



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

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/88509446050> Meeting ID: 885 0944 6050 or by calling in to one of the following numbers (charges may apply):

One tap mobile

+13462487799,,88509446050# US (Houston)  
+12532158782,,88509446050# US (Tacoma)

Dial by your location

+1 346 248 7799 US (Houston)  
+1 253 215 8782 US (Tacoma)  
+1 312 626 6799 US (Chicago)  
Meeting ID: 885 0944 6050

1. Call to Order
2. Roll Call
3. Invocation and Pledge
4. Public Comment
5. Approval of Minutes - Regular Meeting January 12, 2021, Special Meeting January 25, 2021, Special Meeting January 28, 2021
6. Discussion/Action on the Extension of the Disaster Declaration filed with the Office of the Governor
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.

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
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
10. Discussion/Action on Redesign of Town's Website
11. Street Committee Report
12. Strategic Planning Committee Report
13. Building Committee Report
14. January 2021 Police Report –Police Chief
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.
16. Possible Action on Matters discussed in Executive Session
17. Discussion/Possible Action on the Operations of The Farmer's Market
18. Public Comment
19. Adjourn

  
Fred Blanco, Town Administrator



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 February 5, 2021 at 5:00 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

Aldерwoman Guerrero

Aldерwoman 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 January 12, 2021, Special Meeting January 25, 2021, Special Meeting January 28, 2021

MINUTES OF A Regular MEETING  
TOWN OF RANCHO VIEJO  
January 12, 2021

A Regular Meeting of the Board of Aldermen of the Town of Rancho Viejo, Texas was held on JANUARY 12, 2021 at 6:00 P.M via Zoom Teleconference Meeting ONLY by logging on at <https://us02web.zoom.us/j/81711928161> Meeting ID: 817 1192 8161

1. CALL TO ORDER

---

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

2. ROLL CALL

---

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

Absent:

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:

Guillermo Zamora	Maria Hinojosa	Ulrich Weisse	Belinda Mendez
Maria Garza	Victor Salazar	Eddie Rodriguez	Sara Frost
Raul	Ivan Hernandez	Doug Lewis	Aaron Rodriguez
Vicente Mendez	Kimberly Walsdorf	John Pederson	Richard Ocañas
Jesse			

3. INVOCATION AND PLEDGE

---

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

4. PUBLIC COMMENT

---

Ivan Hernandez reiterated past comments in reference illegal business/airbnb on Balboa. Mr. Hernandez also shared concerns that come with living next to an Airbnb residence.



Ulrich Weisse thanked Chief Tyler for addressing the parking issue at Las Jacarandas. Mr. Weisse also noted his attendance at the Street Committee, and updated the Board on the status of the permit in which he paid a \$200 pre-permit fee.

5. APPROVAL OF MINUTES - REGULAR MEETING DECEMBER 8, 2020, SPECIAL MEETING DECEMBER 17, 2020, SPECIAL MEETING DECEMBER 21, 2020

---

Motion to approve the Minutes for regular meeting December 8, 2020, special meeting December 17, 2020, and special meeting December 21, 2020 was made by Alderman Vera, seconded by Alderman Grove and carried unanimously.

6. PRESENTATION ON RESACA CLEAN UP – DOUG LEWIS, GUILLERMO ZAMORANO

---

Alderman Grove introduced Doug Lewis and Guillermo Zamorano who presented the Board with information and ideas on cleaning up the Resacas in Rancho Viejo.

7. STREET COMMITTEE REPORT

---

Alderman Guerrero noted that several items were discussed at the Street Committee meeting including a street maintenance program.

a. AMBIOTEC ENGINEERING

Town Engineer Vicente Mendez gave a recap on the status of the street construction including set backs that were experienced.

b. VALLEY MUD NO. 2

Valley MUD No. 2 Manager Scott Fry did not provide any comments.

c. WALSDORF CONSTRUCTION

Kimberly Walsdorf reiterated the comments made by Vicente Mendez regarding setbacks in construction, citing unforeseen circumstances.

Richard Ocanas of Walsdorf Construction provided updates on projected dates of completion.

d. PEDERSON CONSTRUCTION

John Pederson did not provide any comments.

