



3301 CARMEN AVE, 78575

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BOARD OF ALDERMEN

REGULAR MEETING

March 11, 2014



3301 Carmen Ave. 78575

Phone: 956-350-4093

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

MARCH 11, 2014

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 MARCH 11, 2014 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 – February 11, 2014
6. Public Hearing to Receive Final Recommendation of the Planning and Zoning Commission of the Town of Rancho Viejo, Texas on an Ordinance of the Town of Rancho Viejo, Texas Amending Chapter 14 and Chapter 70 of the Code of Ordinances Regarding Pools, Providing for an Effective Date, and Publication in Caption Form
7. Consideration, Discussion and Action on Final Recommendation to the Board of Aldermen on whether to enact an Ordinance of the Town of Rancho Viejo, Texas Amending Chapter 14 and Chapter 70 of the Code of Ordinances Regarding Pools, Providing for an Effective Date, and Publication in Caption Form
8. Consideration/Acceptance of Certification of Unopposed Candidates; Consideration/Approval of Order of Cancellation; and Consideration/Approval of Ordinance Declaring Unopposed Candidates in the May 10, 2014 General Municipal Election Elected to Office, Canceling the Election, Providing for a Severability Clause, and Providing an Effective Date
9. Public Comment

10. Adjourn


Cheryl J. Kretz
Town Administrator

#1 Call to Order

by Mayor Hager

#2 Roll Call

by Isabel Perales

Aldерwoman Carr

Aldерwoman Guerrero

Aldерwoman Rathbun

Aldерwoman 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 - February 11, 2014

MINUTES OF A REGULAR MEETING
TOWN OF RANCHO VIEJO
FEBRUARY 11, 2014

A Regular Meeting of the Board of Aldermen of the Town of Rancho Viejo, Texas was held on February 11, 2014, 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
Mrs. Bitty Truan
Mr. Javier Vera

A quorum was present at the meeting.

Also present at the meeting were Daniel Rentfro, Jr., Legal Counsel, and Cheryl J. Kretz, Town Administrator.

Those present in the audience were:

Edmundo R. Gonzalez	Eduardo H. Mejia
Russ St. Peter	Xavier Montemayor
Doug Penticoff	Scott Fry
William Rusteberg	Jesus Huerta, Jr.
Richard P. Lewis	Chris Champion
Chief M. Cruz, Jr.	David Irwin

INVOCATION AND PLEDGE:

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

PUBLIC COMMENT:

Mayor Hager noted that the electric transmission line would not be installed near Rancho Viejo. Police Chief Manuel Cruz reviewed the Police Report. Mr. Russ St. Peter reported that the Volunteer Fire Department would be hosting some fundraisers to purchase necessary equipment.

APPROVAL OF MINUTES:

Motion was made by Alderwoman Guerrero, seconded by Alderwoman Rathbun, and unanimously carried, that the Minutes of a Regular Meeting held on January 14, 2014, be approved as written.

PRESENTATION AND CONSIDERATION OF ACCEPTANCE OF AUDIT REPORT FOR FISCAL YEAR ENDING SEPTEMBER 30, 2013:

Mr. Quentin Anderson of Long Chilton, LLC made a presentation on the audit report for the fiscal year ending September 30, 2013. Motion was made by Alderwoman Carr, seconded by Alderwoman Truan, and unanimously carried, to approve the Annual Financial Report for Fiscal Year Ending September 30, 2013.

