



NOTICE OF A PUBLIC MEETING  
TOWN OF RANCHO VIEJO  
BOARD OF ALDERMEN  
REGULAR MEETING  
MARCH 9, 2021  
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 9, 2021 at 6:00 P.M via Zoom Teleconference Meeting ONLY by logging on at <https://us02web.zoom.us/j/88279347479> Meeting ID: 882 7934 7479

This Notice and Meeting Agenda, are posted online at: [www.ranchoviejotexas.com](http://www.ranchoviejotexas.com). The Agenda packet will also be posted online no less than 24 hours before the meeting.

The members of the public wishing to participate in the meeting hosted through Zoom Teleconference may do so toll-free by logging on at <https://us02web.zoom.us/j/88279347479> Meeting ID: 882 7934 7479 or by calling in to one of the following numbers (charges may apply):

One tap mobile

+13462487799,,88279347479# US (Houston)  
+16699006833,,88279347479# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)  
+1 669 900 6833 US (San Jose)  
+1 312 626 6799 US (Chicago)

Meeting ID: 882 7934 7479

1. Call to Order
2. Roll Call
3. Invocation and Pledge
4. Public Comment
5. Approval of Minutes – Regular Meeting February 9, 2021
6. Special Recognition and Appreciation during the February 2021 Winter Storm
7. Discussion/Action on Establishing a Hotel Occupancy Tax
8. Discussion/Action on the Extension of the Disaster Declaration filed with the Office of the Governor
9. Discussion/Action to Amend the Town of Rancho Viejo Code of Ordinances Chapter 70 – Parking Regulations, Division 3 – Prohibited parking and/or storage. No vehicle or other mobile equipment of any nature shall be parked, stored or left to stand on any lot or property except a driveway of any lot located within a "B" single-family dwelling, or "C" multifamily dwelling, apartments,

townhouses and condominiums district as defined by this chapter for more than 24 hours. Duly licensed passenger vehicles, including pickup trucks, are included in this restriction.

10. Consideration/Action on an Election Equipment Lease Agreement with Cameron County
11. Consideration/Action on Resolution on Appointment of Election Judges, Appointment of Early Voting Ballot Board, and Rate of Pay for Election Judges
12. Discussion/Action to establish a Tree Preservation Ordinance
13. Discussion/Action on Reopening of Town Park
14. Street Committee Report
15. Strategic Planning Committee Report
16. February 2021 Police Report –Police Chief
17. Public Comment
18. Adjourn



Fred Blanco, Town Administrator

THE BOARD RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION TO DISCUSS ANY ITEM ON THE AGENDA WHENEVER ALLOWED BY THE TEXAS OPEN MEETINGS ACT, CHAPTER 551, TEXAS GOVERNMENT CODE.



State of Texas  
County of Cameron  
Town of Rancho Viejo

I, the undersigned authority, do hereby certify that the above NOTICE OF MEETING of the Board of Aldermen of the Town of Rancho Viejo, Texas is a true and correct copy of said NOTICE, which has been posted on the Window of the Town of Rancho Viejo Municipal Office, 3301 Carmen Avenue, Rancho Viejo, Texas, a place convenient and readily accessible to the General Public, on March 5, 2021 at 6:00 P.M. and which will be continuously posted for a period of seventy-two (72) hours prior to the date and time said meeting was convened.

ATTEST:



Fred Blanco, Town Administrator

# 1. Call to Order

## By Mayor Rathbun

## 2. Roll Call

By Eunice Salinas

Alderman Grove

Alderwoman Guerrero

Alderwoman Kaechele

Alderman Tumlinson

Alderman Vera

Legal Counsel, Daniel Rentfro, Jr.

Town Administrator, Fred Blanco.

### 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 February 9, 2021

MINUTES OF A Regular MEETING  
TOWN OF RANCHO VIEJO  
February 9, 2021

A Regular Meeting of the Board of Aldermen of the Town of Rancho Viejo, Texas was held on FEBRUARY 9, 2021 at 6:00 P.M via Zoom Teleconference Meeting ONLY by logging on at <https://us02web.zoom.us/j/88509446050> Meeting ID: 885 0944 6050

1. CALL TO ORDER

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The meeting was called to order by Mayor Rathbun at 6:00 p.m.

2. ROLL CALL

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Roll Call was made by Eunice Salinas, Assistant Town Secretary. Members present at the meeting were:

Ms. Maribel Guerrero  
Mr. Javier Vera  
Mr. Craig Grove  
Ms. Laura Kaechele  
Mr. David Tumlinson

A quorum was present at the meeting.

Legal Counsel Daniel Rentfro, Jr. and Town Administrator Fred Blanco were also present.

