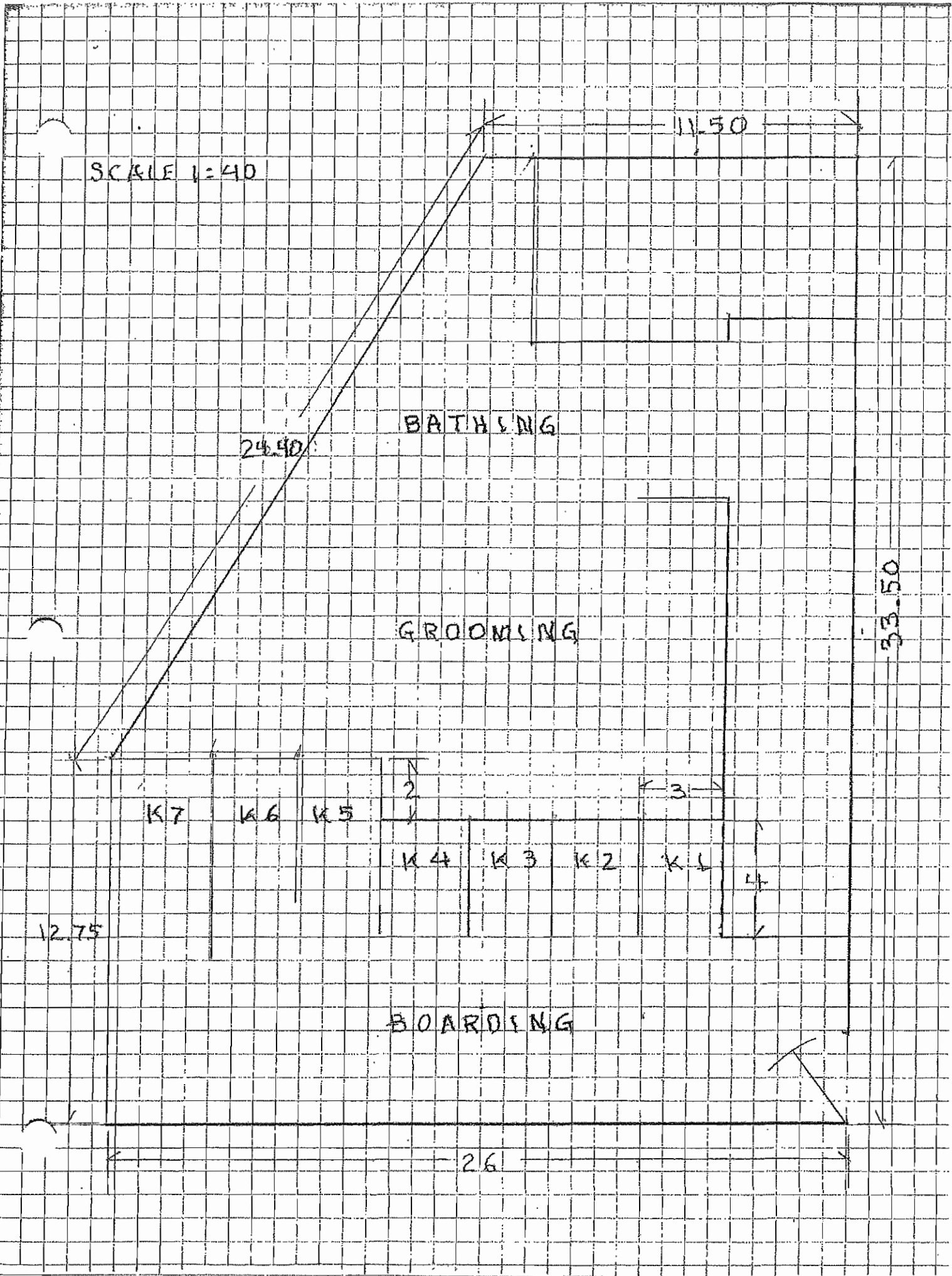
K1

4

12.75

BOARDING

26







**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

**WHEREAS**, pursuant to Chapter 211 of the Texas Local Government Code, the Town of Rancho Viejo, Texas, has the authority to adopt a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures, and land for business, industrial, residential, and other purposes; and,

**WHEREAS**, the Town of Rancho Viejo, Texas, adopted a comprehensive zoning ordinance and map as found in Chapter 70 of the Town's Ordinances pursuant to Chapter 211 of the Texas Local Government Code, which was made in accordance with a comprehensive plan for the purpose of promoting health, safety, peace, morals, and the general welfare of the Town of Rancho Viejo, Texas; and,

**WHEREAS**, section 70-1 of the Town's Ordinances provides that the comprehensive zoning ordinance is designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and, to facilitate adequate provisions for transportation, water, sewage, schools, parks, and other public requirements; and,

**WHEREAS**, the comprehensive zoning ordinance makes zoning regulations and districts with reasonable consideration, among other things, for the character of the district, and its peculiar suitability for the particular uses; and, with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the Town of Rancho Viejo, Texas; and,

**WHEREAS**, from time to time there may be a use that is sufficiently unusual in character as to not properly conform to the respective zoning districts, and may need special regulation; and,

**WHEREAS**, the Board of Aldermen wish to supplement Chapter 70 of the Town's Ordinances by providing authority for such special regulation in order to ensure the protection of the comprehensive plan of Chapter 70, which was adopted for the purpose of promoting health, safety, peace, morals, and the general welfare of the Town of Rancho Viejo, Texas;

**NOW, THEREFORE**, pursuant to the authority granted by the Constitution, laws of the State of Texas; and Chapter 211 of the Texas Local Government Code, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF RANCHO VIEJO, TEXAS, THAT:

**SECTION 1.** All of the above premises are hereby found to be true and correct legislative and factual findings of the Town of Rancho Viejo and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2.** When special regulation is necessary in order to allow a use that is sufficiently unusual in character as to not properly conform to the respective zoning districts, an application may be made for a specific use permit. Any specific use permit shall not alter a zoning district classification except by adding a particular use or uses for a designated period of time, subject to conditions and regulations in addition to those of the base zoning district as the Board of Aldermen may deem necessary.

**SECTION 3.** In general, and subject to any regulations proposed under Section 4 herein, the following conditions must be met before a specific use permit may be issued:

- (a) The specific use shall be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity of the specific use;
- (b) The establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;
- (c) Adequate utilities, access roads, drainage, and other necessary supporting facilities have been or will be provided;
- (d) The design, location, and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development;
- (e) Adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration;
- (f) Directional lighting will be provided so as not to disturb or adversely affect neighboring properties; and,
- (g) There are sufficient landscaping and screening to insure harmony and compatibility with adjacent property.