PUBLIC HEARING ON REQUEST FOR ZONING CHANGE BY MR. EDUARDO H. MEJIA, MEJIA AND ROSE, INC., AGENT FOR GOLF & RESORTS INVESTMENTS, LLC, OWNERS, FROM "A" RECREATIONAL DISTRICT TO "B" SINGLE-FAMILY DWELLING DISTRICT FOR THE FOLLOWING DESCRIBED PROPERTY - BEING 1.623 ACRES OUT OF EL ANGEL GOLF COURSE AND DESCRIBED AS TRACT II - 50.373 ACRES IN ASSUMPTION WARRANTY DEED RECORDED IN VOLUME 18183, PAGE 168, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS AND BEING ADJACENT TO RANCHO VIEJO SUBDIVISION, SECTION VIII, CAMERON COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 26, PAGE 35, MAP RECORDS, CAMERON COUNTY, TEXAS.:

Mayor Hager opened the public hearing. After everyone was given an opportunity to speak on the matter, motion was made by Alderman Vera, seconded by Alderwoman Rathbun, and unanimously carried, that the public hearing be closed.

CONSIDERATION AND ACTION ON FINAL APPROVAL OF THE REQUEST FOR ZONING CHANGE BY MR. EDUARDO H. MEJIA, MEJIA AND ROSE, INC., AGENT FOR GOLF & RESORTS INVESTMENTS, LLC, OWNERS, FROM "A" RECREATIONAL DISTRICT TO "B" SINGLE-FAMILY DWELLING DISTRICT FOR THE FOLLOWING DESCRIBED PROPERTY - BEING 1.623 ACRES OUT OF EL ANGEL GOLF COURSE AND DESCRIBED AS TRACT II - 50.373 ACRES IN ASSUMPTION WARRANTY DEED RECORDED IN VOLUME 18183, PAGE 168, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS AND BEING ADJACENT TO RANCHO VIEJO SUBDIVISION, SECTION VIII, CAMERON COUNTY TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 26, PAGE 35, MAP RECORDS, CAMERON COUNTY, TEXAS.:

Alderwoman Cyndie Rathbun, Strategic Planning Committee Chairperson, stated that the Planning and Zoning Commission recommended approval of this item. Motion was made by Alderwoman Guerrero, seconded by Alderwoman Carr, and unanimously carried, to give FINAL approval of the Request for ZONING CHANGE, from "A" Recreational District to "B" Single-Family Dwelling District for the following described property - being 1.623 Acres out of El Angel Golf Course and described as Tract II - 50.373 Acres in Assumption Warranty Deed recorded in Volume 18183, Page 168, Official Records of Cameron County, Texas and being adjacent to Rancho Viejo Subdivision, Section VIII, Cameron County Texas according to the map or plat thereof recorded in Volume 26, Page 35, Map Records, Cameron County, Texas.

PUBLIC HEARING ON REQUEST BY MR. EDUARDO H. MEJIA, MEJIA AND ROSE, INC., AGENT FOR GOLF & RESORTS INVESTMENTS, LLC, OWNERS, TO APPROVE THE FINAL PLAT FOR THE SANTA ANA LAKE SUBDIVISION NO. 1, LOTS 1-4, BEING 1.623 ACRES OUT OF EL ANGEL GOLF COURSE AND DESCRIBED AS TRACT II - 50.373 ACRES IN ASSUMPTION WARRANTY DEED RECORDED IN VOLUME 18183, PAGE 168, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS AND BEING ADJACENT TO RANCHO VIEJO SUBDIVISION, SECTION VIII, CAMERON COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 26, PAGE 35, MAP RECORDS, CAMERON COUNTY, TEXAS. THIS PROPOSED SUBDIVISION IS NEAR THE INTERSECTION OF ENCHILADA AND SANTA ANA.:

Mayor Hager opened the public hearing. After everyone was given an opportunity to speak on the matter, motion was made by Alderman Vera, seconded by Alderwoman Guerrero, and unanimously carried, that the public hearing be closed.