Those present in the audience were:

Ulrich Weisse  
Antonio Guevara  
Alberto Lastra  
Mike Mandes

3. INVOCATION AND PLEDGE

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Alderman Guerrero led the group in the invocation and in the pledge of allegiance to the American and Texas flag.

4. PUBLIC COMMENT

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Ulrich Weisse stated his concern about the minutes of the previous meeting not conveying what he said and reiterated his statements as follows: The strip in the right-of-way does not belong to Las Jacarandas, instead belongs to the Town and noted that a letter was provided stating that it was part of the Ravenioux subdivision. Furthermore, the right-of-way was paved over by the contractor of the developer, and was subsequently given to the Town. Therefore, the Town is made responsible.

Mr. Weisse also commented that an annual meeting for HOA of Las Jacarandas took place and several owners living along Avenida Estrellas contacted Mayor pro-temp, Alderman Vera, and Town Administrator Fred Blanco with the request to resolve the issue of pot holes on Avenida Estrellas and noted that a response was received by Mayor Pro-tem Guerrero and stated that he is in hopes that the street committee could meet sooner to resolve the issue.



Antonio Guevara thanked the Board for the repairs made on the south side of the Bend. Mr. Guevara also expressed concern over sugar cane debris blowing into the community and noted that he reached out to TCEQ regarding said debris. Mr. Guevara indicated that he wanted to know what steps can be taken as a Town.

5. APPROVAL OF MINUTES - REGULAR MEETING JANUARY 12, 2021, SPECIAL MEETING JANUARY 25, 2021, SPECIAL MEETING JANUARY 28, 2021

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Motion to approve minutes of regular meeting January 12, 2021, special meeting January 25, 2021, and special meeting of January 28, 2021, contingent upon a typographical correction on the minutes of January 25, 2021 we made by Alderman Grove, seconded by Alderwoman Kaechele and carried unanimously.

6. DISCUSSION/ACTION ON THE EXTENSION OF THE DISASTER DECLARATION FILED WITH THE OFFICE OF THE GOVERNOR

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Motion to extend the disaster declaration filed with the office of the Governor from February 20, 2021 to March 19, 2021 was made by Alderman Grove, seconded by Alderwoman Kaechele and carried unanimously.

7. CONSIDERATION/APPROVAL OF A RESOLUTION OF THE TOWN OF RANCHO VIEJO APPROVING COOPERATION WITH THE CITIES SERVED BY AEP TO REVIEW AEP TEXAS INC.'S REQUESTED FINAL RECONCILIATION OF ADVANCED METERING COSTS; HIRING LEGAL AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; 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 LEGAL COUNSEL.

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Motion to approve resolution as described above was made by Alderman Tumlinson, seconded by Alderman Vera and carried unanimously.

8. CONSIDERATION/APPROVAL OF A RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF RANCHO VIEJO, TEXAS, FOR THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION, OPERATION LOCAL BORDER SECURITY GRANT

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Motion to approve the resolution for the submission of a grant application as described above was made by Alderman Grove, seconded by Alderman Tumlinson and carried unanimously.

9. CONSIDERATION/APPROVAL OF A RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF RANCHO VIEJO, TEXAS, FOR THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION, OPERATION STONE GARDEN GRANT

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Motion to approve the resolution for the submission of a grant application as described above was made by Alderman Tumlinson, seconded by Alderwoman Kaechele and carried unanimously.

10. DISCUSSION/ACTION ON REDESIGN OF TOWN'S WEBSITE

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Alderwoman Kaechele explained the changes that will be made to the Town's website. Discussion ensued. No action was taken.

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#### 11. STREET COMMITTEE REPORT

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Alderwoman Guerrero updated the Board and audience on improvements on several streets of the Town including Cortez, Bolivar, Balboa, lift station between Carmen and Rancho Viejo Dr. from Hidalgo to Alvarado, Zapata, and Carmen and Morelos Sewer Tie-In. Discussion ensued regarding other street update reports.

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#### 12. STRATEGIC PLANNING COMMITTEE REPORT

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Alderman Tumlinson updated the Board and Audience on what has been discussed in the recent Strategic Planning Committee including the Tree Preservation Ordinance, regulation on short term rentals, and amendments on the parking ordinance. Mr. Tumlinson also mentioned that there will be another Strategic meeting to discuss another 411 system from the County as an additional alert system. Town Administrator Fred Blanco gave a brief explanation on the details noting that the system was previously called "reverse 911" and is now called "Code Red" and further noted that it is an alert system only for emergencies in the County, such as an emergency water boil.

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#### 13. BUILDING COMMITTEE REPORT

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Town Administrator Fred Blanco updated the Board on permits issued by the Building Committee.

