



**HORIZON CITY**

**Incorporated 1988**

**AGENDA  
PUBLIC MEETING  
REGULAR CITY COUNCIL MEETING  
THE TOWN OF HORIZON CITY, TEXAS  
Tuesday, August 11, 2020, 6:30 PM**

Notice is hereby given that a Regular City Council Meeting of the Town of Horizon City, Texas will be held on **Tuesday, August 11, 2020 at 6:30 PM** at Virtual Meeting, 15001 Darrington Road, Horizon City, TX 79928, at which time the following will be discussed and considered:

The Town Council and staff will participate in this meeting via videoconference or telephone conference. Members of the public may view the meeting online or by videoconference via the following:

**To watch by videoconference:**

<https://townofhorizoncity.my.webex.com/townofhorizoncity.my/j.php?MTID=mb471002ebd76ad0c71921861353e7d9d>

**Meeting number (access code):** 126 160 5509

**Meeting password:** i3hF3fXU2PY

**Or via telephone:**

+1-408-418-9388 Access code: 126 160 5509

1. **Call to order; Pledge of Allegiance; Establishment of Quorum**
2. **Open Forum:**

**CONSENT AGENDA**

*All matters listed under the CONSENT AGENDA are considered routine and will be enacted in one motion. There will be no separate discussion of these items unless a member(s) of the City Council requests one or more items be removed from the CONSENT AGENDA to the REGULAR AGENDA for separate discussion and action prior to the City Council's vote to adopt the CONSENT AGENDA.*

3. **Approval of Minutes from:** **5**  
July 27, 2020 Special City Council Meeting
4. **Discussion and Action:** **8**  
Mayor/CIP Manager  
On an update on the Capital Improvement Program.
5. **Discussion and Action:** **34**  
Mayor/Planning Director  
On a request for a six month extension to the Specific Use Permit (SUP #002368-2019) for a temporary real estate office at 848 Villa Allende Way.
6. **Discussion and Action:**  
Mayor/EDC Executive Director  
On the reappointment of Karina Hagelsieb to the Horizon City Economic Development Corporation Board of Directors.
7. **Discussion and Action:**  
Mayor/EDC Executive Director

On the reappointment of Allie Lozano to the Horizon City Economic Development Corporation Board of Directors.	
<b>8. Discussion and Action:</b>	<b>46</b>
On the reappointment of Charles Berry by Alderman Ortega (Place 3) to the Planning and Zoning Commission.	
<b>9. Discussion and Action:</b>	<b>47</b>
On the reappointment of Kelly Duran by Alderman Duran (Place 5) to the Planning and Zoning Commission.	
<b>10. Discussion and Action:</b>	<b>48</b>
On the appointment of Matthew Gardea by Alderwoman Corral (Place 7) to the Planning and Zoning Commission.	
<b>11. Discussion and Action:</b>	<b>49</b>
On the appointment of Michael McElroy by the City Council to the Board of Adjustment as a regular member.	
<b>12. Discussion and Action:</b>	<b>50</b>
On the reappointment of Cruz Alvarez, David Lopez, Wilfredo Lopez, and Jorge Ojeda to the Board of Adjustment as regular members.	
<b>13. Request to Excuse Absent Council Member:</b>	
<b>REGULAR AGENDA</b>	
<b>14. Discussion and Action:</b>	<b>54</b>
Mayor/Planning Director	
<b><i>This item was postponed at the 3/10/20, 4/14/20, 5/12/20, 6/9/20 and 7/14/20 Regular City Council Meetings.</i></b>	
On a replat application for Horizon Manor Unit Three Replat "A" (SUB #002434-2019), legally described as a portion of lot 19, Block 9, Horizon Manor Unit Three, Town of Horizon City, El Paso County, Texas. Containing 7.935 ± acres. Application submitted by CAD Consulting Co.	
<b>15. Discussion and Action:</b>	<b>66</b>
Mayor/Planning Director	
On a request to accept the accepted roadway and drainage improvements as constructed with the Rancho Desierto Bello Unit 12 subdivision for maintenance and to accept the required maintenance bond.	
<b>16. Public Hearing:</b>	
Mayor/Planning Director	
<b><i>This item was postponed at the 6/9/20 and 7/14/20 Regular City Council Meetings:</i></b>	
<b>2nd Reading of Ordinance ____:</b> An ordinance amending the Municipal Code of the Town of Horizon City, Texas, Chapter 14 (Zoning), Exhibit A (Zoning Ordinance), to revise and amend the following: 1) Subchapter 4 (Residential Districts) to add a residential district, amend development standards by revising lot and building sizes, setbacks, and revise regulations related to uses permitted by Specific Use Permit; 2) Subchapter 8 (General Provisions), Section 804 (Wall Standards) to revise the rear wall standards for rear walls on golf course lots; and providing for the following: findings of fact; repealer; severability; proper notice and hearing; the penalty being as provided in Chapter 14, Subchapter 8, Section 810 of the City Code of the Town of Horizon City, Texas, creating a misdemeanor punishable by a fine not to exceed \$2,000.00.	
<b>17. Discussion and Action:</b> <b><i>This item was be postponed at the June 9, 2020 Regular City Council Meeting</i></b>	<b>74</b>
Mayor/Planning Director	
<b><i>This item was postponed at the 6/9/20 and 7/14/20 Regular City Council Meetings:</i></b>	
<b>2nd Reading of Ordinance ____:</b> An ordinance amending the Municipal Code of the Town of Horizon City, Texas, Chapter 14 (Zoning), Exhibit A (Zoning Ordinance), to revise and amend the following: 1) Subchapter 4 (Residential Districts) to add a residential district, amend development standards by revising lot and building sizes, setbacks, and revise regulations related to uses permitted by Specific Use Permit; 2) Subchapter 8 (General Provisions), Section 804 (Wall Standards) to revise the rear wall standards for rear walls on golf course lots; and providing for the following: findings of fact; repealer; severability; proper notice and hearing; the penalty being as provided in Chapter 14, Subchapter 8, Section 810 of the City Code of the Town of Horizon City, Texas, creating a misdemeanor punishable by a fine not to exceed \$2,000.00.	
<b>18. Discussion and Action:</b>	