CONSIDERATION AND ACTION ON REQUEST BY MR. EDUARDO H. MEJIA, MEJIA AND ROSE, INC., AGENT FOR GOLF & RESORTS INVESTMENTS, LLC, OWNERS, TO APPROVE THE FINAL PLAT FOR THE SANTA ANA LAKE SUBDIVISION NO. 1, LOTS 1-4, BEING 1.623 ACRES OUT OF EL ANGEL GOLF COURSE AND DESCRIBED AS TRACT II - 50.373 ACRES IN ASSUMPTION WARRANTY DEED RECORDED IN VOLUME 18183, PAGE 168, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS AND BEING ADJACENT TO RANCHO VIEJO SUBDIVISION, SECTION VIII, CAMERON COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 26, PAGE 35, MAP RECORDS, CAMERON COUNTY, TEXAS. THIS PROPOSED SUBDIVISION IS NEAR THE INTERSECTION OF ENCHILADA AND SANTA ANA.:

Alderwoman Carr asked questions about the various plats. Alderman Vera stated several of his concerns about the platting of these subdivisions as per the current Subdivision Ordinance. Alderwoman Cyndie Rathbun, Strategic Planning Committee Chairperson, noted that the Planning and Zoning Commission recommended approval of this item.

Motion was made by Alderwoman Guerrero, seconded by Alderwoman Rathbun, to approve the FINAL Plat for the Santa Ana Lake Subdivision No. 1, Lots 1-4, being 1.623 Acres out of El Angel Golf Course and described as Tract II - 50.373 Acres in Assumption Warranty Deed recorded in Volume 18183, Page 168, Official Records of Cameron County, Texas and being adjacent to Rancho Viejo Subdivision, Section VIII, Cameron County, Texas according to the map or plat thereof recorded in Volume 26, Page 35, Map Records, Cameron County, Texas. This proposed subdivision is near the intersection of Enchilada and Santa Ana.

This motion carried with the following vote:

AYES: Alderwoman Carr, Alderwoman Guerrero, Alderwoman Rathbun and
Alderwoman Truan

NAYS: Alderman Vera

ABSTAINING: None

PUBLIC HEARING ON REQUEST FOR ZONING CHANGE BY MR. EDUARDO H. MEJIA, MEJIA AND ROSE, INC., AGENT FOR GOLF & RESORTS INVESTMENTS, LLC, OWNERS, FROM "A" RECREATIONAL DISTRICT TO "B" SINGLE-FAMILY DWELLING DISTRICT FOR THE FOLLOWING DESCRIBED PROPERTY - BEING 1.896 ACRES OUT OF EL ANGEL GOLF COURSE AND DESCRIBED AS TRACT II - 50.373 ACRES IN ASSUMPTION WARRANTY DEED RECORDED IN VOLUME 18183, PAGE 168, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS AND BEING ADJACENT TO RANCHO VIEJO SUBDIVISION, SECTION VIII, CAMERON COUNTY, TEXAS, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN VOLUME 26, PAGE 35, MAP RECORDS, CAMERON COUNTY, TEXAS AND SAID 1.896 ACRES BEING TRACT I - 0.690 ACRES AND TRACT II - 1.206 ACRES.:

Mayor Hager opened the public hearing. Mr. Xavier Montemayor commented on the platting of these lots as per the subdivision ordinance. After everyone was given an opportunity to speak on the matter, motion was made by Alderwoman Guerrero, seconded by Alderwoman Carr, and unanimously carried, that the public hearing be closed.

CONSIDERATION AND ACTION ON FINAL APPROVAL OF THE REQUEST FOR ZONING CHANGE BY MR. EDUARDO H. MEJIA, MEJIA AND ROSE, INC., AGENT FOR GOLF & RESORTS INVESTMENTS, LLC, OWNERS, FROM "A" RECREATIONAL DISTRICT TO "B" SINGLE-FAMILY DWELLING DISTRICT FOR THE FOLLOWING DESCRIBED PROPERTY - BEING 1.896 ACRES OUT OF EL ANGEL GOLF COURSE AND DESCRIBED AS TRACT II - 50.373 ACRES IN ASSUMPTION WARRANTY DEED RECORDED IN VOLUME 18183, PAGE 168, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS AND BEING ADJACENT TO RANCHO VIEJO SUBDIVISION, SECTION VIII, CAMERON COUNTY, TEXAS, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN VOLUME 26, PAGE 35, MAP RECORDS, CAMERON COUNTY, TEXAS AND SAID 1.896 ACRES BEING TRACT I - 0.690 ACRES AND TRACT II - 1.206 ACRES. :