**SECTION 4.** Any application for a specific use permit must be made pursuant to the Specific Use Permit Application Form attached hereto as **Exhibit 1** and incorporated by reference. The Board of Aldermen and the Planning and Zoning Commission shall only approve a request for a specific use permit after they have each determined, after a public hearing, that the use or uses allowed will not be detrimental to the neighborhood around the area of request or to the Town of Rancho Viejo, Texas, as a whole, or comprehensive plan for the health, safety, peace, morals, and the general welfare of the Town of Rancho Viejo, Texas as set forth in the comprehensive zoning ordinance. Furthermore, in the course of considering any application for a specific use permit, the Board of Aldermen shall not grant any such application until the Planning and Zoning Commission has made a final recommendation on the advisability of said permit, and has had an opportunity to propose necessary regulations to accompany said permit. The Board of Aldermen and the Planning and Zoning Commission may require from the applicant any plans, including but not limited to site plans, information, operational data, and expert evaluation concerning the location, function, and characteristics of the proposed use or building.

**SECTION 5.** The Board of Aldermen when awarding a specific use permit, and the Planning and Zoning Commission when making a final recommendation concerning an application for a specific use permit, shall establish conditions and regulations, in addition to

those of the base zoning district, necessary to comply with the comprehensive plan for the health, safety, peace, morals, and the general welfare of the Town of Rancho Viejo, Texas.

**SECTION 6.** Failure to comply with regulations, restrictions, and conditions of a specific use permit, or with any provisions of this Ordinance, or with County, State, and Federal laws, shall constitute adequate reason for revocation of a specific use permit at the sole discretion of the Board of Aldermen, after public hearing and final recommendation of the Planning and Zoning Commission.

**SECTION 7.** The various guidelines approved by the Board of Aldermen, which are not part of this Ordinance, shall serve as the guidelines when establishing regulations for specific use permits for the respective uses. The Planning and Zoning Commission may recommend, and the Board of Aldermen may modify, alter, change, add to, and delete from the guidelines as they find necessary to fit the needs at the location. The conditions and regulations of the base zoning district shall apply in addition to any special conditions or regulations that the Board of Aldermen may impose.

**SECTION 8.** The Planning and Zoning Commission shall, prior to holding a hearing to provide, change, revise, or modify a specific use permit, send notice of the hearing to all owners of property, or persons rendering the same for taxes, within such specific use permit, and to the owners within 200 feet of the specific use permit not less than ten (10) days before the hearing is held, and must send notice by one publication in an official newspaper, or a newspaper of general circulation, in the Town of Rancho Viejo, Texas, not less than fifteen (15) days before the hearing is held. After the Board of Aldermen receive the final recommendation of the Planning and Zoning Commission, the Board of Aldermen shall, prior to holding a hearing to take action on the final recommendation, provide notice of the time and place of the hearing by publishing the notice at least fifteen (15) days prior to the date of the hearing in an official newspaper, or a newspaper of general circulation, in the Town of Rancho Viejo, Texas.

**SECTION 9.** Any and all ordinances, orders, resolutions, rules, regulations, policies or provisions in conflict with the provisions of this Ordinance are hereby repealed and rescinded to the extent of any conflict herewith.

**SECTION 10.** If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases or provisions of this Ordinance, or the application thereof to any person or circumstances, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

**SECTION 11.** This Ordinance shall become effective from and after the date of its passage and publication, and it is accordingly so ordained.

**SIGNATURE PAGE TO FOLLOW:**

PASSED, ADOPTED, AND APPROVED on this 12<sup>th</sup> day of March 2013.

Roberto Medrano  
Roberto Medrano, Mayor

ATTEST:

Cheryl Kretz  
Cheryl Kretz, Town Secretary

SPECIFIC USE PERMIT APPLICATION FORM

Town of Rancho Viejo, Texas

Planning and Zoning Commission  
Board of Aldermen

Tentative Date: \_\_\_\_\_  
Tentative Date: \_\_\_\_\_

Owner Information

Name: \_\_\_\_\_  
Applicant's Name (if different from Owner): \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_  
Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Property  
Property Tax ID #: \_\_\_\_\_  
Property Address: \_\_\_\_\_  
Current Zoning: \_\_\_\_\_ Overlay District: \_\_\_\_\_  
Proposed Use: \_\_\_\_\_ Gross Acreage: \_\_\_\_\_

**For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed for a specific use permit, and a complete legal field note description.**

Upon submitting this form to the Town of Rancho Viejo, Texas, I have enclosed the following items, which are not to be appended to the specific use ordinance, as follows:

1. No Filing fee;
2. Proof of title for each owner of record site;
3. Duly notarized authorization form of any said owner(s) who have not signed;
4. Letter describing all processes and activities involved with the proposed use;
5. Site plan drawn to scale with the information required by **Exhibit 1**; as determined by Town Hall.
6. 8 ½" x 11" photocopy of the site plan;
7. Map showing boundaries of site covered by this application; and,
8. Concept site plan, signage plans, and elevations of the building.
9. Inspection required yearly or as determined by Town. Inspection Fee \$50.00.

Furthermore, I understand that all conditions in **Exhibit 1** must be met in order to formally request a specific use permit from the Board of Aldermen of the Town of Rancho Viejo, Texas, and that obtaining such permit is subject to formal approval by the Board of Aldermen.

Signature: \_\_\_\_\_

# Exhibit 1

EXHIBIT 1

The site plan must be drawn to scale, and must include the following information:

- 1. Boundaries of the area covered by the site plan;
- 2. The location of each existing and proposed building and structure in the area covered by the site plan and the number of stories, height, roof line, gross floor area, and location of building entrances and exits;
- 3. The location of existing and proposed drainage ways and significant natural features;
- 4. Proposed required landscaping and screening buffers;
- 5. The location and dimensions of all curb cuts, public and private streets, required parking and loading areas, pedestrian walks, lighting facilities, and outside trash storage facilities;
- 6. The location, height, and type of each existing or required wall, fence, and all other types of screening;
- 7. Off street parking, loading, and traffic circulation;
- 8. Refuse collection;
- 9. Narrative detailing the specific use, operating data, conditions of operation, and the enforceable conclusions of impact statement(s) (expert if necessary) concerning the location, function, and characteristics of any building or use to be included in the completed project; and,
- 10. The location, height, and size of all proposed signs.

The following conditions must be met before a specific use permit may be issued:

- 1. That the specific use will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity;
- 2. That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;
- 3. That adequate utilities, access roads, drainage, and other necessary supporting facilities have been or will be provided;
- 4. The design, location, and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development;
- 5. That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration;
- 6. That directional lighting will be provided so as not to disturb or adversely affect neighboring properties;
- 7. That there are sufficient landscaping and screening to insure harmony and compatibility with adjacent property; and,
- 8. Any other conditions established by the Specific Use Ordinance, and/or by the Planning and Zoning Commission or the Board of Aldermen.