8. DISCUSSION/ACTION ON STREET REHABILITATION PROJECT PHASE 1B CHANGE ORDER REQUEST ON BOLIVAR AVENUE

---

Motion to approve phase 1B change order request for Bolivar Ave was made by Alderman Vera, seconded by Alderman Guerrero and carried as follows:

3 Ayes by Alderman Guerrero, Alderman Grove, and Alderman Vera

1 Nay by Alderman Kaechele

9. DISCUSSION/ACTION ON CHANGE ORDER REQUEST FOR STREET REPAIR OF NORTH AND SOUTH ENTRANCES AT THE BEND SUBDIVISION IN RANCHO VIEJO, TEXAS

---

Motion to approve change order request for extension on street repair of North and South Entrances at the Bend Subdivision to February 5, 2021 was made by Alderman Vera, seconded by Alderwoman Kaechele and carried unanimously.

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

---

Motion to extend the disaster declaration filed with the office of the Governor from January 20, 2020 to February 19, 2020 was made by Alderman Grove, seconded by Alderman Tumlinson and carried unanimously.

11. CONSIDERATION/APPROVAL OF A RESOLUTION ORDERING THE ELECTION FOR RANCHO VIEJO, DESIGNATION OF ELECTION PRECINCTS AND POLLING PLACES, DESIGNATION OF METHOD OF VOTING, SUBMISSION OF APPLICATION BY CANDIDATES, APPOINTMENT OF EARLY VOTING CLERK, AND PROVIDING FOR PUBLICATION NOTICE

---

Motion to approve Resolution ordering the Election for Rancho Viejo was made by Alderman Grove, seconded by Alderwoman Guerrero and carried unanimously.

12. CONSIDERATION/APPROVAL A RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF RANCHO VIEJO, TEXAS, AUTHORIZING BANK ACCOUNTS AND DEPOSITORY HERETOFORE ESTABLISHED AND AUTHORIZING CERTAIN PERSONS TO SIGN CHECKS AND OTHER NECESSARY TRANSACTIONS FOR SAME

---

Motion to approve Resolution authorizing bank accounts and depository was made by Alderman Vera , seconded by Alderwoman Guerrero and carried unanimously.

13. CONSIDERATION/ACTION TO ACCEPT AMENDMENT TO THE LEXIS NEXIS ADVANCE SUBSCRIPTION AGREEMENT

---

Motion to accept amended Lexis Nexis subscription was made by Alderman Grove, seconded by Alderwoman Kaechele and carried unanimously.

14. CONSIDERATION/APPROVAL OF A RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF RANCHO VIEJO, TEXAS PROVIDING FOR THE APPOINTMENT OF JUDGE OF THE MUNICIPAL COURT

---

Motion to approve resolution for the appointment of the Municipal Court Judge was made by Alderman Vera, seconded by Alderman Grove and carried unanimously.

---

**15. CONSIDERATION/ACTION ON MUNICIPAL JUDGE CONTRACT**

---

Motion to approve the contract for Municipal Court Judge was made by Alderman Vera, seconded by Alderwoman Guerrero and carried unanimously.

---

**16. CONSIDERATION/ACTION ON TOWN ADMINISTRATOR CONTRACT**

---

Motion to approve the contract for Town Administrator was made by Alderman Grove, seconded by Alderwoman Kaechele and carried unanimously.

---

**17. DISCUSSION/ACTION ON PLANNING SESSION FOR BOARD OF ALDERMEN AND TOWN ADMINISTRATOR**

---

Alderwoman Kaechele noted that she would be able to lead a planning session developing performance plans for the Town Administrator.

---

**18. CONSIDERATION/APPOINTMENT OF MEMBER TO THE STRATEGIC PLANNING COMMITTEE**

---

Mayor Rathbun recommended Alderwoman Laura Kaechele for the Strategic Planning Committee

Motion to add Alderwoman Kaechele to the Strategic Planning Committee was made by Alderwoman Guerrero, seconded by Alderman Grove and carried unanimously.

---

**19. CONSIDERATION/APPOINTMENT OF MEMBERS TO THE BOARD OF ADJUSTMENTS AND APPEALS COMMITTEE**

---

Mayor Pro-temp Maribel Guerrero recommended reappointment of Jorge De La Garza and the appointment of Todd Day.

Motion to reappoint Jorge De La Garza to the Board of Adjustments and Appeals was made by Alderman Vera, seconded by Alderman Grove and carried unanimously.

Motion to appoint Todd Day to the Board of Adjustments and Appeals was made by Alderman Vera, seconded by Alderwoman Kaechele and carried unanimously.