Motion was made by Alderwoman Carr, seconded by Alderwoman Guerrero, and unanimously carried, to give FINAL approval of the Request for Zoning Change, from "A" Recreational District to "B" Single-Family Dwelling District for the following described property - being 1.896 Acres out of El Angel Golf Course and described as Tract II - 50.373 Acres in Assumption Warranty Deed Recorded in Volume 18183, Page 168, Official Records of Cameron County, Texas and being adjacent to Rancho Viejo Subdivision, Section VIII, Cameron County, Texas, according to map or plat thereof recorded in Volume 26, Page 35, Map Records, Cameron County, Texas and said 1.896 Acres being Tract I - 0.690 Acres and Tract II - 1.206 Acres.

PUBLIC HEARING ON REQUEST BY MR. EDUARDO H. MEJIA, MEJIA AND ROSE, INC., AGENT FOR GOLF & RESORTS INVESTMENTS, LLC, OWNERS, TO APPROVE THE FINAL PLAT FOR THE SANTA ANA LAKE SUBDIVISION NO. 2, LOTS 5-8, BEING 1.896 ACRES OUT OF EL ANGEL GOLF COURSE AND DESCRIBED AS TRACT II - 50.373 ACRES IN ASSUMPTION WARRANTY DEED RECORDED IN VOLUME 18183, PAGE 168, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS AND BEING ADJACENT TO RANCHO VIEJO SUBDIVISION, SECTION VIII, CAMERON COUNTY, TEXAS, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN VOLUME 26, PAGE 35, MAP RECORDS, CAMERON COUNTY, TEXAS AND SAID 1.896 ACRES BEING TRACT I - 0.690 ACRES AND TRACT II - 1.206 ACRES. THIS PROPOSED SUBDIVISION IS NEAR THE INTERSECTION OF ENCHILADA AND SANTA ANA.:

Mayor Hager opened the public hearing. After everyone was given an opportunity to speak on the matter, motion was made by Alderman Vera, seconded by Alderwoman Carr, and unanimously carried, that the public hearing be closed.

CONSIDERATION AND ACTION ON REQUEST BY MR. EDUARDO H. MEJIA, MEJIA AND ROSE, INC., AGENT FOR GOLF & RESORTS INVESTMENTS, LLC, OWNERS, TO APPROVE THE FINAL PLAT FOR SANTA ANA LAKE SUBDIVISION NO. 2, LOTS 5-8, BEING 1.896 ACRES OUT OF EL ANGEL GOLF COURSE AND DESCRIBED AS TRACT II - 50.373 ACRES IN ASSUMPTION WARRANTY DEED RECORDED IN VOLUME 18183, PAGE 168, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS AND BEING ADJACENT TO RANCHO VIEJO SUBDIVISION, SECTION VIII, CAMERON COUNTY, TEXAS, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN VOLUME 26, PAGE 35, MAP RECORDS, CAMERON COUNTY, TEXAS AND SAID 1.896 ACRES BEING TRACT I - 0.690 ACRES AND TRACT II - 1.206 ACRES. THIS PROPOSED SUBDIVISION IS NEAR THE INTERSECTION OF ENCHILADA AND SANTA ANA.:

Alderwoman Cyndie Rathbun, Strategic Planning Committee Chairperson, stated that the Planning and Zoning Commission recommended approval of this item. Motion was made by Alderwoman Guerrero, seconded by Alderwoman Carr, to approve the FINAL Plat for Santa Ana Lake Subdivision No. 2, Lots 5-8, being 1.896 Acres out of El Angel Golf Course and described as Tract II - 50.373 Acres in Assumption Warranty Deed Recorded in Volume 18183, Page 168, Official Records of Cameron County, Texas and being adjacent to Rancho Viejo Subdivision, Section VIII, Cameron County, Texas, according to map or plat thereof recorded in Volume 26, Page 35, Map Records, Cameron County, Texas and said 1.896 Acres being Tract I - 0.690 Acres and Tract II - 1.206 Acres. This proposed subdivision is near the intersection of Enchilada and Santa Ana.

