



NOTICE OF A PUBLIC MEETING
TOWN OF RANCHO VIEJO
BOARD OF ALDERMEN
REGULAR MEETING
DECEMBER 8, 2015
6:00 P.M.

NOTICE is hereby given of a REGULAR MEETING of the BOARD OF ALDERMEN of the TOWN OF RANCHO VIEJO, TEXAS, to be held on DECEMBER 8, 2015 at 6:00 P.M., in the TOWN MUNICIPAL OFFICE, 3301 CARMEN AVENUE, RANCHO VIEJO, TEXAS to consider the following items:

1. Call to Order
2. Roll Call
3. Invocation and Pledge
4. Public Comment
5. Approval of Minutes - Regular Meeting November 10, 2015
6. Informational Presentation by Laura Lisa Garza MPA, Licensed Chemical Dependency Counselor and Founder/CEO of the Mesquite Treatment Center, LLC, on Current Trends in Illegal Synthetic Drugs
7. November 2015 Police Report - Police Chief
8. Public comment
9. Adjourn


Fred Blanco, Town Administrator

MINUTES OF A REGULAR MEETING
TOWN OF RANCHO VIEJO
NOVEMBER 10, 2015

A Regular Meeting of the Board of Aldermen of the Town of Rancho Viejo, Texas was held on November 10, 2015, 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 Rathbun at 6:02 P.M. Roll call was made by Isabel Perales, Assistant Town Secretary. Members present at the meeting were:

Mrs. Maribel Guerrero
Mr. Erick Lucio
Mrs. Bitty Truan

Members absent:

Ms. Lupita Carr
Mr. Javier Vera

A quorum was present at the meeting.

Legal Counsel Daniel Rentfro, Jr. was present at the meeting and Town Administrator, Fred Blanco was also present.

INVOCATION AND PLEDGE:

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

APPROVAL OF MINUTES - REGULAR MEETING OCTOBER 13, 2015:

Motion was made by Alderwoman Truan, seconded by Alderwoman Guerrero, and unanimously carried, to approve the minutes of the Regular Meeting held on October 13, 2015 be approved as written.

PUBLIC COMMENT:

Mayor Rathbun mentioned that there will be a "Tree Lighting Ceremony" will be held at Town Hall on December 6, 2015 from 5:00 P.M. - 6:00 P.M.

PRESENTATION BY MR. RICHARD GRASSO TO BUILD A TOWN BOCCE BALL COURT ON PUBLIC LAND FOR THE BENEFIT OF THE ENTIRE COMMUNITY:

Mr. Grasso made a presentation on the details about Bocce Ball. It is a great national pass time, great for health and for different people to meet and be involved in an outdoor activity with the community. There are guidelines to be followed. The Board mentioned that the Town is interested, talk about funds or grants to make it happen. The Mayor requested more specific details and information to be presented in the near future.

SEPTEMBER 2015 FINANCIAL REPORT - TOWN ADMINISTRATOR:

Fred Blanco, Town Administrator went over the September 2015 Financial Report and the bank balance for the General Account as well as the Debt Account and the Police Asset Forfeiture Account.

OCTOBER 2015 POLICE REPORT - POLICE CHIEF:

Police Chief Cruz went over the October 2015 Police Report. Chief Cruz mentioned that there has been an increase of identity theft and would like all residents to be precautious and monitor their credit reports and bank accounts regularly.

ANNOUNCE GOOD NEIGHBOR SETTLEMENT HOUSE DRIVE - DECEMBER 12, 2015:

Mrs. Maria Hinojosa announced that they will be hosting the annual Good Neighbor Settlement House Drive on December 12, 2015 between 9:00 A.M. -12:00 P.M. at 4 Pizarro. She requested more awareness from the Town, to be announced on our website, alert system and Facebook. She will be notifying the Rancho Moms and post a sign.

