TOWN OF RANCHO VIEJO TEXAS
3301 CARMEN AVE, 78575
Phone 956-350-4093
Fax 956-350-4156

BOARD OF ALDERMEN

REGULAR MEETING

November 12, 2013

TOWN OF RANCHO VIEJO TEXAS
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

NOVEMBER 12, 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 NOVEMBER 12, 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 -
   Regular Meeting - October 8, 2013

6. Consideration/Action on Resolution to Vote on Ballot of Representative for Cameron Appraisal District Board of Directors - Position Nine

7. Consideration/Approval to Declare 2000 Mercury Mountaineer (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

NOVEMBER 12, 2013
6:00 P.M.

8. Consideration/Action on an Ordinance Approving the Assignment and Transfer of the Franchise Previously Granted to ONEOK, Inc.; Determining that this Ordinance was Passed in Accordance with the Texas Open Meetings Act; Declaring An Effective Date; Adopting A Savings Clause; and Requiring Delivery of this Ordinance to the Company

9. Public Comment

10. Adjourn

Cheryl J. Kretz
Town Administrator

#1 Call to Order
by Mayor Hager

#2 Roll Call

by Isabel Perales

Alderwoman Carr
Alderwoman Guerrero
Alderwoman Rathbun
Alderwoman Truan
Alderman Vera

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 -
Regular Meeting - October 8, 2013

MINUTES OF A REGULAR MEETING
TOWN OF RANCHO VIEJO
OCTOBER 8, 2013

A Regular Meeting of the Board of Aldermen of the Town of Rancho Viejo, Texas was held on October 8, 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 Jean Hager at 6:00 P.M. Roll call was made by Isabel Perales, Assistant Town Secretary. Members present at the meeting were:

Mrs. Lupita Carr
Mrs. Maribel Guerrero
Mrs. Cyndie Rathbun
Mr. Javier Vera

Alderwoman Bitty Truan was not present at the meeting.

A quorum was present at the meeting.

Mr. Daniel Rentfro, Jr., Legal Counsel, was present at the meeting.

Those present in the audience were:

Edmundo Gonzalez	Manuel Alcocer
Gilberto Hernandez	Russ St. Peter
Geoffrey Ryan	Angela Nix
Chief M. Cruz, Jr.	Mark Lund, MPO Director
Ryan Waters	Ron Waters
Gerry Waters	Jeff Waters
E. J. Chaney, M.D.	Dean Walk

INVOCATION AND PLEDGE:

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

PUBLIC COMMENT:

Mr. Ryan Waters and Mrs. Angela Nix made comments about the Las Casitas patio wall project.

APPROVAL OF MINUTES:

Motion was made by Alderwoman Guerrero, seconded by Alderman Vera, and unanimously carried, that the Minutes of a Regular Meeting held on September 10, 2013, be approved as written.

PRESENTATION REGARDING THE ON-GOING PLANS AND POLICIES OF THE BROWNSVILLE METROPOLITAN PLANNING ORGANIZATION (MPO) BY MR. MARK LUND - MPO DIRECTOR:

Alderwoman Guerrero introduced Mr. Mark Lund, MPO Director, and he made a presentation on the current and upcoming projects and plans around the Rancho Viejo area.

CONSIDERATION/ACTION ON AN ORDINANCE OF THE TOWN OF RANCHO VIEJO AMENDING ORDINANCE NO. 62Q - APPOINTING/REAPPOINTING MEMBERS OF THE BUILDING COMMITTEE:

Motion was made by Alderwoman Rathbun, and seconded by Alderman Vera, to approve Ordinance No. 62S - AN ORDINANCE OF THE TOWN OF RANCHO VIEJO AMENDING ORDINANCE NO. 62Q APPOINTING/REAPPOINTING MEMBERS OF THE BUILDING COMMITTEE. Mr. Brent Cannon and Mr. Rick Campos were reappointed for two years. Dr. Ernie Chaney was appointed for two years. Motion was carried with the following vote:

AYES: Alderwoman Rathbun, Alderman Vera

NAYS: Alderwoman Guerrero

ABSTAINING: Alderwoman Carr

CONSIDERATION/ACTION ON THE ADDITION OF A REGULAR POLICE OFFICER TO POLICE FORCE IN LIEU OF RESERVE OFFICER FUNDS:

Motion was made by Alderwoman Guerrero, and seconded by Alderwoman Rathbun, to approve the Addition of a Regular Police Officer to the Police Force in lieu of Reserve Officer Funds. Motion was carried with the following vote:

AYES: Alderwoman Carr, Alderwoman Guerrero, Alderwoman Rathbun

NAYS: Alderman Vera

ABSTAINING: None

CONSIDERATION/APPROVAL FOR STREET COMMITTEE TO PROCEED WITH STATEMENT OF QUALIFICATIONS FOR TOWN ENGINEER AND TO ADVERTISE IN VALLEY NEWSPAPERS:

Motion was made by Alderwoman Rathbun, seconded by Alderwoman Carr, and unanimously carried, to allow the Street Committee to proceed with Request for Qualifications for a Town

Engineer and to advertise in the San Benito News with the criteria for the Engineer to have an office in Cameron County.