This motion carried with the following vote:

AYES: Alderwoman Carr, Alderwoman Guerrero, Alderwoman Rathbun and
Alderwoman Truan

NAYS: Alderman Vera

ABSTAINING: None

PUBLIC HEARING ON REQUEST FOR ZONING CHANGE BY MR. EDUARDO H. MEJIA, MEJIA AND ROSE, INC., AGENT FOR GOLF & RESORTS INVESTMENTS, LLC, OWNERS, FROM "A" RECREATIONAL DISTRICT TO "B" SINGLE-FAMILY DWELLING DISTRICT FOR THE FOLLOWING DESCRIBED PROPERTY - BEING 0.397 ACRE OUT OF A 104.115 ACRE (EL ANGEL GOLF COURSE) AND RECORDED IN VOLUME 18183, PAGE 168, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS. THIS AREA IS TO BE COMBINED WITH PART OF LOT 132, SECTION VII TO CREATE THE TESORO CORNER SUBDIVISION NO. 1:

Mayor Hager opened the public hearing. After everyone was given an opportunity to speak on the matter, motion was made by Alderman Vera, seconded by Alderwoman Carr, and unanimously carried, that the public hearing be closed.

CONSIDERATION AND ACTION ON FINAL APPROVAL OF THE REQUEST FOR ZONING CHANGE BY MR. EDUARDO H. MEJIA, MEJIA AND ROSE, INC., AGENT FOR GOLF & RESORTS INVESTMENTS, LLC, OWNERS, FROM "A" RECREATIONAL DISTRICT TO "B" SINGLE-FAMILY DWELLING DISTRICT FOR THE FOLLOWING DESCRIBED PROPERTY - BEING 0.397 ACRE OUT OF A 104.115 ACRE (EL ANGEL GOLF COURSE) AND RECORDED IN VOLUME 18183, PAGE 168, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS. THIS AREA IS TO BE COMBINED WITH PART OF LOT 132, SECTION VII TO CREATE THE TESORO CORNER SUBDIVISION NO. 1:

Motion was made by Alderwoman Rathbun, seconded by Alderwoman Carr, and unanimously carried, to give FINAL approval of the Request for Zoning Change, from "A" Recreational District to "B" Single-Family Dwelling District for the following described property - being 0.397 Acre out of a 104.115 Acre (El Angel Golf Course) and recorded in Volume 18183, Page 168, Official Records of Cameron County, Texas. This area is to be combined with part of Lot 132, Section VII to create the Tesoro Corner Subdivision No. 1.

PUBLIC HEARING ON REQUEST BY MR. EDUARDO H. MEJIA, MEJIA AND ROSE, INC., AGENT FOR GOLF & RESORTS INVESTMENTS, LLC, OWNERS, TO APPROVE THE FINAL PLAT FOR THE TESORO CORNER SUBDIVISION NO. 1, BEING 0.933 ACRE OF LAND, MORE OR LESS, AND BEING 0.536 ACRES OUT OF LOT 132, RANCHO VIEJO SUBDIVISION, SECTION VII, IN CAMERON COUNTY, TEXAS AS RECORDED IN VOLUME 26, PAGE 35, MAP RECORDS AND 0.397 ACRE OUT OF A 104.115 ACRE (EL ANGEL GOLF COURSE) AND RECORDED IN VOLUME 18183, PAGE 168, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS:

Mayor Hager opened the public hearing. After everyone was given an opportunity to speak on the matter, motion was made by Alderman Vera, seconded by Alderwoman Carr, and unanimously carried, that the public hearing be closed.