Other Comments Not Addressed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Consideration, Discussion and  
Action on Final Recommendation  
to the Board of Aldermen on a  
Specific Use Permit Application by  
Arturo Garcia, Rancho Viejo Pet  
Club, LLC, 3470 Carmen Avenue,  
Rancho Viejo, Texas for Dog  
Boarding

The Planning and Zoning Commission, at their May 6, 2013 meeting, made a unanimous final recommendation to the Board of Aldermen to approve a Specific Use Permit Application by Arturo Garcia, Rancho Viejo Pet Club, LLC, 3470 Carmen Avenue, Rancho Viejo, Texas for Dog Boarding

Public Hearing to Consider an Ordinance of the Town of Rancho Viejo, Texas Amending the Comprehensive Zoning Ordinance, Establishing Multi Family Complex Privacy Wall Provision, Providing for an Effective Date, and Publication in Caption Form

**ORDINANCE NO.**

AN ORDINANCE OF THE TOWN OF RANCHO VIEJO, TEXAS, AMENDING SECTION 70-4 AND AMENDING DIVISION 4 OF ARTICLE III OF CHAPTER 70 OF THE TOWN OF RANCHO VIEJO, TEXAS, CODE OF ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION IN CAPTION FORM

**WHEREAS**, the zoning regulations and districts of the Town of Rancho Viejo, Texas, are established in accordance with a comprehensive plan for the purpose of promoting health, safety, peace, morals, and the public welfare of the residents of the Town of Rancho Viejo, Texas, and are deemed to be in the best interest of the Town of Rancho Viejo, Texas; and,

**WHEREAS**, the zoning regulations and districts of the Town of Rancho Viejo, Texas, have been made with reasonable consideration, among other things, for the character of the district, and its peculiar suitability for the particular uses; and, with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the Town of Rancho Viejo, Texas; and,

**WHEREAS**, Division 4 of Article III of Chapter 70 of the Town of Rancho Viejo, Texas, Code of Ordinances provides special regulations for structures; and,

**WHEREAS**, the Town of Rancho Viejo, Texas, wishes such special regulations to include provisions concerning privacy walls for multi-family complexes;

**WHEREAS**, section 70-4 of Chapter 70 of the Town of Rancho Viejo, Texas, provides definitions of certain words, terms, and phrases used in Chapter 70; and,

**WHEREAS**, the Town of Rancho Viejo, Texas, wishes section 70-4 to include a definition for "Privacy wall structure";

**NOW, THEREFORE**, pursuant to the authority granted by the Constitution and laws of the State of Texas, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF RANCHO VIEJO, TEXAS, THAT:

**SECTION 1.** All of the above premises are hereby found to be true and correct legislative and factual findings of the Town of Rancho Viejo, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2.** Division 4 of Article III of Chapter 70 of the Town of Rancho Viejo, Texas, Code of Ordinances, shall be amended to include Sec. 70-335, as follows:

"Sec. 70-335. – Multi-Family Complex Privacy Walls

In a multi-family complex, each unit can have up to two horizontal cedar lap siding privacy wall structures. These structures must be attached to the main dwelling, and shall only enclose limited common elements dedicated to that unit. Total privacy wall structure height

including posts may not exceed 7 feet measured to the ground on both sides of said structure. The privacy wall structure may not exceed a total of 45 linear feet per structure, equaling a maximum of 315 square partition feet per structure. There must be a 12 ft. minimum separation between two privacy wall structures. The privacy wall structure must be constructed of cedar lap siding only, and horizontal siding must be inside and outside of the wall structure.”

**SECTION 3.** Section 70-4 of Chapter 70 of the Town of Rancho Viejo, Texas, Code of Ordinances, shall be amended to include a definition of “Privacy wall structure”, as follows:

“*Privacy wall structure* means the privacy wall structure described in Section 70-335 for multi-family complexes.”

**SECTION 4.** Any and all ordinances, orders, resolutions, rules, regulations, policies or provisions in conflict with the provisions of this Ordinance are hereby repealed and rescinded to the extent of any conflict herewith.

**SECTION 5.** If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases or provisions of this Ordinance, or the application thereof to any person or circumstances, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

**SECTION 6.** This Ordinance shall become effective from and after the date of its passage and publication, and it is accordingly so ordained.

PASSED, ADOPTED, AND APPROVED on this \_\_\_\_ day of May 2013.

\_\_\_\_\_  
Roberto Medrano, Mayor

ATTEST:

\_\_\_\_\_  
Cheryl Kretz, Town Secretary

Consideration, Discussion and  
Action on Final Recommendation  
to the Board of Aldermen on  
Ordinance of the Town of Rancho  
Viejo, Texas Amending the  
Comprehensive Zoning Ordinance,  
Establishing Multi Family  
Complex Privacy Wall Provision,  
Providing for an Effective Date,  
and Publication in Caption Form

The Planning and Zoning Commission, at their May 6, 2013 meeting, made a unanimous final recommendation to the Board of Aldermen to approve the Ordinance of the Town of Rancho Viejo, Texas, Amending the Comprehensive Zoning Ordinance, Establishing Multi Family Complex Privacy Wall Provision, Providing for an Effective Date, and Publication in Caption Form

Consideration/Action on Resolution of the Town of Rancho Viejo, Texas Authorizing Review of Texas Gas Service Company's ("TGS") Cost of Service Adjustment ("COSA") Tariff; Approving of a Joint Review of TGS' Application Along With Other Cities Served by TGS; Hiring Legal and Consulting Services to Negotiate with the Company and Direct Any Necessary Litigation and Appeals; Requiring TGS to Reimburse All Reasonable Costs Associated with Cities' Efforts in this Ratemaking Effort; Finding That the Meeting at which this Resolution is Passed is Open to the Public As Required by Law; Requiring Notice of this Resolution to the Company and Legal Counsel



## RESOLUTION NO.

RESOLUTION OF THE TOWN OF RANCHO VIEJO, TEXAS AUTHORIZING REVIEW OF TEXAS GAS SERVICE COMPANY'S ("TGS") COST OF SERVICE ADJUSTMENT ("COSA") TARIFF; APPROVING OF A JOINT REVIEW OF TGS' APPLICATION ALONG WITH OTHER CITIES SERVED BY TGS; HIRING LEGAL AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING TGS TO REIMBURSE ALL REASONABLE COSTS ASSOCIATED WITH CITIES' EFFORTS IN THIS RATEMAKING EFFORT; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL

WHEREAS, on or about May 1, 2013, Texas Gas Service Company ("TGS" or "Company") filed with the Town of Rancho Viejo ("Town") a Cost of Service Adjustment ("COSA") Tariff seeking to increase natural gas rates to all customers residing in the Town; and

WHEREAS, it is in the public interest for the Town to participate with other Valley Cities Served by TGS in the COSA filing in order to protect the interests of the Town as well as the interests of TGS customers residing and conducting business within the Town; and

WHEREAS, the Cities Coalition will conduct a review of the Company's application and will hire and direct legal counsel and consultants to prepare a common response and to negotiate with the Company and direct any necessary litigation; and

WHEREAS, pursuant to a settlement agreement between the Town and the Company dated August 14, 2009 provides that costs incurred by cities associated with this proceeding are to be reimbursed by the Company.