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#### 14. JANUARY 2021 POLICE REPORT –POLICE CHIEF

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Rancho Viejo Police Chief Robert Tyler presented the December 2020 Police Report and updated the Board on potential new hires for the Rancho Viejo Police Department. The Mayor thanked the Chief and also thanked the Chief for handling the brush dumping situation; Mr. Tumlinson reiterated the Mayors statements.

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#### 15. EXECUTIVE SESSION PURSUANT TO SECTION 551.071(2) OF THE TEXAS GOVERNMENT CODE TO CONDUCT A PRIVATE CONSULTATION WITH THE TOWN ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE TOWN UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH TEXAS GOVERNMENT CODE CHAPTER 551.

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Motion to adjourn meeting into executive session at 6:54 was made by Alderman Grove, seconded by Alderwoman Guerrero and carried unanimously.

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#### 16. POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION

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Regular meeting reconvened at 7:57.

Alderwoman Guerrero moved to postpone any special events on Town of Rancho Viejo property until and ordinance on special events is developed or other actions of the Board, the motion was seconded by Alderman Vera and carried unanimously.

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#### 17. DISCUSSION/POSSIBLE ACTION ON THE OPERATIONS OF THE FARMER'S MARKET

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Motion to cancel the Farmer's Market on Sunday due to inclement weather was made by Alderwoman Guerrero, seconded by Alderwoman Kaechele and carried unanimously.

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#### 18. PUBLIC COMMENT

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Motion to move public comment out of sequence after item 14 was made by Alderman Vera, seconded by Alderman Tumlinson and carried unanimously.

Mike Mandes directed a question to the Chief regarding Boats in driveways. Chief Tyler advised Mr. Mandes that the issue would be discussed along with the parking ordinance in the upcoming Strategic Meeting. Mr. Mandes added that if people can afford a boat, they should be able to afford appropriate storage.

Alderman Grove stated that he noticed that there were trailers, boats in various places in the Town and commented that the enforcement in the Town has fallen short. Mr. Grove also requested that the Chief have officers tag the trailers and not be lenient. Chief Tyler advised that the trailers are indeed being tagged but have to also go through the Judge.

Ulrich Weisse wanted to add to his earlier public comment and stated that when Avenida de Estrellas was rebuilt with a low lying area that accumulates water when it rains. Mr. Weisse noted that the issue has been brought up to Town Engineer Vicente Mendez and that Alderman Vera is also aware. Mr. Weisse expressed his hope for action to be taken soon as standing water is not good for the street. Alderman Vera commented that Mr. Mendez has been updating him on the issue and that he will advise Mr. Weisse of said updates.

Motion to close public comment was made by Alderman Grove, seconded by Alderman Vera and carried unanimously.

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#### 19. ADJOURN

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Motion to adjourn at 7:59 p.m. was made by Alderwoman Kaechele, seconded by Alderman Tumlinson and carried unanimously.

BY: \_\_\_\_\_  
Fred Blanco, Town Administrator

APPROVED: \_\_\_\_\_  
Cyndie Rathbun, Mayor

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

## 6. Special Recognition and Appreciation during the February 2021 Winter Storm

## 7. Discussion/Action on Establishing a Hotel Occupancy Tax

## 8. Discussion/Action on the Extension of the Disaster Declaration filed with the Office of the Governor



3301 Carmen Avenue  
Rancho Viejo, Texas 78575  
Phone (956) 350-4093 Fax (956) 350-4156

## DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH EMERGENCY

**WHEREAS,** BEGINNING IN DECEMBER 2019, A NOVEL CORONAVIRUS, NOW DESIGNATED COVID-19, WAS DETECTED IN WUHAN CITY, HUBEI PROVINCE, CHINA, AND HAS SINCE SPREAD THROUGHOUT THE WORLD; AND

**WHEREAS,** SYMPTOMS OF COVID-19 INCLUDE FEVER, COUGHING, AND SHORTNESS OF BREATH, IN SOME CASES THE VIRUS HAS CAUSED DEATH; AND

**WHEREAS,** EXTRAORDINARY MEASURES MUST BE TAKEN TO CONTAIN COVID-19 AND PREVENT ITS SPREAD THROUGHOUT THE TOWN OF RANCHO VIEJO, INCLUDING THE QUARANTINE OF INDIVIDUALS, GROUPS OF INDIVIDUALS, AND PROPERTY AND, ADDITIONALLY, INCLUDING COMPELLING INDIVIDUALS, GROUPS OF INDIVIDUALS, OR PROPERTY TO UNDERGO ADDITIONAL HEALTH MEASURES THAT PREVENT OR CONTROL THE SPREAD OF DISEASE; AND

**WHEREAS,** ON MARCH 20, 2020, THE MAYOR OF THE TOWN OF RANCHO VIEJO DECLARED A LOCAL STATE OF DISASTER, WHICH HAS BEEN RENEWED BY THE BOARD OF ALDERMEN BY RESOLUTION ADOPTED ON APRIL 14, 2020, MAY 12, 2020, JUNE 9, 2020, JULY 14, 2020, AUGUST 11, 2020, SEPTEMBER 8, 2020, OCTOBER 12, 2020, NOVEMBER 17, 2020, DECEMBER 8, 2020, JANUARY 12, 2021, AND FEBRUARY 9, 2021.

**NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE BOARD OF ALDERMEN OF THE TOWN OF RANCHO VIEJO:**

1. THAT A LOCAL STATE OF DISASTER FOR PUBLIC HEALTH EMERGENCY IS HEREBY DECLARED FOR THE TOWN OF RANCHO VIEJO, TEXAS PURSUANT TO SECTION §418.108(A) OF THE TEXAS GOVERNMENT CODE.
2. PURSUANT TO §418.108(B) OF THE GOVERNMENT CODE, THE STATE OF DISASTER FOR PUBLIC HEALTH EMERGENCY SHALL CONTINUE

FOR A PERIOD OF NOT MORE THAN THIRTY DAYS STARTING MARCH 20, 2021 TO APRIL 19, 2021 UNLESS CONTINUED OR RENEWED BY THE BOARD OF ALDERMEN OF THE TOWN OF RANCHO VIEJO.

3. PURSUANT TO §418.108(C) OF THE GOVERNMENT CODE, THIS DECLARATION OF A LOCAL STATE OF DISASTER FOR PUBLIC HEALTH EMERGENCY SHALL BE GIVEN PROMPT AND GENERAL PUBLICITY AND SHALL BE FILED PROMPTLY WITH THE TOWN ADMINISTRATOR.
4. PURSUANT TO §418.108(D) OF THE GOVERNMENT CODE, THIS DECLARATION OF A LOCAL STATE OF DISASTER ACTIVATES THE TOWN'S EMERGENCY MANAGEMENT PLAN.
5. THAT THIS PROCLAMATION SHALL TAKE EFFECT STARTING MARCH 20, 2021 UNTIL APRIL 19, 2021, UNLESS TERMINATED EARLIER BY OPERATION OF LAW OR FURTHER ACTION OF THE BOARD OF ALDERMEN.

ORDERED THIS 9<sup>TH</sup> DAY OF MARCH 2021, PURSUANT TO THE ACTION OF THE BOARD OF ALDERMAN ON SAID DATE.

CYNDIE RATHBUN,

TOWN OF RANCHO VIEJO MAYOR  
RANCHO VIEJO, TEXAS



9. Discussion/Action to Amend the Town of Rancho Viejo Code of Ordinances Chapter 70 – Parking Regulations, Division 3 – Prohibited parking and/or storage. No vehicle or other mobile equipment of any nature shall be parked, stored or left to stand on any lot or property except a driveway of any lot located within a "B" single-family dwelling, or "C" multifamily dwelling, apartments, townhouses and condominiums district as defined by this chapter for more than 24 hours. Duly licensed passenger vehicles, including pickup trucks, are included in this restriction.

### DIVISION 3. - PARKING REGULATIONS

#### Sec. 70-303. - Prohibited parking and/or storage.

No vehicle or other mobile equipment of any nature shall be parked, stored or left to stand on any lot or property except a driveway of any lot located within a "B" single-family dwelling, or "C" multifamily dwelling, apartments, townhouses and condominiums district as defined by this chapter for more than 24 hours. Duly licensed passenger vehicles, including pickup trucks, are included in this restriction.

(Ord. No. 18U, § 1, 2-9-1999; Ord. No. 18X, § 7, 12-11-2001)

#### Sec. 70-304. - No violation.

Vehicles or other mobile equipment parked in a driveway, garage or carport are not deemed to be in violation of this article.

(Ord. No. 18U, § 1, 2-9-1999)

# 10. Consideration/Action on an Election Equipment Lease Agreement with Cameron County

THE STATE OF TEXAS §

CAMERON COUNTY §

### LEASE AGREEMENT

### ELECTION EQUIPMENT

This Lease is made and entered into this February 23, 2021 by and between Cameron County, hereinafter called "Lessor", and Town of Rancho Viejo, hereinafter called "Lessee".

In the consideration of the mutual covenants and agreements herein set forth, and other good and valuable consideration, Lessor does lease to Lessee One, (1) Automark(s) (Voter Assist Terminals), version 1.8.6.1 at \$540.00 each, Two (2) DS200 Scanner (precinct counter) version 2.12.2.0 at \$595.50 ~~for each day of use,~~ <sup>*each*</sup> hereinafter called "Equipment".