CONSIDERATION AND ACTION ON REQUEST BY MR. EDUARDO H. MEJIA, MEJIA AND ROSE, INC., AGENT FOR GOLF & RESORTS INVESTMENTS, LLC, OWNERS, TO APPROVE THE FINAL PLAT FOR THE TESORO CORNER SUBDIVISION NO. 1, BEING 0.933 ACRE OF LAND, MORE OR LESS, AND BEING 0.536 ACRES OUT OF LOT 132, RANCHO VIEJO SUBDIVISION, SECTION VII, IN CAMERON COUNTY, TEXAS AS RECORDED IN VOLUME 26, PAGE 35, MAP RECORDS AND 0.397 ACRE OUT OF A 104.115 ACRE (EL ANGEL GOLF COURSE) AND RECORDED IN VOLUME 18183, PAGE 168, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS:

Alderwoman Cyndie Rathbun, Strategic Planning Committee Chairperson, noted that the Planning and Zoning Commission recommended approval of this item. Motion was made by Alderwoman Guerrero, seconded by Alderwoman Carr, and unanimously carried, to approve the FINAL PLAT for the Tesoro Corner Subdivision No. 1, being 0.933 Acre of land, more or less, and being 0.536 Acres out of Lot 132, Rancho Viejo Subdivision, Section VII, in Cameron County, Texas as recorded in Volume 26, Page 35, Map Records and 0.397 Acre out of a 104.115 Acre (El Angel Golf Course) and recorded in Volume 18183, Page 168, Official Records of Cameron County, Texas.

CONSIDERATION AND ACTION ON AMENDING THE LAND USE RESTRICTION (WHICH IS RECORDED IN VOLUME 130, PAGE 801, OF THE OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS) TO AUTHORIZE THE USE OF THE REAL PROPERTY CONSTITUTING THE PROPOSED SANTA ANA LAKE SUBDIVISION NO. 1, LOTS 1-4, SANTA ANA LAKE SUBDIVISION NO. 2, LOTS 5-8, AND TESORO CORNER SUBDIVISION NO. 1 AS "B" SINGLE-FAMILY DWELLING DISTRICT (BEING THE USE PERMITTED IN A "B" SINGLE-FAMILY DWELLING DISTRICT AS NOW DEFINED OR MAY HEREAFTER BE DEFINED IN THE ZONING ORDINANCE OF THE TOWN OF RANCHO VIEJO, TEXAS):

Motion was made by Alderwoman Carr, seconded by Alderwoman Guerrero, and unanimously carried, to approve amending the Land Use Restriction (which is recorded in Volume 130, Page 801, of the Official Records of Cameron County, Texas) to authorize the use of the real property constituting the proposed Santa Ana Lake Subdivision No. 1, Lots 1-4, Santa Ana Lake Subdivision No. 2, Lots 5-8, and Tesoro Corner Subdivision No. 1 as "B" Single-Family Dwelling District (being the use permitted in a "B" Single-Family Dwelling District as now defined or may hereafter be defined in the Zoning Ordinance of the Town of Rancho Viejo, Texas).

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

Motion was made by Alderwoman Guerrero, seconded by Alderwoman Truan, and unanimously carried, to reappoint Mr. Filiberto Conde and Mr. Glenn McGehee to the Planning and Zoning Commission for a two year term.

CONSIDERATION/ACTION ON MEMORANDUM OF AGREEMENT TO PARTICIPATE IN THE COUNCIL OF CITIES, CAMERON COUNTY, TX HAZARD MITIGATION ACTION PLAN AND LETTER OF INTENT TO PARTICIPATE:

Motion was made by Alderwoman Guerrero, seconded by Alderman Vera, to approve the Agreement to Participate in the Council of Cities, Cameron County, TX Hazard Mitigation Action Plan and the Letter of Intent to Participate.