---

**20. CONSIDERATION/APPOINTMENT OF MEMBERS TO THE BEAUTIFICATION COMMITTEE**

---

Mayor Rathbun recommended re-appointment of Maria Garza, Andrea Luna, Benilde Olvera, and Delma Tercero and took into consideration the recommendation of Maria Garza for Rocio Fierro, Eduardo Fierro, and Daniel Fierro to the Beautification Committee.

Motion to approve the re-appointments and appointments aforementioned was made by Alderwoman Guerrero, seconded by Alderman Grove and carried unanimously.

---

## 21. CONSIDERATION/APPOINTMENT OF MEMBERS TO THE PLANNING AND ZONING COMMISSION

---

Mayor Rathbun recommended the re-appointments of Filiberto Conde, Alderman Craig Grove, and Carmine Auditore to the Planning and Zoning Commission.

Motion to approve the re-appointments of Filiberto Conde, Alderman Craig Grove, and Carmine Auditore to the Planning and Zoning Commission was made by Alderwoman Guerrero, seconded by Alderwoman Kaechele and carried unanimously.

---

## 22. DISCUSSION/ACTION ON REDESIGN OF TOWN'S WEBSITE

---

Motion to create an temporary ad-hoc committee for the Town's website to include Alderwoman Kaechele, Alderwoman Guerrero, and Town Administrator Fred Blanco was made by Alderman Grove, seconded by Alderman Vera and carried unanimously.

---

## 23. DISCUSSION/POSSIBLE ACTION ON FARMER'S MARKET SCHEDULE AND SCHEDULING AN INFORMATIONAL WORKSHOP WITH THE FARMERS MARKET

---

Motion to schedule a workshop to discuss how the Farmer's Market works in collaboration with the Town in an effort to maintain transparency on January 28, 2021 at 6 p.m. was made by Alderwoman Guerrero, seconded by Alderwoman Kaechele and carried unanimously.

---

## 24. REPORT REGARDING GRANT PROPOSAL TO THE USDA SUBMITTED AND WRITTEN ON-BEHALF OF THE TOWN BY THE FARMERS MARKET

---

Mayor Rathbun explained the grant proposal to the Board of Aldermen. Discussion ensued regarding concerns about the grant.

---

## 25. STRATEGIC PLANNING COMMITTEE REPORT

---

Mayor Rathbun delivered the Strategic Planning Committee Report

a. TREE PRESERVATION ORDINANCE

Subcommittee was formed that will include Yvania Adobbati and Marcos Ricoy to develop a tree preservation ordinance to present to the Board. Alderwoman Guerrero recommended to include Scott Pajeski noting his experience.

b. ORDINANCE TO REGULATE SHORT TERM RENTAL THROUGH AGENCIES SUCH AS HOMEAWAY, VRBO, AIRBNB, TRIPADVISOR AND BOKING.COM OR SIMILAR AGENCIES

Subcommittee was formed to include Maria Hinojosa, Alderman Tumlinson, Alderwoman Kaechele, Mayor Rathbun, and Ivan Hernandez.

c. ORDINANCE CHAPTER 70 – PARKING REGULATIONS

Strategic Committee is in agreement to remove the wording from the parking ordinance that states “for more than 24 hours”. The revised version will be sent to Legal for review.

26. BUILDING COMMITTEE REPORT

---

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

27. NOVEMBER 2020 FINANCIAL REPORT – TOWN ADMINISTRATOR

---

Town Administrator Fred Blanco presented the November 2020 Financial Report.

28. DECEMBER 2020 POLICE REPORT - POLICE CHIEF

---

Rancho Viejo Police Chief Robert Tyler presented the December 2020 Police Report.

29. PUBLIC COMMENT

---

Alderwoman Guerrero noted that the sales tax proposal needs to be included in the upcoming election ballot and that a ad-hoc committee should be assigned to develop a educational campaign regarding sales tax. Alderwoman Guerrero also asked that the financial report and the monthly police report be included in the agenda packet. Lastly, Alderwoman Guerrero thanked the residents that stayed through the meeting and provided comments.

Ivan Hernandez thanked the Board for their attentiveness to his concerns regarding Airbnb and parking in Rancho Viejo and added a concern about parking in cul-de-sacs.

Ulrich Weisse expressed his surprise that he did not hear about Avenida de Estrellas in the Street Committee Report and provided updates.

30. ADJOURN

---

Motion to adjourn at 9:27 p.m. was made by Alderwoman Guerrero, seconded by Alderman Grove and carried unanimously.