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

1. That the Town is authorized to participate with other Valley Cities in TGS' COSA filing to protect the interests of the Town and protect the interests of TGS customers residing and conducting business within municipal limits.

2. Subject to the right to terminate employment at any time, the Town hereby authorizes the hiring of Geoffrey Gay of the law firm of Lloyd Gosselink Rochelle and Townsend, P.C. and Karl J. Nalepa, of the consulting firm R.J. Covington Consulting, LLC to review the Company's filing, negotiate with the Company, make recommendations regarding reasonable rates and to direct any necessary administrative proceedings or court litigation associated with an appeal of the COSA filing.

3. That the Town's reasonable legal and consulting expenses shall be reimbursed by TGS.

4. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law; and the public notice of the time, place, and purpose of said meeting was given as required.

5. A copy of this Resolution shall be sent to Geoffrey Gay, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725 and to Dean LaFever, at Texas Gas Service Company, P.O. Box 531827, Harlingen, Texas 78553.

PASSED, ADOPTED AND APPROVED this 14<sup>th</sup> day of May 2013.

\_\_\_\_\_  
Roberto Medrano, Mayor

ATTEST:

\_\_\_\_\_  
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

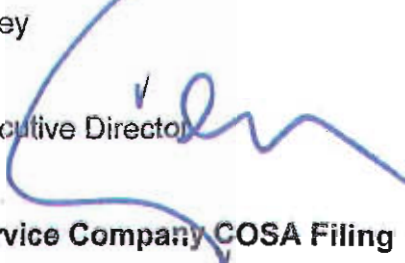
Don Medina  
 Member-at-Large

Arturo Ramirez  
 Grassroots Organizations

EXECUTIVE DIRECTOR  
 Kenneth N. Jones, Jr.

## MEMORANDUM

TO: City Manager & City Attorney

FROM: Kenneth N. Jones, Jr., Executive Director 

SUBJ: Update on Texas Gas Service Company COSA Filing

DATE: May 6, 2013

Recently the LRGVDC Board of Directors heard a presentation by Texas Gas Service Company representatives regarding the 2013 Cost of Service Adjustment Tariff (COSA) filing with thirty-four (34) cities in its Rio Grande Valley Service Area. As in the past the LRGVDC Board supports the efforts of the Valley Cities Gas Coalition (VCGC) and took action partnering with the City of Weslaco to coordinate the VCGC efforts for this COSA filing.

I have attached a status and update from Mr. Ramon Vela, Weslaco City Attorney on what to expect as this process moves forward. It's important that the attached letter and resolution from Mr. Vela be presented to your City Commission for action at the earliest opportunity. Upon resolution adoption, please forward a copy to me, and let me know in advance the scheduling of this resolution on your City Commission agenda so I can attend as many meetings as possible to address questions the elected officials may have.

Thank you for your attention to this item and please contact me or Mr. Vela should there be any questions.

# City of Weslaco

*"The City on the Grow"*



Miguel D. Wise, Mayor  
John F. Cueljar, Mayor Pro-Tem, District 2  
David R. Fox, Commissioner, District 1  
Olga M. Noriega, Commissioner, District 3  
Gerardo "Jerry" Tafolla, Commissioner, District 4  
Lupe V. Rivera, Commissioner, District 5  
Joe A. Martinez, Commissioner, District 6

Leonardo Olivares, City Manager

May 3, 2013

Mr. Ken Jones  
Executive Director  
Lower Rio Grande Valley Development Council  
301 W. Railroad  
Weslaco, Texas 78596

RE: Resolution to Review Cost of Service  
Adjustment (COSA), Hire Legal Counsel and  
Consultants

Dear Mr. Jones:

Enclosed herein please find a proposed Resolution that I ask you distribute to all the Valley Cities. This Resolution will engage Mr. Geoffrey Gay of the Law Firm of Lloyd Gosselink Rochelle and Townsend, P.C. and Mr. Karl J. Nalepa of the consulting firm R.J. Covington Consulting, L.L.C. to review Texas Gas Service Company's Cost of Service Adjustment Tariff filed on May 1, 2013.

Mr. Gay and Mr. Nalepa have assisted the Valley Cities in the past and are familiar with Texas Gas Service Company's structure. The expenses incurred by the Cities for legal or consultant professional services will be reimbursed by Texas Gas Service.

After a City adopts a Resolution a copy needs to be sent to Mr. Geoffrey Gay at Lloyd Gosselink Rochelle and Townsends, P.C., P.O. Box 1725 Austin, Texas 78767-1725 and to Mr. Dean LaFever at Texas Gas Service Company, P.O. Box 531827, Harlingen, Texas 78553.

Very Truly Yours,

Ramon Vela  
City Attorney

RV/mv

RESOLUTION NO. 2013-\_\_\_

RESOLUTION OF THE CITY OF \_\_\_\_\_, TEXAS AUTHORIZING REVIEW OF TEXAS GAS SERVICE COMPANY'S ("TGS") COST OF SERVICE ADJUSTMENT ("COSA") TARIFF; APPROVING OF A JOINT REVIEW OF TGS' APPLICATION ALONG WITH OTHER CITIES SERVED BY TGS; HIRING LEGAL AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING TGS TO REIMBURSE ALL REASONABLE COSTS ASSOCIATED WITH CITIES' EFFORTS IN THIS RATEMAKING EFFORT; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL

WHEREAS, on or about May 1, 2013, Texas Gas Service Company ("TGS" or "Company") filed with the City of \_\_\_\_\_ ("City") a Cost of Service Adjustment ("COSA") Tariff seeking to increase natural gas rates to all customers residing in the City; and

WHEREAS, it is in the public interest for the City to participate with other Valley Cities Served by TGS in the COSA filing in order to protect the interests of the City as well as the interests of TGS customers residing and conducting business within the City; and

WHEREAS, the Cities Coalition will conduct a review of the Company's application and will hire and direct legal counsel and consultants to prepare a common response and to negotiate with the Company and direct any necessary litigation; and

WHEREAS, pursuant to a settlement agreement between the City and the Company dated August 14, 2009 provides that costs incurred by cities associated with this proceeding are to be reimbursed by the Company.

THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF \_\_\_\_\_, TEXAS:

1. That the City is authorized to participate with other Valley Cities in TGS' COSA filing to protect the interests of the City and protect the interests of TGS customers residing and conducting business within municipal limits.