The motion carried with the following vote:
AYES: Alderwoman Guerrero, Alderwoman Rathbun and Alderman Vera
NAYS: Alderwoman Carr and Alderwoman Truan
ABSTAINING: None

Alderwoman Guerrero left the meeting at 7:17 P.M.

PUBLIC COMMENT:

Mr. Rusty Rusteberg stated that the Rancho Viejo Volunteer Fire Department would be recognizing Mr. Bill Stevenson for his years of service at a ceremony on February 18, 2014 at 6:00 P.M.

ADJOURN INTO EXECUTIVE SESSION, AS AUTHORIZED BY SUBCHAPTER D OF CHAPTER 551 OF THE GOVERNMENT CODE TO DISCUSS WITH ATTORNEYS MATTERS IN WHICH THE DUTY OF THE ATTORNEYS UNDER THE RULES OF PROFESSIONAL CONDUCT CLEARLY CONFLICT WITH CHAPTER 551:

There was no executive session.

POSSIBLE ACTION ON MATTERS OR ITEMS DISCUSSED IN EXECUTIVE SESSION:

There was no executive session.

ADJOURNMENT:

Motion was made by Alderwoman Carr, seconded by Alderwoman Truan, and unanimously carried, to adjourn the meeting at 7:21 P.M.

BY: _____
Cheryl J. Kretz, Town Secretary

APPROVED: _____
Jean Hager, Mayor

DATE: _____

#6 Public Hearing to Receive Final Recommendation of the Planning and Zoning Commission of the Town of Rancho Viejo, Texas on an Ordinance of the Town of Rancho Viejo, Texas Amending Chapter 14 and Chapter 70 of the Code of Ordinances Regarding Pools, Providing for an Effective Date, and Publication in Caption Form

#7 Consideration, Discussion and Action on Final Recommendation to the Board of Aldermen on whether to enact an Ordinance of the Town of Rancho Viejo, Texas Amending Chapter 14 and Chapter 70 of the Code of Ordinances Regarding Pools, Providing for an Effective Date, and Publication in Caption Form

On Friday, March 7, 2014, the Planning and Zoning Commission recommended to the Board of Aldermen final approval of the Ordinance of the Town of Rancho Viejo, Texas Amending Chapter 14 and Chapter 70 of the Code of Ordinances Regarding Pools, Providing for an Effective Date, and Publication in Caption Form.

ORDINANCE NO.

AN ORDINANCE OF THE TOWN OF RANCHO VIEJO, TEXAS AMENDING CHAPTER 14 AND CHAPTER 70 OF THE CODE OF ORDINANCES REGARDING POOLS; PROVIDING FOR AN EFFECTIVE DATE; AND PUBLICATION IN CAPTION FORM

WHEREAS, for the health, safety, and welfare of the residents of the Town of Rancho Viejo, Texas, swimming pool regulations are deemed to be in the best interest 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 243 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 in the body of this Ordinance as if copied in their entirety.

SECTION 2. Chapter 14 Buildings and Building Regulations, Section 14-197 Definitions- "Pool" shall be amended to read as follows: A "Pool" shall mean either (1) a permanent swimming pool located below ground, filled or empty and at least 18 inches deep if public or semi-public, and at least three feet deep if private; or, (2) a private hot tub or spa located above ground and being at least three feet deep. Ground level or above ground swimming pools, portable swimming pools, seasonal swimming pools, public or semi-public hot tubs, public or semi-public spas, or other swimming pools are hereby found to not be consistent with the definition of "Pool" herein.