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

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

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

MINUTES OF A SPECIAL MEETING  
TOWN OF RANCHO VIEJO  
JANUARY 25, 2021

A Special Meeting of the Board of Aldermen of the Town of Rancho Viejo, Texas, was held on, January 25, 2021 at 5:00 P.M., in the Town Municipal Office, 3301 Carmen Avenue, Rancho Viejo, Texas to consider the following items:

1. CALL TO ORDER

---

The meeting was called to order by Mayor Rathbun at 5:10 p.m.

2. ROLL CALL

---

Roll Call was made by Mayor Rathbun. Members present at the meeting were:

Javier Vera  
Laura Kaechele  
Maribel Guerrero  
David Tumlinson *entered after roll call at 5:13*  
Craig Grove

Legal Counsel Daniel Rentfro, Jr.(via zoom) and Town Administrator Fred Blanco were also present.

3. INVOCATION AND PLEDGE

---

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

4. EXECUTIVE SESSION: PURSUANT TO THE FOLLOWING SECTION OF THE TEXAS GOVERNMENT CODE:  
SECTION 551.074 TO DELIBERATE THE DUTIES OF THE TOWN ADMINISTRATOR

---

Motion to adjourn the meeting to executive session at 5:15 p.m. was made by Alderman Vea, seconded by Alderman Tumlinson and carried unanimously.

5. POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION

---

The meeting reconvened at 7:07 p.m.

No action taken

6. ADJOURN

---

Meeting was adjourned at 7:09 p.m.

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

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

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

MINUTES OF A Special MEETING  
TOWN OF RANCHO VIEJO  
January 28, 2021

A Special Meeting of the Board of Aldermen of the Town of Rancho Viejo, Texas was held on January 28, 2021 at 6:00 P.M., via Zoom Teleconference Meeting ONLY by logging on at <https://us02web.zoom.us/j/83258624096> Meeting ID: 832 5862 4096

1. CALL TO ORDER

---

The meeting was called to order by Mayor Rathbun at 6:05 p.m.

2. ROLL CALL

---

Roll Call was made by Mayor Rathbun. Members present at the meeting were:

Javier Vera  
Laura Kaechele  
Maribel Guerrero  
David Tumlinson  
Craig Grove

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

Those present in the audience were:

Bonnie Emerson  
Maria Hinojosa

3. DISCUSSION/POSSIBLE ACTION ON THE OPERATIONS OF THE FARMER'S MARKET IN COLLABORATION WITH THE TOWN OF RANCHO VIEJO

---

The Board discussed the operations of the Farmer's Market with Farmer's Market Coordinator Bonnie Emerson.

No action taken

4. ADJOURN

---

Motion to adjourn at 7:55 p.m. was made by Alderman Vera, seconded by Alderwoman Kaechele and carried unanimously.

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

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

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

## 6. 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, AND JANUARY 12, 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

FEBRUARY 20, 2021 TO MARCH 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 FEBRUARY 20, 2021 UNTIL MARCH 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 FEBRUARY 2021, PURSUANT TO THE ACTION OF THE BOARD OF ALDERMAN ON SAID DATE.

CYNDIE RATHBUN,

TOWN OF RANCHO VIEJO MAYOR  
RANCHO VIEJO, TEXAS

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.

## **MODEL STAFF REPORT REGARDING AEP TEXAS'S ADVANCED METERING COSTS RECONCILIATION FILING**

\*\*\*

On December 31, 2020, AEP Texas Inc. ("AEP" or "Company") filed an Application for Final Reconciliation of its Advanced Metering Costs with the Public Utility Commission of Texas ("PUC"). In the filing, the Company asserts that it is seeking approval of a regulatory asset for approximately \$13,807,740 for under-recovery of Advanced Metering Costs.

The resolution authorizes the City to join with the Cities Served by AEP ("Cities") to intervene in the proceeding, evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

### **Purpose of the Resolution:**

The purpose of the Resolution is to approve joining Cities in intervening in PUC Docket 51671.

### **Explanation of "Be It Resolved" Paragraphs:**

1. This section authorizes the City to participate with Cities as a party in the Company's filing, PUC Docket No. 51671.
2. This section authorizes the hiring of Lloyd Gosselink and consultants to review the filing, negotiate with the Company, and make recommendations to the City regarding reasonable rates. Additionally, it authorizes Cities to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.
3. The Company will reimburse Cities for their reasonable rate case expenses. Legal counsel and consultants approved by Cities will submit monthly invoices that will be forwarded to AEP for reimbursement.
4. This section recites that the Resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.
5. This section provides that counsel for Cities will be notified of the City's action by sending a copy of the approved and signed Resolution to counsel.