#### I. Terms

The term of this Lease shall be for the period of April 19, 2021 through May 1, 2021 consisting of the early voting and Election Day period as related to the May 1, 2021 Election. The Lessee agrees to make arrangements to pick up the leased equipment on April 14, 2021 at 8:30 a.m. at the County Elections Warehouse, 1006 E. Monroe St., Brownsville, Texas from the Lessor. At the end of the lease, the Lessee agrees to deliver the leased equipment in its original condition to the County Elections Warehouse, 1006 E. Monroe St., Brownsville, Texas by 8:30 a.m. on May 7, 2021 same date being the expiration of the lease. The Lessee will make own arrangements to pick up and also deliver the equipment from and to Lessor.

Delivery of the equipment past three (3) working days of the canvass date will incur a penalty of 10% of the total lease amount under Section II, Consideration

#### II. Consideration

In consideration for the use of the equipment, Lessee agrees to pay the sum of one thousand seven hundred and thirty-one dollars and zero cents (\$1,731.00). This Equipment Lease excludes any additional services such as programming for equipment, ballot layout, ballot production, etc. These services are available through Election Systems & Software, designated authorized vendor certified by the Secretary of State's Office, and are the responsibility of the Lessee. This agreement is intended to cover only the leasing of the voting equipment and any additional work on or testing or programmed equipment is the sole responsibility of the Lessee. If the County Elections Office is requested to deliver the leased equipment to the lessee at their locations and, or pick up the leased equipment from the lessee at their locations, the county may charge \$15.00/hr with a minimum of 2 hours and mileage at .545/mile for both delivery and/or pick up.

#### III. Maintenance

Lessee agrees and covenants to keep and maintain in good repair all equipment during the term of this lease. In the event that any repairs are necessary due to negligence by Lessee, Lessee agrees to utilize the Elections Systems & Software Company to provide the repair service and to pay for any repairs.

#### IV.

Improvements and Major Repairs

Lessee may not make any alterations, additions or improvements to the equipment.

V.

No Partnership

This Lease shall not give rise to a partnership relationship between the parties hereto. Neither party shall have the authority to bind the other without its written consent.

VI.

Indemnification

Lessee agrees and covenants to indemnify and hold Lessor harmless against any and all claims, demands, damages, costs, and expenses, including reasonable attorney fees for the defense, thereof, arising from the conduct or management of Lessee's business or its use of the equipment. In the event that any action or proceeding is brought against Lessor by reason of any of the above, Lessee further agrees and covenants to defend the action of proceeding by legal counsel acceptable to Lessor.

VII.

No Assignment or Sublease

Lessee may not assign this Lease without the prior written consent of Lessor.

VIII.

Notices

All notices to Lessor shall be sent by certified or registered mail, addressed to: Cameron County Elections Department, P.O. Box 3587, Brownsville, Texas 78523, or at such other address as the County may otherwise designate. All Notices to leases shall be sent or certified or registered mail, addressed to: Fred Blanco, Town Administrator, Town of Rancho Viejo, or at such other address as lessee may otherwise designate in writing.

IX.

Breach

If Lessor or Lessee fail to carry out any provision of this Lease, the other party shall have the right to terminate this Lease with three (3) days written notice, hand delivered to the other party.

X.

Entire Agreement – Amendment

This Lease shall constitute the entire understanding of the parties hereto with respect to the subject matter hereof, and no amendment, modification, or alteration of the terms hereof shall be binding unless the same be in writing, dated subsequent to the date hereof, and duly executed by the parties hereto.

XII.

Law Governing Venue

This Lease shall be governed by and construed in accordance with the laws of the State of Texas, and the obligations and undertaking of each of the parties to this lease shall be performable in Cameron County, Texas.

IN WITNESS WHEREOF, the undersigned Lessor and Lessee hereto executed this Lease as of the day and year above written.

LESSOR:

LESSEE:

County Elections/Voter Registration Office

Town of Rancho Viejo, Fred Blanco, Town Administrator

  
Remi Garza, Elections Administrator

By: \_\_\_\_\_

Date

2/23/21

Date \_\_\_\_\_



REMI GARZA, CERA  
ELECTIONS ADMINISTRATOR

February 11, 2021

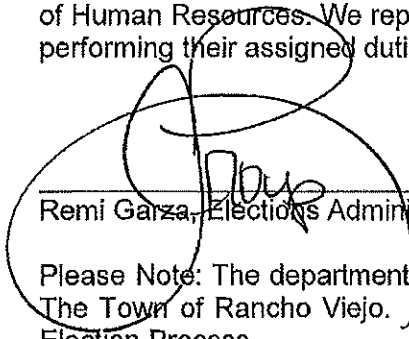
House Bill 2524, SOS Election Advisory No. 2009-14  
RE: Conducting Criminal Background Check

PURPOSE:

To secure and ensure the purity of the Elections conducted by the Cameron County Elections/Voter Registration Department.