SECTION 3. Chapter 70, Zoning, Article III Zoning Regulations and Rules, Division 1. Generally Section 70-250 Regulations Applicable to all districts - (k) Swimming pools and spas shall be amended in its entirety, as follows:

"Pools. No Pool, as measured from the edge of the water, or any portion thereof, may be located any closer than ten feet from any waterway (resaca), ten feet from any side or rear property line, and 30 feet from any front property line. In the event that a Pool is located within 25 feet from the edge of a paved street, said Pool shall in all other respects comply with all other codes thereto applicable, if any. No ground level or above ground swimming pools, portable swimming pools, seasonal swimming pools, public or semi-public hot tubs, public or semi-public spas, or other swimming pools not consistent with the definition of "Pool" in Section 14-197 are allowed, except

for children's swimming pools with a maximum depth of 16 inches and a maximum volume of 168 gallons."

SECTION 4. Any and all ordinance, 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 applications 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 in caption form, and is so ordained.

PASSED, ADOPTED, AND APPROVED, this 11th day of March, 2014.

Jean Hager, Mayor

ATTEST:

Cheryl J. Kretz, Town Secretary

#8 Consideration/Acceptance of Certification of Unopposed Candidates; Consideration/Approval of Order of Cancellation; and Consideration/Approval of Ordinance Declaring Unopposed Candidates in the May 10, 2014 General Municipal Election Elected to Office, Canceling the Election, Providing for a Severability Clause, and Providing an Effective Date

ORDINANCE NO.

AN ORDINANCE DECLARING UNOPPOSED CANDIDATES IN THE MAY 10, 2014 GENERAL MUNICIPAL ELECTION ELECTED TO OFFICE; CANCELING THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the general municipal election was called for May 10, 2014 for the purpose of electing members to the Board of Aldermen; and

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

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

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

Section 1. The following candidates, who are unopposed in the May 10, 2014 general municipal election, are declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed:

Maria G. Carr	Alderman
Maribel B. Guerrero	Alderman
Cynthia Rathbun	Alderman

Section 2. The May 10, 2014 general municipal election is canceled, and the City Secretary is directed to cause a copy of the Order of Cancellation to be posted on election day at each polling place that would have been used in the election.

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

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

PASSED, APPROVED, AND ADOPTED on this the 11th day of March, 2014.

Jean Hager
Mayor

ATTEST:

Cheryl J. Kretz
Town Secretary

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

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

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 10, 2014

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 10 de mayo del 2014

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

Office(s) Cargo(s)

Alderman
Alderman
Alderman

Candidate(s) Candidato(s)

Maria G. Carr
Maribel B. Guerrero
Cynthia Rathbun


Signature (*Firma*)

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

Town Secretary
Title (*Puesto*)

March 7, 2014
Date of signing (*Fecha de firma*)

(Seal) (*sello*)

See reverse side for instructions
(*Instrucciones en el reverso*)

ORDER OF CANCELLATION
ORDEN DE CANCELACIÓN

The Board of Aldermen hereby cancels the election scheduled to be held on
(official name of governing body)
May 10, 2014 in accordance with Section 2.053(a) of the Texas
(date on which election was scheduled to be held)
Election Code. The following candidates have been certified as unopposed and are hereby
elected as follows:

*El junta de concejales por la presente cancela la elección que, de lo contrario,
(nombre oficial de la entidad gobernante)
se hubiera celebrado el 10 de mayo del 2014 de conformidad, con
(fecha en que se hubiera celebrado la elección)
la Sección 2.053(a) del Código de Elecciones de Texas. Los siguientes candidatos han sido
certificados como candidatos únicos y por la presente quedan elegidos como se haya indicado
a continuación:*

Candidate (Candidato)	Office Sought (Cargo al que presenta candidatura)
Maria G. Carr	Alderman
Maribel B. Guerrero	Alderman
Cynthia Rathbun	Alderman

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

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

Mayor (Alcalde) Jean Hager

Secretary (Secretaría) Cheryl J. Kretz

(seal) (sello)

March 11, 2014
Date of adoption (Fecha de adopción)

See reverse side for instructions
Instrucciones en el reverso

#9 Public Comment

#10 Adjourn