PUBLIC COMMENT:

Mr. Dean Walk asked about the water tower. Mr. Russ St. Peter, Fire Chief, said they are looking for people to volunteer on the Volunteer Fire Department and that they have changed the meeting days to the 1st and 3rd Thursdays of every month at 6:30 P.M.

ADJOURNMENT:

Motion was made by Alderwoman Rathbun, seconded by Alderwoman Guerrero, and unanimously carried, to adjourn the meeting at 7:15 P.M.

BY: _____
Isabel V. Perales, Assistant Town Secretary

APPROVED: _____
Jean Hager, Mayor

DATE: _____

#6 Consideration/Action on Resolution to Vote on Ballot of Representative for Cameron Appraisal District Board of Directors - Position Nine

RESOLUTION NO.

WHEREAS, the Town of Rancho Viejo, Texas along with fourteen (14) other cities in Cameron County is represented by one (1) board member sitting as position nine (9) on the Cameron Appraisal District Board of Directors; and

WHEREAS, each of the fifteen (15) cities represented by this director shall have the opportunity to nominate and vote for the representative of its choice for the period commencing January 2014; and

WHEREAS, the candidate receiving the greatest number of votes will hold director position nine (9);

NOW THEREFORE, BE IT RESOLVED this the 12th day of November 2013, that the Board of Aldermen of the Town of Rancho Viejo do vote for Lupita Cervantes-Carr to hold position nine (9) of the Cameron Appraisal District Board of Directors.

PASSED, ADOPTED AND APPROVED by the Board of Aldermen of the Town of Rancho Viejo on this the 12th of November, 2013.

Town of Rancho Viejo

Jean Hager, Mayor

ATTEST:

Cheryl J. Kretz, Town Secretary

CAMERON APPRAISAL DISTRICT

Frutoso M. Gomez, Jr., Chief Appraiser
P.O. Box 1010, 2021 Amistad Dr.
San Benito, TX 78586-1010
www.cameroncad.org
(956) 399-9322
(956) 541-3365
(956) 428-8020
Fax (956) 399-6969

October 29, 2013

Jean Hager
Mayor
Town of Rancho Viejo
3301 Carmen Avenue
Rancho Viejo, TX 78575

Dear Hager:

The enclosed ballot has been prepared listing all nominees submitted by the fifteen (15) jurisdictions (cities/towns) represented by Position 9 on the Cameron Appraisal District Board of Directors. The governing body of each taxing unit entitled to vote shall determine its vote by resolution. **Mark your ballot and return the ballot to the appraisal district before December 15, 2013.** Once the votes have been tabulated, you will be notified of the results.

Sincerely,

Frutoso M. Gomez, Jr.
Chief Appraiser

FMGJr/ls

cc: Cheryl Kretz, City Secretary

CAMERON APPRAISAL DISTRICT

BOARD OF DIRECTORS

VOTING BALLOT

LET IT BE KNOWN THAT THE _____
Taxing Unit

DOES HEREBY CAST ITS VOTE AS INDICATED IN THE BALLOT BELOW:

CANDIDATES FOR POSITION NINE

☐ Lupita Cervantes-Carr

☐ Ricardo Morado

EACH JURISDICTION IS ALLOWED ONLY ONE VOTE
BALLOTS MUST BE RETURNED TO CAMERON APPRAISAL DISTRICT BEFORE DECEMBER 15, 2013

BY: _____ _____
Mayor City Secretary

RESOLUTION

WHEREAS, the City of _____ along with ~~thirteen~~ (14) other cities in Cameron County is represented by one (1) board member sitting as position nine (9) on the Cameron Appraisal District Board of Directors: and

WHEREAS, each of the fifteen (15) cities represented by this director shall have the opportunity to nominate and vote for the representative of its choice for the period commencing January 2014; and

WHEREAS, the candidate receiving the greatest number of votes will hold director position nine (9);

NOW THEREFORE, BE IT RESOLVED this the _____day of _____ 2013, that the Commissioners of the City of _____ do vote for _____to hold position nine (9) of the Cameron Appraisal District Board of Directors.