2. Subject to the right to terminate employment at any time, the City hereby authorizes the hiring of Geoffrey Gay of the law firm of Lloyd Gosselink Rochelle and Townsend, P.C. and Karl J. Nalepa, of the consulting firm R.J. Covington Consulting, LLC to review the Company's filing, negotiate with the Company, make recommendations regarding reasonable rates and to direct any necessary administrative proceedings or court litigation associated with an appeal of the COSA filing.

3. That the City's reasonable legal and consulting expenses shall be reimbursed by TGS.

4. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law; and the public notice of the time, place, and purpose of said meeting was given as required.

5. A copy of this Resolution shall be sent to Geoffrey Gay, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725 and to Dean LaFever, at Texas Gas Service Company, P.O. Box 531827, Harlingen, Texas 78553.

**PASSED AND APPROVED** this \_\_\_\_\_ day of May, 2013.

**CITY OF** \_\_\_\_\_

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY SECRETARY**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**



# TEXAS GAS SERVICE

A DIVISION OF ONEOK

May 1, 2013

Honorable Mayors and Members

Of the City Councils of the following Texas cities:

Alamo, Alton, Brownsville, Combes, Donna, Edcouch, Edinburg, Elsa, Harlingen, Hidalgo, La Feria, La Joya, La Villa, Laguna Vista, Los Fresnos, Lyford, McAllen, Mercedes, Mission, Palm Valley, Palmhurst, Palmview, Penitas, Pharr, Port Isabel, Primera, Progreso, Rancho Viejo, Raymondville, Rio Hondo, San Benito, San Juan, Santa Rosa, and Weslaco, Texas

Dear Mayors and Members of the City Councils:

Texas Gas Service Company, a division of ONEOK, Inc. ("Company"), hereby respectfully submits its annual filing pursuant to the Cost of Service Adjustment tariff ("COSA"), Rate Schedule COSA, for the Rio Grande Valley Service Area and applicable to the incorporated areas of Alamo, Alton, Brownsville, Combes, Donna, Edcouch, Edinburg, Elsa, Harlingen, Hidalgo, La Feria, La Joya, La Villa, Laguna Vista, Los Fresnos, Lyford, McAllen, Mercedes, Mission, Palm Valley, Palmhurst, Palmview, Penitas, Pharr, Port Isabel, Primera, Progreso, Rancho Viejo, Raymondville, Rio Hondo, San Benito, San Juan, Santa Rosa, and Weslaco, Texas.

As required by the COSA tariff, the Company is submitting this report of its revenue requirement for calendar year 2012. The attached schedules and attestation provide the information used by the Company in computing this year's adjustment. Notice of the proposed adjustment will be provided pursuant to the terms of the COSA.

The attached Schedules 1 through 4, prepared according to the terms of the COSA, reflect a necessary increase in the Company's revenues of \$1,667,656. Of this amount, \$246,655 is attributable to costs subject to the COSA tariff's 5% cap limitation, which falls far below the threshold for allowable increases to those costs under the tariff (\$593,477). The magnitude of increase attributable to costs incurred to comply with mandatory requirements of the Railroad Commission of Texas related to pipeline integrity testing and leak management is \$195,994; last year, this amount was \$1,451,167. The required increase in revenues result in an increase to the volumetric rates (per the table below) for all general service rate schedules (see attached Rate Schedules 10, 20, 30, 40, T-1 and T-2) of Texas Gas Service Company currently in force in its Rio Grande Valley Service Area as shown on the table below.

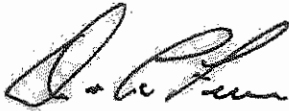
Texas Gas Service  
PO Box 531827  
5602 East Grimes Road  
Harlingen, TX 78553-1827  
[www.texasgasservice.com](http://www.texasgasservice.com)

May 1, 2013  
Mayor and Members of the City Councils

Customer Class	Volumetric (Ccf) Increase	Proposed Volumetric (per Ccf) Rate	RGVSA Average Monthly Customer Bill Increase
RESIDENTIAL	\$0.06043	\$0.47378	\$0.82
COMMERCIAL	\$0.04324	\$0.34597	\$16.40
INDUSTRIAL	\$0.05287	\$0.40545	\$185.29
PUBLIC AUTHORITY	\$0.03787	\$0.36692	\$11.90
STANDARD TRANSPORT T-1	\$0.02305	\$0.19017	\$214.52
STANDARD TRANSPORT T-2	\$0.00311	\$0.05484	\$67.29

This proposed rate change will become effective with the first billing cycle of August 2013. Pursuant to the terms of the COSA tariff, the City has ninety days in which to review the proposed annual rate adjustment. The City need not take any further action. If no action is taken within the allowed ninety day time period, the proposed rate adjustment will be deemed approved. Texas Gas Service Company appreciates your consideration of the requested Cost of Service Adjustment filing. Please contact me with any questions you may have.

Sincerely,



Dean LaFever  
Director – Rio Grande Valley Service Area

Attachments

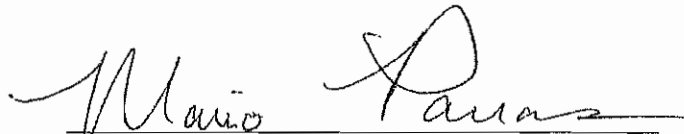


**AFFIDAVIT**

STATE OF TEXAS       §  
                                  §  
COUNTY OF TRAVIS   §

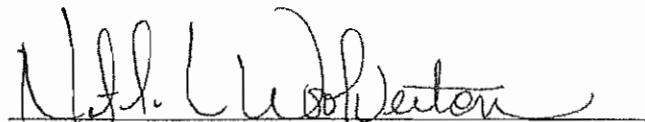
BEFORE ME, the undersigned authority, on this day personally appeared Mario Parras, who, upon proving his identity to me and by me being duly sworn, deposes and states the following:

“My name is Mario Parras. I am of legal age, a resident of the State of Texas, and have never been convicted of a felony. I am the Accounting Director for Texas Gas Service Company (“TGS” or the “Company”). I certify that the schedules filed with the Company’s May 1, 2013, Cost of Service Adjustment Filing for the Incorporated Areas of the Company’s Rio Grande Valley Service Area are in compliance with the provisions of the Rio Grande Valley Cost of Service Adjustment Clause and are true and correct to the best of my knowledge.”

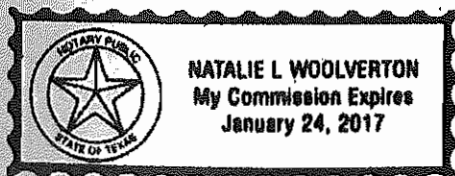
  
MARIO PARRAS

SWORN TO AND SUBSCRIBED before me, Notary Public, on this 24 day of April, 2013, to certify which witness my hand and seal of office.