Certification:

The Cameron County Elections/Voter Registration Office Certifies that a criminal background check has been conducted, in compliance with Texas Election Code § 129.051 (g), enacted by the 81<sup>st</sup> Texas Legislature in House Bill 2524 and which went into effect on September 1, 2009, on all employees, permanent and temporary, that may program, test, perform maintenance, transport equipment, or perform maintenance, transport equipment, or perform technical support on the voting system equipment for all election has been performed by the Cameron County Office of Human Resources. We report no findings that would prevent our department employees from performing their assigned duties.

 for Remi Garza 2/23/21  
Remi Garza, Elections Administrator Date

Please Note: The department of Elections & Vote Registration is not conducting an Election for The Town of Rancho Viejo. Therefore, we are not responsible for the programming nor their Election Process.

# 11. Consideration/Action on Resolution on Appointment of Election Judges, Appointment of Early Voting Ballot Board, and Rate of Pay for Election Judges



RESOLUTION NO.

A RESOLUTION ON APPOINTMENT OF ELECTION  
JUDGES, APPOINTMENT OF EARLY VOTING BALLOT  
BOARD, AND RATE OF PAY FOR ELECTION JUDGES

WHEREAS, an election has been ordered for the purpose of voting for one(1) Mayor and two(2) Aldermen for the Town of Rancho Viejo, Texas on May 1, 2021.

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

Section 1. The following named persons are hereby appointed as officers of said election, to wit:

Silvia Leyendecker  
Presiding Judge

Rita Conde  
Alternate Presiding Judge

and Belinda Mendez, Clerk to assist in holding said election, and said presiding judge shall be paid \$12.00 per hour and said alternate presiding judge and clerk shall be paid \$11.00 per hour.

Section 2. The Early Voting Ballot Board shall be appointed as follows: Esiquio (Zeke) Luna, Presiding Judge, Andrea Luna, Alternate Presiding Judge, and Filiberto Conde, Clerk. Said Early Voting Ballot Board shall serve as the central counting station for the early voting electronic system ballots. Said presiding judge shall be paid \$12.00 per hour and said alternate presiding judge and clerk shall be paid \$11.00 per hour.

PASSED, ADOPTED AND APPROVED this the 9<sup>th</sup> day of March 2021.

Town of Rancho Viejo

Cyndie Rathbun, Mayor

ATTEST:

Fred Blanco, Town Administrator

# 12. Discussion/Action to establish a Tree Preservation Ordinance

## **RANCHO VIEJO TREE PRESERVATION RECOMMENDATIONS**

### **Purpose and Objective:**

It is the intent of this Committee to establish a minimum standard. For the preservation of native establishment of the provision, installation, protection and maintenance of trees in new non-residential and residential developments in order to promote the orderly, safe and environmentally sound development of land located within the corporate limits thereby promoting the health, safety and general welfare of the community. It is also aimed at achieving goals and objectives in the comprehensive plan.

The importance of preserving and improving the natural environment and maintaining a working ecological balance is of increasing concern. The use of tree conservation elements can effectively contribute to the processes of air purification, oxygen regeneration, water absorption and noise glare and heat abatement, as well as the preservation of the community's aesthetic qualities in Rancho Viejo.

It is also recognized that it is possible to realize numerous beneficial effects of preservation including the following:

1. Minimize demand on the City storm sewer system by preserving natural drainage.
2. Improvement of air and water quality through photosynthesis and mineral uptake.
3. Reduces erosion binding of soil particles with roots, holding soil together against the effects of wind and water.
4. Reduces and /or reverses air, noise, heat and chemical pollution through the biological filtering capacities of trees and other vegetation.
5. Reduce high temperatures shaping paved surfaces and automobiles through the process of transpiration.
6. Provide visual buffering and beautifies the appearance of setback and parking areas with the City.
7. Enhances the safety of parking lots by guiding the circulation of cars and people and by insuring that the driver's vision is unobstructed.
8. Protects, preserves and increased the value of property.
9. Create natural habitat that supports eco-tourism.

### **Native Trees**

Native tree conservation shall be generally provided as follows:

- A. Commercial Areas:
  - (a) Ten percent (10 - 15%) of gross building site area. (Building & Parking lot / Transfer area / Trash area.)
  - (b) At least seventy percent of the property recommended shall be located in the front or side of property site.
- B. Multifamily Areas: 15% of gross building site
- C. Single family
- D. Private entities under city ordinance have to follow tree protection plan by site/location of development.  
**(REMOVAL BY PRIVATE ENTITIE NOT CITY OF RANCHO VIEJO)**

### **Plant Materials**

- A. Trees Required:
  - (a) 1 to 2,000 square feet, a minimum of one tree for every 400 square feet of construction development shall be recommended.
  - (b) 2,001 to 10,000 square feet, a minimum of one tree for every 600 square feet of area development shall be recommended, but not less than five.
  - (c) Newly planted in excess of the above schedule shall receive credit against the remaining area recommended according to the following schedule, but in no case shall the credit for trees exceed fifty percent.