CONSIDERATION/APPROVAL TO DECLARE ONE 2003 FORD EXPLORER (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 Truan, seconded by Alderman Lucio, and unanimously carried, to Declare One 2003 Ford Explorer (Seized Vehicle that is Asset Forfeiture) Surplus Property to be Sold and Authorize the Police Chief/Mayor to Accept the Highest Offer.

CONSIDERATION/APPROVAL TO DECLARE ONE 2006 FORD F-150 PICK-UP (POLICE PATROL VEHICLE PURCHASED WITH TOWN FUNDS) SURPLUS PROPERTY TO BE SOLD AND AUTHORIZE THE POLICE CHIEF/MAYOR TO ACCEPT THE HIGHEST OFFER:

Motion was made by Alderman Lucio, seconded by Alderwoman Guerrero, and unanimously carried, to Declare One 2006 Ford F-150 Pick-up (Police Patrol Vehicle purchased with Town funds) Surplus Property to be Sold and Authorize the Police Chief/Mayor to Accept the Highest Offer.

CONSIDERATION/ACTION ON AMENDMENT TO POLICE DEPARTMENT EMPLOYEE MANUAL OVERTIME PAY DESCRIPTION TO SATISFY LANGUAGE TO COMPLY WITH GRANT APPLICATION:

Motion was made by Alderwoman Guerrero, seconded by Alderwoman Truan, and unanimously carried, to amend the Police Department Employee Manual Overtime Pay Description to Satisfy Language to Comply with Grant Application that the Police Department applied for.

PUBLIC HEARING ON REQUEST BY MONTANARO INVESTMENTS, OWNER, TO APPROVE THE REQUEST TO VACATE A RE-PLAT FOR LOT 6, BLOCK 1, LAS HACIENDAS SUBDIVISION, TO GO FROM 1 LOT TO 2 LOTS, LOT 6 AND LOT 7, LAS HACIENDAS SUBDIVISION, AS ORIGINALLY PLATED:

Mayor Rathbun opened the public hearing. There were no comments from the public. Motion was made by Alderman Lucio, seconded by Alderwoman Guerrero, and unanimously carried, to close the public hearing.

REVIEW/DISCUSSION/ACTION ON REQUEST BY MONTANARO INVESTMENTS, OWNER, TO APPROVE THE REQUEST TO VACATE A RE-PLAT FOR LOT 6, BLOCK 1, LAS HACIENDAS SUBDIVISION, TO GO FROM 1 LOT TO 2 LOTS, LOT 6 AND LOT 7, LAS HACIENDAS SUBDIVISION, AS ORIGINALLY PLATED:

Motion was made by Alderman Lucio, seconded by Alderwoman Guerrero, and unanimously carried, to approve the request by Montanaro Investments, owner, to approve the request to vacate a re-plat for Lot 6, Block 1, Las Haciendas Subdivision, to go from 1 lot to 2 lots, Lot 6 and Lot 7, Las Haciendas Subdivision, as originally plated.

PUBLIC HEARING ON REQUEST FOR A VARIANCE BY MR. AND MRS. FRED RUSTEBERG, OWNERS, LOT 3 SECTION 8, 313 SANTA ANA AVENUE, RANCHO VIEJO, TEXAS, TO PROVIDE FOR VARIANCE FROM THE CODE OF ORDINANCES, CHAPTER 70, ARTICLE III., DIVISION 1., SEC. 70-250. (F) MAXIMUM LOT COVERAGE. NO STRUCTURE OR DWELLING UNIT SHALL BE ERECTED ON ANY LOT OR PIECE OF PROPERTY WHERE MORE THAN 40 PERCENT OF THE PROPERTY SHALL BE COVERED BY THE STRUCTURE OR STRUCTURES. OPEN DECKS, PATIOS AND DRIVEWAYS SHALL NOT BE CONSIDERED COVERED AREAS FOR THE PURPOSE OF THIS SECTION (ALL OTHER STRUCTURES SHALL BE CONSIDERED IN THE COVERED AREA). EIGHT THOUSAND SQUARE FEET OR 40 PERCENT, WHICHEVER IS SMALLER, MUST BE FREE OF IMPROVEMENTS COVERING THE PROPERTY, INCLUDING OPEN DECKS, PATIOS AND DRIVEWAYS. IN DETERMINING THE SIZE OF THE LOT OR PIECE OF PROPERTY, ANY PORTION OF THE PROPERTY THAT IS SUBJECT TO STREET, INGRESS AND/OR EGRESS EASEMENT SHALL BE EXCLUDED FROM THE LOT SIZE AND ANY PORTION OF THE PROPERTY THAT IS SUBJECT TO A RESACA OR WATER STORAGE EASEMENT SHALL ALSO BE EXCLUDED FROM THE LOT SIZE - TO BE OVER THE REQUIREMENT WHERE 40 PERCENT OF THE PROPERTY MUST BE FREE STRUCTURES. THIS IS FOR THE CONSTRUCTION OF A BRICK PAVER SIDEWALK ON THE EXTERIOR WEST SIDE OF THE HOME:

Mayor Rathbun opened the public hearing. There were no comments from the public. Motion was made by Alderman Lucio, seconded by Alderwoman Guerrero, and unanimously carried, to close the public hearing.

REVIEW/DISCUSSION/ACTION ON REQUEST FOR A VARIANCE BY MR. AND MRS. FRED RUSTEBERG, OWNERS, LOT 3 SECTION 8, 313 SANTA ANA AVENUE, RANCHO VIEJO, TEXAS, TO PROVIDE FOR VARIANCE FROM THE CODE OF ORDINANCES, CHAPTER 70, ARTICLE III., DIVISION 1., SEC. 70-250. (F) MAXIMUM LOT COVERAGE. NO STRUCTURE OR DWELLING UNIT SHALL BE ERECTED ON ANY LOT OR PIECE OF PROPERTY WHERE MORE THAN 40 PERCENT OF THE PROPERTY SHALL BE COVERED BY THE STRUCTURE OR STRUCTURES. OPEN DECKS, PATIOS AND DRIVEWAYS SHALL NOT BE CONSIDERED COVERED AREAS FOR THE PURPOSE OF THIS SECTION (ALL OTHER STRUCTURES SHALL BE CONSIDERED IN THE COVERED AREA). EIGHT THOUSAND SQUARE FEET OR 40 PERCENT, WHICHEVER IS SMALLER, MUST BE FREE OF IMPROVEMENTS COVERING THE PROPERTY, INCLUDING OPEN DECKS, PATIOS AND DRIVEWAYS. IN DETERMINING THE SIZE OF THE LOT OR PIECE OF PROPERTY, ANY PORTION OF THE PROPERTY THAT IS SUBJECT TO STREET, INGRESS AND/OR EGRESS EASEMENT SHALL BE EXCLUDED FROM THE LOT SIZE AND ANY PORTION OF THE PROPERTY THAT IS SUBJECT TO A RESACA OR WATER STORAGE EASEMENT SHALL ALSO BE EXCLUDED FROM THE LOT SIZE - TO BE OVER THE REQUIREMENT WHERE 40 PERCENT OF THE PROPERTY MUST BE FREE STRUCTURES. THIS IS FOR THE CONSTRUCTION OF A BRICK PAVER SIDEWALK ON THE EXTERIOR WEST SIDE OF THE HOME:

Mr. Will Burns, contractor for Mr. and Mrs. Rusteberg explained the details of the request being that they were asking for 38 percent of variance from the 40 percent requirement in the Town Ordinance. Mayor Rathbun stated that the Board of Adjustments and Appeals reviewed the request and unanimously approved the recommendation for approval to the Board of Aldermen.