SEAL:

  
NOTARY PUBLIC in and for the  
State of Texas

Printed Name Natalie L Woolverton  
My Commission expires 1/24/17



**TEXAS GAS SERVICE COMPANY  
RIO GRANDE VALLEY SERVICE AREA**

**2013**

**COST OF SERVICE ADJUSTMENT**

**FILING**

# SCHEDULES 1 THROUGH 4

TEXAS GAS SERVICE COMPANY  
RGV SERVICE AREA  
COST OF SERVICE CLAUSE ADJUSTMENT  
12 MONTHS ENDED 12/2012  
SUMMARY OF RATE ADJUSTMENT

Line No.	Description	Items Subject to Cap	Amounts Not Subject to Cap		Total Amounts Not Subject to Cap	Total 2012	
			Rate Base and Related Amounts as of 12/31/2011	2012 Change in Rate Base and Related Amounts			2012 Other Expenses Not Subject to Cap
1	Rate Base		\$58,408,349	\$9,047,962	\$67,456,311	\$67,456,311	
2	Rate of Return		8.0845%	8.0845%	8.0845%	8.0845%	
3	Required Return		\$4,722,023	\$731,482	\$5,453,505	\$5,453,505	
4	Depreciation and Amortization		0	1,973,767	1,973,767	\$1,973,767	
5	Taxes Other Than FIT	36,594	549,820	(9,781)	540,039	\$576,633	
6	Storage, Transmission & Distribution Expenses	5,588,328		3,669,009	3,669,009	\$9,257,337	
7	Customer Related Expenses	2,147,134			0	\$2,147,134	
8	Administrative & General	3,766,613		35,056	35,056	\$3,801,669	
9	Interest on Customer Deposits	3,745			0	\$3,745	
10	Federal Income Tax		1,677,887	259,919	1,937,807	\$1,937,807	
11	Revenue Requirement	\$11,542,414	\$6,949,730	\$2,955,389	\$3,704,065	\$13,609,184	\$25,151,598
12	Calendar Yr Actual Rev(Gas sales, transport, other)	(14,369,505)	(\$6,949,730)	\$0	\$0	(\$6,949,730)	(21,319,235)
13	Adjustment to Normalize Revenues	(\$2,164,706)			0	0	(2,164,706)
14	2012 Revenues Normalized	(\$16,534,211)	(\$6,949,730)	\$0	\$0	(\$6,949,730)	(\$23,483,941)
15	Cost of Service Adjustment before Caps	(4,991,797)	-	2,955,389	3,704,065	6,659,453	1,667,656
16	Less Capped Items in Excess of Cap	5,238,452					5,238,452
17	Total Cost of Service Adjustment Allowed	\$246,655	\$0	\$2,955,389	\$3,704,065	\$6,659,453	<b>\$6,906,108</b>

Note 1: Includes cumulative prior year net plant relating to pipeline integrity and leak replacements

Note 2: Detail of Expenses (other than Rate Base-related) that are Not Subject to Cap:

Pipeline Integrity Expense (Rule 8.101) charged to deferred projects	3,364,439
Pipeline Integrity Expense (Rule 8.101) charged to miscellaneous expense accounts	1,952
Risk Based Leak Survey Expense (Rule 8.206)	153,343
Leak Grading and Repair (Rule 8.207)	150,383
City COSA Expenses	29,627
Publication of COSA Notice	4,321
Total O&M	<u>3,704,065</u>

TEXAS GAS SERVICE COMPANY  
RGV SERVICE AREA  
COST OF SERVICE CLAUSE ADJUSTMENT  
12 MONTHS ENDED 12/2012  
COSA ADJUSTMENT IMPACT BY CITY

For the 12 Months Ended 12/31/12

	% share of revenue increase based on 2012 volumes	Gas Sales Volumes	Transport Volumes - T1	Transport Volumes - T2 (excl min bills)	Total Gas Sales and Transport	% share of revenue subject to cap	% share of total allowable revenue
1	Alamo	504,472			504,472	1.2738%	21,242
2	Alton	70,310			70,310	0.1775%	2,961
3	Brownsville	5,469,409	149,106	951,980	6,570,495	16.5902%	276,668
4	Combs	32,434			32,434	0.0819%	1,366
5	Donna	542,228	155,258		697,486	1.7611%	29,369
6	Edecouch	88,587			88,587	0.2237%	3,730
7	Edinburg	2,160,341	607,141	1,117,259	3,884,741	9.8088%	163,577
8	Elsa	200,996			200,996	0.5075%	8,463
9	Harlingen	2,923,633	505,362	811,249	4,240,244	10.7064%	178,547
10	Hidalgo	127,470			127,470	0.3219%	5,367
11	La Feria	186,985			186,985	0.4721%	7,873
12	La Joya	73,604			73,604	0.1858%	3,099
13	La villa	105,620			105,620	0.2667%	4,447
14	Laguna Vista	25,241			25,241	0.0637%	1,063
15	Los Fresnos	130,088			130,088	0.3285%	5,478
16	Lyford	125,318			125,318	0.3164%	5,277
17	McAllen	5,857,823	601,333	1,218,547	7,677,702	19.3859%	323,290
18	Mercedes	712,157	43,480		755,637	1.9080%	31,818
19	Mission	1,856,113	132,136	1,238,769	3,227,018	8.1481%	135,882
20	Palm Valley	25,827			25,827	0.0652%	1,088
21	Palmhurst	24,807			24,807	0.0626%	1,045
22	Palmview	91,533			91,533	0.2311%	3,854
23	Penitas	15,938			15,938	0.0402%	671
24	Pharr	1,600,798			1,600,798	4.0419%	67,406
25	Port Isabel	350,780			350,780	0.8857%	14,770
26	Primera	25,327			25,327	0.0639%	1,066
27	Progreso	11,755			11,755	0.0297%	495
28	Rancho Viejo	42,207			42,207	0.1066%	1,777
29	Raymondville	492,761	97,726		590,487	1.4910%	24,864
30	Rio Hondo	74,945			74,945	0.1892%	3,156
31	San Benito	915,263			915,263	2.3110%	38,540
32	San Juan	579,823			579,823	1.4640%	24,415
33	Santa Rosa	62,323			62,323	0.1574%	2,624
34	Weslaco	1,386,639	119,144		1,505,783	3.8020%	63,405
35	Environs	2,195,898	2,391,120	375,568	4,962,586	12.5303%	208,963
36	Total	29,089,451	4,801,806	5,713,372	39,604,628	100.0000%	1,667,656

TEXAS GAS SERVICE COMPANY  
 RGV SERVICE AREA  
 COST OF SERVICE CLAUSE ADJUSTMENT  
 12 MONTHS ENDED 12/2012  
 ALLOWABLE EXPENSES

Line No.	Description	Account Numbers	12 Months Ended December 2012		
			Items Subject to Cap	Amounts Not Subject to Cap	Total 2012
1	Depreciation and Amortization	403-405	\$0	1,973,767	1,973,767
2	Taxes Other Than FIT	408	\$36,594	540,039	576,633
3	Storage, Transmission & Distribution Expenses	850-896	\$5,588,328	3,669,009	9,257,337
4	Customer Related Expenses	901-916	\$2,147,134	0	2,147,134
5	Administrative & General	920-932	\$3,766,613	35,056	3,801,669
6	Interest on Customer Deposits	431	\$3,745		3,745
7	Total		\$11,542,414	\$6,217,872	17,760,286

\* Excludes City Franchise, Gross Receipts and any other revenue-based tax.