_____
Mayor

_____
City Secretary

#7 Consideration/Approval to Declare 2000 Mercury Montaineer (Seized Vehicle that is Asset Forfeiture) Surplus Property to be Sold and Authorize the Police Chief/Mayor to Accept the Highest Offer

Seized Vehicle
2000 Mercury Mountaineer
Accept Best Offer

#8 Consideration/Action on an Ordinance Approving the Assignment and Transfer of the Franchise Previously Granted to ONEOK, Inc. ; Determining that this Ordinance was Passed in Accordance with the Texas Open Meeting Act; Declaring An Effective Date; Adopting A Savings Clause; and Requiring Delivery of this Ordinance to the Company

ORDINANCE NO.

AN ORDINANCE APPROVING THE ASSIGNMENT AND TRANSFER OF THE FRANCHISE PREVIOUSLY GRANTED TO ONEOK, INC., DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; ADOPTING A SAVINGS CLAUSE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY.

WHEREAS, ONEOK, Inc. through its division, Texas Gas Service Company, provides natural gas distribution service within the Town of Rancho Viejo ("Town"); and

WHEREAS, the existing franchise between ONEOK, Inc. and the Town granted under Ordinance No. 57 enacted by the Town on May 19, 1987 ("Franchise") requires approval of the Board of Aldermen for the assignment and transfer of the Franchise;

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

Section 1. ONEOK, Inc. ("ONEOK") has complied with the Franchise in requesting the express consent of the Town for the transfer and assignment of the Franchise to ONE Gas, Inc. an Oklahoma corporation ("ONE Gas").

Section 2. Pursuant to Section 3, the Board of Aldermen of the Town of Rancho Viejo, Texas, hereby gives its consent to the assignment and transfer by ONEOK to ONE Gas of the Rancho Viejo Franchise, and to the substitution of ONE Gas for ONEOK in the Franchise, which Franchise is incorporated herein by reference.

Section 3. That the Board of Aldermen of the Town of Rancho Viejo, Texas, in open session at the regularly scheduled meeting, hereby approves the assignment and transfer by ONEOK to ONE Gas, subject to the requirement that ONE Gas sign the acceptance of this ordinance, which shall indicate that ONE Gas assumes of all of ONEOK's rights, title and interests in or to the Franchise and all rights and privileges granted thereunder, to be effective upon the closing of the transaction by which ONE Gas acquires certain assets and liabilities of ONEOK, including those relating to the Franchise and the franchise ordinance identified herein and assumes the obligations thereunder.

Section 4. The meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meeting Act, Texas Government Code, Chapter 551.

Section 5. This Ordinance shall take effect upon the closing of the transaction by which ONE Gas acquires certain assets and liabilities of ONEOK, as noted in Section 1.

Section 6. If any one or more sections or clauses of the Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance and the remaining provisions of the ordinance shall be interpreted as if the offending section on clause never existed.

Section 7. A copy of this Ordinance shall be sent to ONEOK, care of Janet Reinarz, Managing Attorney for Texas Gas Service, at 1301 South Mopac, Suite 400, Austin, Texas 78746 within ten (10) days of its passage.

PASSED, ADOPTED AND APPROVED on this the 12th day of November, 2013.

TOWN OF RANCHO VIEJO

Jean Hager
Mayor

ATTEST:

Cheryl J. Kretz
Town Secretary

TEXAS GAS SERVICE

A DIVISION OF ONEOK

October 9, 2013

Via Certified Mail, Return Receipt Requested

Jean Hager, Mayor
Cheryl J. Kretz, City Manager
City of Rancho Viejo
3301 Carmen Avenue
Rancho Viejo, TX 78575

Re: Request for Approval of Assignment of Franchise by City of Rancho Viejo to **ONE Gas, Inc.**

Dear Mayor and City Manager:

By Ordinance No. 57 adopted on May 19, 1987 the City of Rancho Viejo granted Texas Gas Service Company, which is a Division of **ONEOK, Inc.**, a franchise for the use of the streets and public ways in the City. Texas Gas Service has had the privilege of serving our customers in the City of Rancho Viejo for many years.

As you may already be aware, in July ONEOK's Board of Directors unanimously approved the separation of its natural gas distribution business into a new stand-alone, publicly traded company, **ONE Gas, Inc.** ONE Gas will consist of Oklahoma Natural Gas, Kansas Gas Service Company and Texas Gas Service Company and will continue to be headquartered in Tulsa. ONE Gas will be one of the largest natural gas utilities in the United States, serving more than two million customers. Among other benefits of the transaction, the separation allows ONE Gas to efficiently allocate capital to continue to provide safe, reliable and efficient service to its customers.