Motion was made by Alderman Lucio, seconded by Alderwoman Guerrero, and unanimously carried, to approve the request for a Variance by Mr. and Mrs. Fred Rusteberg, owners, lot 3 section 8, 313 Santa Ana Avenue, Rancho Viejo, Texas, to provide for variance from the Code of Ordinances, Chapter 70, Article III., Division 1., Sec. 70-250. (f) Maximum lot coverage. No structure or dwelling unit shall be erected on any lot or piece of property where more than 40 percent of the property shall be covered by the structure or structures. Open decks, patios and driveways shall not be considered covered areas for the purpose of this Section (all other structures shall be considered in the covered

area). Eight thousand square feet or 40 percent, whichever is smaller, must be free of improvements covering the property, including open decks, patios and driveways. In determining the size of the lot or piece of property, any portion of the property that is subject to street, ingress and/or egress easement shall be excluded from the lot size and any portion of the property that is subject to a resaca or water storage easement shall also be excluded from the lot size - to be over the requirement where 40 percent of the property must be free structures. This is for the construction of a brick paver sidewalk on the exterior west side of the home.

PUBLIC HEARING ON REQUEST FOR A VARIANCE BY MR. AND MRS. FRED RUSTEBERG, OWNERS, LOT 3 SECTION 8, 313 SANTA ANA AVENUE, RANCHO VIEJO, TEXAS, TO PROVIDE FOR VARIANCE FROM THE CODE OF ORDINANCES, CHAPTER 70, ARTICLE III., DIVISION 1., SEC. 70-250. (F) MAXIMUM LOT COVERAGE. NO STRUCTURE OR DWELLING UNIT SHALL BE ERECTED ON ANY LOT OR PIECE OF PROPERTY WHERE MORE THAN 40 PERCENT OF THE PROPERTY SHALL BE COVERED BY THE STRUCTURE OR STRUCTURES. OPEN DECKS, PATIOS AND DRIVEWAYS SHALL NOT BE CONSIDERED COVERED AREAS FOR THE PURPOSE OF THIS SECTION (ALL OTHER STRUCTURES SHALL BE CONSIDERED IN THE COVERED AREA). EIGHT THOUSAND SQUARE FEET OR 40 PERCENT, WHICHEVER IS SMALLER, MUST BE FREE OF IMPROVEMENTS COVERING THE PROPERTY, INCLUDING OPEN DECKS, PATIOS AND DRIVEWAYS. IN DETERMINING THE SIZE OF THE LOT OR PIECE OF PROPERTY, ANY PORTION OF THE PROPERTY THAT IS SUBJECT TO STREET, INGRESS AND/OR EGRESS EASEMENT SHALL BE EXCLUDED FROM THE LOT SIZE AND ANY PORTION OF THE PROPERTY THAT IS SUBJECT TO A RESACA OR WATER STORAGE EASEMENT SHALL ALSO BE EXCLUDED FROM THE LOT SIZE - TO ALLOW A CONCRETE BASE FOR THE PLACEMENT OF A GENERATOR:

The public hearing was opened by Mayor Rathbun, there were no public comments and the public hearing was closed by the Mayor.

REVIEW/DISCUSSION/ACTION ON REQUEST FOR A VARIANCE BY MR. AND MRS. FRED RUSTEBERG, OWNERS, LOT 3 SECTION 8, 313 SANTA ANA AVENUE, RANCHO VIEJO, TEXAS, TO PROVIDE FOR VARIANCE FROM THE CODE OF ORDINANCES, CHAPTER 70, ARTICLE III., DIVISION 1., SEC. 70-250. (F) MAXIMUM LOT COVERAGE. NO STRUCTURE OR DWELLING UNIT SHALL BE ERECTED ON ANY LOT OR PIECE OF PROPERTY WHERE MORE THAN 40 PERCENT OF THE PROPERTY SHALL BE COVERED BY THE STRUCTURE OR STRUCTURES. OPEN DECKS, PATIOS AND DRIVEWAYS SHALL NOT BE CONSIDERED COVERED AREAS FOR THE PURPOSE OF THIS SECTION (ALL OTHER STRUCTURES SHALL BE CONSIDERED IN THE COVERED AREA). EIGHT THOUSAND SQUARE FEET OR 40 PERCENT, WHICHEVER IS SMALLER, MUST BE FREE OF IMPROVEMENTS COVERING THE PROPERTY, INCLUDING OPEN DECKS, PATIOS AND DRIVEWAYS. IN DETERMINING THE SIZE OF THE LOT OR PIECE OF PROPERTY, ANY PORTION OF THE PROPERTY THAT IS SUBJECT TO STREET, INGRESS AND/OR EGRESS EASEMENT SHALL BE EXCLUDED FROM THE LOT SIZE AND ANY PORTION OF THE PROPERTY THAT IS SUBJECT TO A RESACA OR WATER STORAGE EASEMENT SHALL ALSO BE EXCLUDED FROM THE LOT SIZE - TO ALLOW A CONCRETE BASE FOR THE PLACEMENT OF A GENERATOR:

Mayor Rathbun mentioned that this was a continuation of the previous request for variance.

Motion was made by Alderman Lucio, seconded by Alderwoman Guerrero, and unanimously carried, to approve the Request for a Variance by Mr. and Mrs. Fred Rusteberg, owners, lot 3 section 8, 313 Santa Ana Avenue, Rancho Viejo, Texas, to provide for variance from the Code of Ordinances, Chapter 70, Article III., Division 1., Sec. 70-250. (f) Maximum lot coverage. No structure or dwelling unit shall be erected on any lot or piece of property where more than 40 percent of the property shall be

covered by the structure or structures. Open decks, patios and driveways shall not be considered covered areas for the purpose of this Section (all other structures shall be considered in the covered area). Eight thousand square feet or 40 percent, whichever is smaller, must be free of improvements covering the property, including open decks, patios and driveways. In determining the size of the lot

or piece of property, any portion of the property that is subject to street, ingress and/or egress easement shall be excluded from the lot size and any portion of the property that is subject to a resaca or water storage easement shall also be excluded from the lot size - to allow a concrete base for the placement of a generator.

CONSIDERATION/ACTION ON RESOLUTION TO VOTE ON BALLOT OF REPRESENTATIVE FOR CAMERON APPRAISAL DISTRICT BOARD OF DIRECTORS - POSITION NINE:

Motion was made by Alderman Lucio, seconded by Alderwoman Guerrero, to approve the Resolution to Vote on Ballot of Representative for Cameron Appraisal District Board of Directors - Position Nine: or vote for Ricardo Morado. Motion passed with the following vote:

Ayes: Alderwoman Guerrero, Alderman Lucio

Nayes: Alderwoman Truan

Abstaining: None

CONSIDERATION/ACTION ON BUDGET AMENDMENT FOR 2014/2015:

Fred Blanco, Town Administrator went over the line items that were to be changed. Motion was made by Alderwoman Guerrero, seconded by Alderwoman Truan to approve the Budget Amendment for 2014/2015. Motion passed with the following vote:

Ayes: Alderwoman Guerrero, Alderwoman Truan

Nayes: Alderman Lucio

Abstaining: None

PUBLIC COMMENT:

There were no comments from the public.

EXECUTIVE SESSION: PURSUANT TO THE FOLLOWING SECTION OF THE TEXAS GOVERNMENT CODE: SECTION 551.071 CONSULTATION WITH ATTORNEY CONCERNING CONTEMPLATIVE LITIGATION:

Motion was made by Alderman Lucio, seconded by Alderwoman Truan, and unanimously carried, to go into Executive Session at 7:05 P.M. The meeting was reconvened at 7:31 P.M.

POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION:

There was no action on this item.

ADJOURNMENT:

Motion was made by Alderman Lucio, seconded by Alderwoman Truan, and unanimously carried, to adjourn the meeting at 7:31P.M.

November 10, 2015

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BY: _____
Fred Blanco, Town Administrator

APPROVED: _____
Cyndie Rathbun, Mayor

DATE: _____