- B. New or existing trees above the number required shall receive credit as follows:
- (a) Each tree greater than twelve inches (12") in caliper shall receive a credit of three hundred square feet (300) that may be deducted from the total area recommended.
  - (b) Each tree greater than six inches (6"), but less than twelve inches (12") in caliper shall receive a credit of two hundred (200) that may be deducted from the total area recommended.
- C. existing trees to remain on-site shall be protected from compaction and root damage during any construction.

### **Miscellaneous Provisions**

Tree screening shall be submitted at the same time as the Permit Application for construction. Trees or shrubs, if used for such screening, shall be considered as part of the overall recommendation.

### **Protected Native Trees**

- A. Any trees measuring twenty-four inches (24") or more in circumference or with a caliper of eight inches (8") or more will be considered a "protected tree" and may not be removed unless one of the following mitigation conditions is met:
- 1. Build around the tree and receive an area credit of 200 square feet, to offset other requirements for each protected tree left on the property.
  - 2. Transplant the protected tree to another part of the property, or if that is not feasible,
  - 3. Cut down the tree and plant two trees of at least four inches (4") caliper (or four trees of at least 2: caliper) for each tree removed either on the subject property or on public property.
- B. Tree removal permits without building permits.
- 1. Any person who wishes to remove any protected trees on a site in a non-residential & residential or commercial zone for which a building permit is not required, shall submit a tree-removal permit application to the Construction Committee at least fifteen working days before such removal and shall comply with the mitigation conditions listed above (A2 or A3).
  - 2. The following items are required to obtain a tree removal permit:
    - a. Name, address and phone number of applicant.
    - b. Legal owner's name
    - c. Address or legal description of property where trees are to be removed (trees must be tagged with a colored ribbon before on-site inspection.)
    - d. Written statement indicating the reason for removal of protected trees
    - e. General description of trees to be removed (caliper, condition, type, etc.)
    - f. Name and address of contractor who is charged with removing the trees
    - g. Which mitigation method will be chosen and how it will be accomplished & dispose of debris / trash  
**(NOT REMOVED BY RANCHO VIEJO).**
    - h. Any other pertinent information
  - 3. Should such permit be denied, the Construction Committee, shall provide, in writing to the applicant, the reasons for the denial and will recommend alternatives to assist the owner in complying with the ordinance and/or to avoid destruction of the tree(s).

### **C. Exempt Trees**

Trees that have determined to have fallen on their own or those that are determined to pose a safety hazard by the Construction Committee shall be exempt from the provisions above.

## Plants / Trees List

### TREES:

Common & Scientific Name	Remarks
Live Oak ( <i>Quercus Virginian</i> )	60 ft., drought and freeze hardy, acorn fruit, plant in big open area.s
Wild Olive ( <i>Cordia Boissierei</i> )	20 ft., white showy flowers, drought and freeze hardy to 20F.
Texas Persimmon ( <i>Diospyros texana</i> )	15 ft., attractive bark, fragrant blooms, drought and freeze hardy.
Montezuma Baldcypress ( <i>Taxodium mucronatum</i> )	50 ft., evergreen, bronze foliage in fall, drought and freeze hardy.
Yaupon Tree ( <i>Ilex vomitoria</i> )	25 ft., evergreen, red fruit in winter, drought and freeze hardy.
Mexican Ash ( <i>Fraxinus berladieriana</i> )	30 ft., attractive bark, pest free ash, drought and freeze hardy.
Abacua ( <i>Ehritia anacua</i> )	40 ft., dense foliage, fragrant flowers, drought and freeze hardy.
Ebony ( <i>Pithecellobium flexicule</i> )	50 ft., dark green foliage, evergreen, freeze and drought hardy.
Huisache ( <i>Acacia farnesiana</i> )	30 ft., fragrant orange blossoms, drought, flood and freeze hardy.
Retama ( <i>Parkinsonia aculeata</i> )	32 ft., airy branching, striking yellow flowers.
Mesquite ( <i>Prosopis glandulosa</i> )	30 ft., airy branching, fragrant flowers, drought and freeze hardy.
Persimmon ( <i>Diospyros texana</i> )	good near power lines, slow growth.
Ficus ( <i>Ficus retusa nitida</i> )	freeze damage possible, aggressive Roots.
Crape Myrtle ( <i>Lagerstoemia indica</i> )	Many varieties available.