To effectuate the separation, ONEOK will assign all of its gas service and distribution franchises to ONE Gas, including Texas Gas Service's gas distribution assets located in the City, and ONE Gas will assume and agree to perform ONEOK's obligations under the franchise. This assignment and assumption will be effective as of the closing of the transaction. The City's franchise ordinance described above permits the assignment of the franchise by Texas Gas Service upon the City's approval.

Texas Gas Service and ONE Gas request that the matter be placed on the next available agenda of the City Council Rancho Viejo for the approval of Texas Gas Service's assignment of the franchise. The assignment is conditioned upon the closing of Texas Gas Service's transaction with ONE Gas, and will be effective upon such closing. Accordingly, Texas Gas Service and ONE Gas are requesting that your approval of the assignment be effective also upon such closing. In that

Texas Gas Service
1301 South Mopac Expressway,
Suite 400
Austin, TX 78746
www.texasgasservice.com

regard, I have enclosed a proposed form of Ordinance for the approval of the assignment of the franchise. Please inform me of the date and time of the meeting.

Together with ONE Gas, we look forward to continuing Texas Gas Service's record of safe, reliable and efficient natural gas service to our customers in the City of Rancho Viejo. You may, of course, feel free to contact me or Naomi Perales at 956/444-3953 if you have any questions.

Sincerely,

Kari L. French
Vice President
Commercial Natural Gas Distribution

Enclosures
cc: Joseph L. McCormick (w/enclosure)
Stephen A. Schuller (w/enclosure)

/g

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE ASSIGNMENT AND TRANSFER OF THE FRANCHISE PREVIOUSLY GRANTED TO ONEOK, INC., DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; ADOPTING A SAVINGS CLAUSE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY.

WHEREAS, ONEOK, Inc. through its division, Texas Gas Service Company, provides natural gas distribution service within the City of Rancho Viejo ("City"); and

WHEREAS, the existing franchise between ONEOK, Inc. and City granted under Ordinance No. 57 enacted by the City on May 19, 1987 ("Franchise") requires approval of the City Council for the assignment and transfer of the Franchise;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RANCHO VIEJO , TEXAS:

Section 1. ONEOK, Inc. ("ONEOK") has complied with the Franchise in requesting the express consent of the City for the transfer and assignment of the Franchise to ONE Gas, Inc. an Oklahoma corporation ("ONE Gas").

Section 2. Pursuant to Section 3, City Council of the City of Rancho Viejo, Texas, hereby gives its consent to the assignment and transfer by ONEOK to ONE Gas of the Rancho Viejo Franchise, and to the substitution of ONE Gas for ONEOK in the Franchise, which Franchise is incorporated herein by reference.

Section 3. That the City Council of the City of Rancho Viejo, Texas, in open session at a [regularly/specially] scheduled meeting, hereby approves the assignment and transfer by ONEOK to ONE Gas, subject to the requirement that ONE Gas sign the acceptance of this ordinance, which shall indicate that ONE Gas assumes of all of ONEOK's rights, title and interests in or to the Franchise and all rights and privileges granted thereunder, to be effective upon the closing of the transaction by which ONE Gas acquires certain assets and liabilities of ONEOK, including those relating to the Franchise and the franchise ordinance identified herein and assumes the obligations thereunder.

Section 4. The meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 5. This Ordinance shall take effect upon the closing of the transaction by which ONE Gas acquires certain assets and liabilities of ONEOK, as noted in Section 1.

Section 6. If any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining

provisions of this Ordinance and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

Section 7. A copy of this Ordinance shall be sent to ONEOK, care of Janet Reinarz, Managing Attorney for Texas Gas Service, at 1301 South Mopac, Suite 400 Austin, Texas 78746 within ten (10) days of its passage.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 20____.

_____
By:

_____
Title:

(SEAL)

ATTEST:

_____
City Clerk

APPROVED AS TO FORM AND LEGALITY
THIS _____ DAY OF _____, 20____

_____
City Attorney

ACCEPTANCE OF ORDINANCE NO. _____

ONE Gas, Inc., an Oklahoma corporation, accepts the Franchise that was assigned to it by ONEOK, Inc. and approved by the City Council of the City of Rancho Viejo, Texas, pursuant to Ordinance No. _____, passed and approved on _____. This Franchise acceptance is filed in full acceptance of the rights and liabilities contained in the Franchise and referenced in Section 3 of Ordinance No. _____. ONE Gas, Inc. hereby assumes of all of ONEOK's rights, title and interests in or to the Franchise and all rights and privileges granted thereunder.

This franchise acceptance is executed on ___ day of _____ 2013 with the intent that it be effective upon filing with the City Clerk of the City of Rancho Viejo, Texas.

ONE Gas, Inc.

_____

Name Printed: _____

Title: _____

_____

City Clerk Date

#9 Public Comment

#10 Adjourn