## **RESOLUTION NO.**

### **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.**

WHEREAS, on or about December 31, 2020, AEP Texas Inc. ("AEP" or "Company"), pursuant to the Public Utility Commission of Texas ("Commission" or "PUC") Substantive Rule 25.130(k)(6), filed with the Commission an application for Final Reconciliation of Advanced Metering Costs, PUC Docket No. 51671; and

WHEREAS, the Town of Rancho Viejo will cooperate with similarly situated city members and other city participants located within the AEP service area in conducting a review of the Company's application and to hire and direct legal counsel and consultants and to prepare a common response and to negotiate with the Company and direct any necessary litigation; and

WHEREAS, working with the Cities Served by AEP ("Cities") to review the rates charged by AEP allows members to accomplish more collectively than each city could do acting alone; and

WHEREAS, Cities has a history of participation in PUC dockets and projects, as well as court proceedings, affecting transmission and distribution utility rates in AEP's service area to protect the interests of municipalities and electric customers residing within municipal boundaries; and

WHEREAS, PURA § 33.023 provides that costs incurred by cities in ratemaking activities are to be reimbursed by the regulated utility.

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

1. That the City is authorized to participate with Cities in PUC Docket No. 51671.
2. That subject to the right to terminate employment at any time, the Town of Rancho Viejo hereby authorizes the hiring of the law firm of Lloyd Gosselink and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

3. That the City's reasonable rate case expenses shall be reimbursed by AEP.

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

5. A copy of this Resolution shall be sent to Thomas Brocato, Counsel to Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor, Town of Rancho Viejo

ATTEST:

\_\_\_\_\_  
Town Administrator

# 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

RESOLUTION NO.

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

WHEREAS, The Town Of Rancho Viejo finds it in the best interest of the citizens of Rancho Viejo, Texas, that the Operation Local Border Security be operated for the 2022 grant cycle; and

WHEREAS, the Town of Rancho Viejo agrees that in the event of loss or misuse of the Homeland Security Grants Division funds, Rancho Viejo Police Department assures that the funds will be returned to the Homeland Security Grants Division in full; and

WHEREAS, the Town of Rancho Viejo designates Mayor Cyndie Rathbun as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Rancho Viejo, Texas, to approve submission of the grant application for the Operation Local Border Security to the Office of the Governor, Homeland Security Grants Division.

Grant Number: 2993607 (Continuation Project)

PASSED, ADOPTED AND APPROVED by the Board of Aldermen of the Town of Rancho Viejo, Texas at a Regular meeting on this the 9<sup>th</sup> day of February 2021.

---

Cyndie Rathbun, Mayor

ATTEST:

---

Fred Blanco, Town Administrator



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

RESOLUTION NO.

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

WHEREAS, the Town of Rancho Viejo finds it in the best interest of the citizens of Rancho Viejo, Texas that the Operation Stone Garden be operated for the 2020 grant cycle (Fiscal Year); and

WHEREAS, the Town of Rancho Viejo agrees that in the event of loss or misuse of the Homeland Security Grants Division funds, the Rancho Viejo Police Department assures that the funds will be returned to the Homeland Security Grants Division in full; and

WHEREAS, the Town of Rancho Viejo designates Mayor Cyndie Rathbun as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Aldermen of the Town of Rancho Viejo to approve submission of the grant application for Operation Stone Garden to the Office of the Governor, Homeland Security Grants Division.

Grant Number: 3187006

PASSED, ADOPTED AND APPROVED by the Board of Aldermen of the Town of Rancho Viejo at a regular meeting on this 9<sup>th</sup> day of February, 2021.

Cyndie Rathbun, Mayor

ATTEST:

Fred Blanco, Town Administrator

# 10. Discussion/Action on Redesign of Town's Website

# 11. Street Committee Report

# 12. Strategic Planning Committee Report

# 13. Building Committee Report

# 14. January 2021 Police Report – Police Chief

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.



# 16. Possible Action on Matters discussed in Executive Session

# 17. Discussion/Possible Action on the Operations of The Farmer's Market

# 18. Public Comment

# 19. Adjourn