TEXAS GAS SERVICE COMPANY  
 RGV SERVICE AREA  
 COST OF SERVICE CLAUSE ADJUSTMENT  
 12 MONTHS ENDED 12/2012  
 RETURN ON INVESTMENT

Line No.	Description	12 Months Ended December 2011	Change in 2012	12 Months Ended December 2012
1	Net Plant in Service	\$63,542,030	\$10,083,916	\$73,625,945
2	Rule 8.209 Regulatory Asset - DIMP Deferrals	0	106,849	106,849
3	Other Rate Base Items	830,111	272,214	1,102,326
4	Customers Deposits (Acct. 235)	(3,000,716)	(120,279)	(3,120,995)
5	Customer Advances (Acct.252)	(320,732)	25,027	(295,705)
6	Deferred Income Taxes	(2,642,344)	(1,319,765)	(3,962,109)
7	Rate Base	\$58,408,349	\$9,047,962	\$67,456,311
8	Rate of Return	8.0845%	8.0845%	8.0845%
9	Return on Investment	4,722,023	731,482	5,453,505

**Detail of Other Rate Base Items**

## Other Rate Base Items:

Materials and Supplies Inventory	\$690,925	\$941,674
Prepayments	139,186	160,651
Cash Working Capital	0	0
Total Other Rate Base Items	<u>\$830,111</u>	<u>\$1,102,326</u>

## Calculation of Prepayment Balance:

Corporate Office Prepayments Allocated to TGS	790,155	966,062
Division Office Prepayments	451,328	487,717
Total 13 Month Average of TGS Prepayments	1,241,483	1,453,779
RGV Allocator	0.112113	0.110506
Prepayments Allocated to RGV	<u>139,186</u>	<u>160,651</u>

TEXAS GAS SERVICE COMPANY  
 RGV SERVICE AREA  
 COST OF SERVICE CLAUSE ADJUSTMENT  
 12 MONTHS ENDED 12/2012  
 FEDERAL INCOME TAXES

Line No.	Description	12 Months Ended December 2011	Change in 2012	12 Months Ended December 2012
1	Taxable Income (Schedule 3, Line 8)	\$4,722,023	\$731,482	\$5,453,505
2	Interest On Long Term Debt (Schedule 3, Line 6 x 2.74950%)*	(1,605,938)	(248,774)	(1,854,711)
3	Net Taxable Income	\$3,116,085	\$482,709	\$3,598,794
4	Federal Income Taxes (0.53846 times line 3)**	\$1,677,887	\$259,919	\$1,937,807

\* Cost of capital components per 2012 COSA settlement and revised tariff

\*\* Tax factor of 0.53846 is the income tax rate of 35% divided by (1 minus the 35% tax rate).

	Weighting	Cost	ROR
Long-Term Debt	45.0000%	6.1100%	2.74950%
Common Equity	55.0000%	9.7000%	5.33500%
Total	<u>1.0000</u>		<u>8.08450%</u>



# PROOF OF REVENUES



# PROPOSED RATE SCHEDULES (TARIFFS)

RESIDENTIAL SERVICE RATE

APPLICABILITY

Applicable to a residential customer in a single dwelling, or in a dwelling unit of a multiple dwelling or residential apartment, or nursing homes, for domestic purposes.

TERRITORY

All customers in the incorporated areas served by the Company in its Rio Grande Valley Service Area.

COST OF SERVICE RATE

During each monthly billing period:

A Customer Charge per meter per month of \$11.25 plus -  
All Ccf @ \$ 0.47378 per Ccf

OTHER ADJUSTMENTS

In addition to the Cost of Service set forth above, each customer's bill shall include the following adjustments:

Cost of Gas Component: The basic rates for cost of service set forth above shall be increased by the amount of the Cost of Gas Component for the billing month computed in accordance with the provisions of Rate Schedule 1.

Weather Normalization Adjustment: The billing shall reflect adjustments in accordance with the provisions of the Weather Normalization Adjustment Clause, Rate Schedule WNA.

Taxes: Plus applicable taxes and fees (including franchises fees) related to above, see Rate Schedule 1B.

CONDITIONS

Subject in all respects to applicable laws, rules, and regulations from time to time in effect.

COMMERCIAL SERVICE RATE

APPLICABILITY

Applicable to commercial consumers and to consumers not otherwise specifically provided for under any other rate schedule.

TERRITORY

All customers in the incorporated areas served by the Company in its Rio Grande Valley Service Area.

COST OF SERVICE RATE

During each monthly billing period:

A Customer Charge per meter per month of \$31.25 plus (For Commercial Service)

A Customer Charge per meter per month of \$18.75 plus (For Church Service)

All Ccf @ \$ 0.34597 per Ccf

OTHER ADJUSTMENTS

In addition to the Cost of Service set forth above, each customer's bill shall include the following adjustments:

Cost of Gas Component: The basic rates for cost of service set forth above shall be increased by the amount of the Cost of Gas Component for the billing month computed in accordance with the provisions of Rate Schedule 1.

Weather Normalization Adjustment: The billing shall reflect adjustments in accordance with the provisions of the Weather Normalization Adjustment Clause, Rate Schedule WNA.

Taxes: Plus applicable taxes and fees (including franchises fees) related to above, see Rate Schedule 1B.

CONDITIONS

1. Subject in all respects to applicable laws, rules, and regulations from time to time in effect.
2. Delivery of Gas hereunder may be interrupted or curtailed at the discretion of the Company, in case of shortage or threatened shortage of gas supply from any cause whatsoever, to conserve gas for residences, hospitals, schools, churches, and other human needs customers as prioritized in the Company's approved Curtailment Program.

INDUSTRIAL SERVICE RATE

APPLICABILITY

Service under this rate schedule is available to any customer whose primary business activity at the location served is included in one of the following classifications of the Standard Industrial Classification Manual of the U.S. Government.

Division B                   - Mining - all Major Groups  
Division D                   - Manufacturing - all Major Groups  
Divisions E and J         - Utility and Government - facilities generating power for resale only

TERRITORY

All customers in the incorporated areas served by the Company in its Rio Grande Valley Service Area.