### Palms:

Common & Scientific Name	Remarks
Sabal Palm ( <i>Sebal texana</i> )	50 ft., Valley native, drought and freeze hardy at 12 F.
California Fan Palm ( <i>Washingtonia filifera</i> )	30 ft., disease, drought, and freeze hardy at 15 ft.
Mexican fan Palm ( <i>whashingtonia robusta</i> )	50 ft., disease, drought, and freeze hardy at 20 F.
Mediterranean Fan Plam ( <i>Chamaerupe humilis</i> )	15 ft., pest, drought, and freeze hardy at 10F, blue-green leaves.
Pindo Palm ( <i>Butia capitata</i> )	15 ft., drought, flood and freeze hardy at 15F, attractive trunk.
Queen Palm ( <i>Arecastrum romanzoffianum</i> )	freeze damage possible.

**SHRUBS:**

Bougainvillea ( <i>Bougainvillea</i> spp.)	Many varieties available
Hibiscus ( <i>Hibiscus rosa-sinensis</i> )	Many varieties available
Lantana ( <i>Lantana camara</i> )	Many varieties available
Liriope ( <i>Liriope muscari</i> )	Many varieties available

**GROUND COVER:**

Asiatic Jasmine ( <i>Trachelospermum asiaticum</i> )	Dense low growing evergreen, drought and shade tolerant, freeze hardy to 20F.
Hybrid Daylily ( <i>Hermerocallis</i> hybrid)	Various colored blooms, medium drought hardy, full sun or partial shade.
Society Garlic ( <i>Tulbaghia violacea</i> )	Pink blooms, grass-like plant, drought tolerant, full sun, ever blooming.
Gerber Daisy ( <i>Gerbera jamesonii</i> )	Bold pink, coral, orange, red, yellow, needs water, needs iron.
Mexican Heather ( <i>Cuphea hyssopifolia</i> )	Continuous pin-purple blooms, fern-type leaves, needs water.
Shasta Daisy ( <i>Chrysanthemum x superbum</i> )	White and yellow blooms, evergreen needs water.
African Iris ( <i>Morea iriodes</i> )	white blooms, drought hardy.
Red flowering Yucca ( <i>Hesperaloe parviflora</i> )	Reddish-pink blooms, blue-green ribbon leaves, drought and freeze hardy.
Lily Turf ( <i>Liriope muscari</i> )	Broad leaf, grass-like plant, drought and freeze hardy.
Wedelia	Drought resistant, lush, dark green with yellow flowers.

## DEFINITIONS

1. **BUILDING SITE** – the total area that is owned by the developer and proposed to be improved including easements, but not right-of-way.
2. **CALIPER** – the diameter of a tree at six inches (6”) above natural grade.
3. **GROUND COVER** – low growing plants in such a manner as to form a continuous cover over the ground, normally reaching an average maximum height of not more than twenty-four inches (24”) at maturity. *Grass is not classified as a ground cover for purposes of this ordinance.*
4. **HISTORIC TREE** – any protected tree having a trunk circumference of sixty inches (60”) or more measured at four and one half feet (4’6”) above natural grade.
5. **NON-RESIDENTIAL** – shall mean triplex/quadplex (M-1), multi-family (M-2), Planned Development (PD) where site plan indicates non-residential uses, neighborhood services (NS), office (O), General Retain (GR), Light (LI) or Heavy Industrial (HI), and any other non-residential zoning district as may be created hereafter.
6. **PARKING, INTERIOR** – parking rows which are *not* located on the periphery of the proposed project site and do not abut any property line associated with the site.
7. **PARKING ROWS** – single or double rows. Double rows are face to face parallel rows of spaces for the parking of motor vehicles.
8. **PROTECTED TREE** – any tree, regardless of species, having a trunk circumference of twenty-four inches (24”), or caliper of greater than eight inches (8”), measured at four feet (4’) above natural grade.
9. **RESIDENTIAL** – shall mean single-family residential (R-1), duplex residential (R-2), manufactured housing/mobile home residential (MH) and Planned Development (if site plan shows only residential uses).
10. **TREE** – any self-supporting woody plant of a species which normally grows to an overall height of a minimum of 15 feet in the lower Rio Grande Valley.
11. **TREE REMOVAL** – any intentional or unintentional act which may reasonably be expected to cause a protected tree to decline and die, including, but not limited to:
  - Severing the trunk
  - Excessive pruning of mechanical damage to the trunk or branching system, bark or cambium layer
  - Damage to the root system by machinery or soil compaction
  - Substantial change of natural surface grade or drainage pattern within the dripline
  - Excessive paving with impervious materials within the dripline
  - Direct or indirect application of toxic chemical, fire, or other damage substance to tree or root system

# 13. Discussion/Action on Reopening of Town Park



# 14. Street Committee Report

# 15. Strategic Planning Committee Report

# 16. February 2021 Police Report –Police Chief

# 17. Public Comment

# 18. Adjourn