COST OF SERVICE RATE

During each monthly billing period:

A Customer Charge per meter per month of \$66.85 plus -  
All Ccf @ \$ 0.40545 per Ccf

OTHER ADJUSTMENTS

In addition to the Cost of Service set forth above, each customer's bill shall include the following adjustments:

Cost of Gas Component: The basic rates for cost of service set forth above shall be increased by the amount of the Cost of Gas Component for the billing month computed in accordance with the provisions of Rate Schedule 1.

Taxes: Plus applicable taxes and fees (including franchises fees) related to above, see Rate Schedule 1B.

CONDITIONS

1. Subject in all respects to applicable laws, rules, and regulations from time to time in effect.
2. Delivery of gas hereunder may be interrupted or curtailed at the discretion of the Company, in case of shortage or threatened shortage of gas supply from any cause whatsoever, to conserve gas for residences, hospitals, schools, churches, and other human needs customers as prioritized in the Company's approved Curtailment Program.

PUBLIC AUTHORITY SERVICE RATE

APPLICABILITY

Applicable to all public and parochial schools and colleges, and to all facilities operated by Governmental agencies not specifically provided for in other rate schedules or special contracts.

TERRITORY

All customers in the incorporated areas served by the Company in its Rio Grande Valley Service Area.

COST OF SERVICE RATE

During each monthly billing period:

A Customer Charge per meter per month of \$35.71 plus -  
All Ccf @ \$ 0.366692 per Ccf

OTHER ADJUSTMENTS

In addition to the Cost of Service set forth above, each customer's bill shall include the following adjustments:

Cost of Gas Component: The basic rates for cost of service set forth above shall be increased by the amount of the Cost of Gas Component for the billing month computed in accordance with the provisions of Rate Schedule 1.

Weather Normalization Adjustment: The billing shall reflect adjustments in accordance with the provisions of the Weather Normalization Adjustment Clause, Rate Schedule WNA.

Taxes: Plus applicable taxes and fees (including franchises fees) related to above, see Rate Schedule 1B.

CONDITIONS

1. Subject in all respects to applicable laws, rules, and regulations from time to time in effect.
2. Delivery of gas hereunder may be interrupted or curtailed at the discretion of the Company, in case of shortage or threatened shortage of gas supply from any cause whatsoever, to conserve gas for residences, hospitals, schools, churches, and other human needs customers as prioritized in the Company's approved Curtailment Program.

TRANSPORTATION SERVICE RATE

APPLICABILITY

Service under this rate schedule is available to any customer of Texas Gas Service Company ("Company") and to Qualified Suppliers or Producers supplying natural gas to be transported, pursuant to Rate Schedule T-GEN (General Charges, Provisions and Conditions) for the transportation of customer-owned natural gas through the Company's Rio Grande Valley distribution system for use by customers within the Company's Rio Grande Valley's Service Area or delivered to connecting pipelines. The customer must arrange with its gas supplier to have the customer's gas delivered to one of the Company's existing receipt points for transportation by the Company to the customer's facilities at the customer's delivery point. The receipt points shall be specified by the Company at its reasonable discretion, taking into consideration available capacity, operational constraints, and integrity of the distribution system.

Prior to the execution of a Gas Transportation Service Agreement, customer must represent and certify that its usage shall average five hundred (500) Mcf of gas per month or six thousand (6,000) Mcf annually. The Company shall have the right at all reasonable times, upon prior notice to Customer, to enter onto Customer's premises and inspect Customer's facilities and operations to verify such capability. Customer must agree to notify the Company within a reasonable time if there is any change in Customer's usage. Should Customer's usage capability average less than five hundred (500) Mcf per month or six thousand (6,000) Mcf annually, Customer must so notify the Company and the Company may discontinue service hereunder except as provided in the Gas Transportation Service Agreement.

TERRITORY

All areas served by the Company in its Rio Grande Valley Service Area.

RATE

This rate shall be the sum of Part A, Part B, and Part C as described below.

Part A: A customer charge of \$127.82 per meter per month.

Part B: All volumes of natural gas transported during each month in accordance with this schedule shall be billed at the following Ccf charge:

All Ccf @ \$0.19017 per Ccf

Part C: "Additional Charges to Cost of Service Rate" pursuant to Rate Schedule T-GEN (General Charges, Provisions and Conditions).

CONDITIONS

See the "Special Provisions" and "Conditions" pursuant to Rate Schedule T-GEN (General Charges, Provisions and Conditions)



TRANSPORTATION SERVICE RATE

APPLICABILITY

Service under this rate schedule is available to any customer of Texas Gas Service Company ("Company") and to Qualified Suppliers or Producers supplying natural gas to be transported, pursuant to Rate Schedule T-GEN (General Charges, Provisions and Conditions) for the transportation of customer-owned natural gas through the Company's Rio Grande Valley distribution system for use by customers within the Company's Rio Grande Valley's Service Area or delivered to connecting pipelines. This rate schedule requires a one-year commitment for transportation service. The customer must arrange with its gas supplier to have the customer's gas delivered to one of the Company's existing receipt points for transportation by the Company to the customer's facilities at the customer's delivery point. The receipt points shall be specified by the Company at its reasonable discretion, taking into consideration available capacity, operational constraints, and integrity of the distribution system.

TERRITORY

All areas served by the Company in its Rio Grande Valley Service Area.

RATE

This rate shall be the sum of Part A, Part B, and Part C as described below.

Part A: A customer charge of \$327.82 per meter per month.

Part B: All volumes of natural gas transported during each month in accordance with this schedule shall be billed at the following Ccf charge:

All Ccf @ \$0.05484 per Ccf

Part C: "Additional Charges to Cost of Service Rate" pursuant to Rate Schedule T-GEN (General Charges, Provisions and Conditions).

Minimum Monthly Bill of \$1,500 (from the sum of Part A and Part B)

CONDITIONS

See the "Special Provisions" and "Conditions" pursuant to Rate Schedule T-GEN (General Charges, Provisions and Conditions)

# Announcement of Operation Stonegarden Grant to Rancho Viejo Police Department

## Operation Stonegarden Grant

The County was awarded the Operation Stonegarden Grant from the U.S. Department of Homeland Security through the State of Texas Governor's Division of Emergency Management and the Texas Department of Public Safety, of which certain funds are intended to be subcontracted to various local police departments including the Town of Rancho Viejo police department.

The purpose of the grant is to assist counties along the United States borders to enhance law enforcement preparedness and operational readiness among regional law enforcement agencies in a joint mission to secure the borders.

The grant allows local law enforcement agencies to use funds for certain law enforcement operating expenses while participating in border security operations approved by DHS.

The total amount awarded to Rancho Viejo is \$59,716, of which \$36,000 is for the purchase of a new police unit, and the remainder to be used for police operational expenses associated with carrying out the grant objectives.

The official paperwork will be submitted to the Town in the next few weeks for Board approval.

# Public Comment

Executive Session Pursuant to  
Texas Government Code  
Section 551.071 to Seek the  
Advice of the Town's Attorney  
About Litigation

Adjourn