Mayor/Finance Director

Update on proposed FY2020-21 Budget, submission of the No-New Revenue Tax Rate and Voter-Approval Tax Rate for FY 2020-2021 and Council action on Proposed FY2020-21 Tax Rate for publication of notice.

**19. Announcement:**

Mayor/Finance Director

The Public Hearing on the Proposed FY 2020 Budget and Public Hearing on the Proposed Tax Rate will be conducted on September 15, 2020 at 6:30 pm at 13969 Veny Webb - the Oz/Glaze Senior Center. The adoption of the FY 2021 Budget and Tax Rate will be on September 15, 2020.

**20. Discussion:**

87

Mayor/Finance Director

**1st Reading of Ordinance \_\_\_\_\_**, An Ordinance of the City Council of the Town of Horizon City, Texas, approving the 2020 ad valorem tax rate and levy of assessed valuation of all taxable property within the corporate limits of the city; providing for penalties and interest; and providing for the following: findings of fact; severability; savings clause; publication and effective date.

**21. Discussion:**

90

Mayor/Finance Director

**1st Reading of Ordinance No. \_\_\_\_\_** An Ordinance of the Town of Horizon City, Texas enacting the municipal budget for 2020-2021 fiscal year; funding municipal purposes; authorizing expenditures; providing for repealer and severability clauses.

**22. Discussion and Action:**

94

Mayor/Finance Director

On an amendment to the employment contract for Pat Randleel as part-time Finance Director extending it until September 30, 2021.

**23. Discussion and Action:**

98

Mayor/EDC Executive Director

On an agreement between Horizon City EDC and Polar Service Center/Entrans International for a manufacturing operation.

**24. Discussion and Action:**

110

Mayor/EDC Executive Director

On an update regarding the budget and activities of the Horizon City Economic Development Corporation.

**25. Discussion and Action:**

116

Mayor/Chief McConnell

On a request to purchase an Eventide NexLog 740 DX-Series 40 channel voice logging recorder from Vistacom utilizing the HGAC Buy Board quote # HOU003661 for \$24,663.

**26. Discussion and Action:**

124

Mayor/Chief McConnell

On a recommendation to purchase Dragon Law Enforcement 15.0 Dictation software, first-year annual maintenance, user management software, 10 microphones, and training at a total cost \$13,556.60, from the capital equipment fund using Texas DIR contract number - DIR-TSO-4288.

**27. Discussion and Action:**

130

Mayor/Chief McConnell

On a recommendation that the Town approve a budget for the use of CARES Act funds for Covid-19 related personnel and equipment expenses and other qualified expenditures.

**28. Discussion and Action:**

Mayor/Asst. City Atty

**Emergency Ordinance** - On the adoption of an Ordinance to continue the Emergency Ordinance instituting emergency measures due to a public health emergency; severability clause; penalty as provided herein.

**29. Executive Session**

The City Council of the Town of Horizon City may recess into EXECUTIVE SESSION pursuant to the Texas Government Code, Chapter 551, Subchapter D, under Article 551.071 – Consultation with Attorney; 551.072 – Deliberation Regarding Real Property; 551.073 – Deliberation Regarding Gifts and Donations; 551.074 – Personnel Matters; 551.076 – Deliberation Regarding Security Devices and 551.087 – Deliberation Regarding Economic Development Negotiations.

Adjournment:

Motion to Adjournment: \_\_\_\_\_ 2nd \_\_\_\_\_

Dated this

By: \_\_\_\_\_  
Elvia Schuller, City Clerk

I, the undersigned authority, hereby certify that the above notice of the Regular City Council Meeting of the Town of Horizon City, Texas is a correct copy of this notice, and that I posted this notice at least seventy-two (72) hours preceding the scheduled meeting at the City Hall Bulletin Boards of the Town of Horizon City, Texas on this by 5:00 p.m.

Agenda Removed: \_\_\_\_\_ Time \_\_\_\_\_ By \_\_\_\_\_

In compliance with the Americans with Disabilities Act, the Town of Horizon City will provide for reasonable accommodations for persons attending meetings. Requests for auxiliary aids and services must be made 48 hours prior to this meeting by calling the City Clerk at (915) 852-1046.

**MINUTES  
AGENDA  
PUBLIC MEETING  
SPECIAL CITY COUNCIL MEETING  
THE TOWN OF HORIZON CITY, TEXAS  
Monday, July 27, 2020, 6:30 PM**

Notice is hereby given that a Special City Council Meeting of the Town of Horizon City, Texas was held on **Monday, July 27, 2020 at 6:30 PM**, at OZ Glaze Senior Center, 13969 Veny Webb, Horizon City, Texas 79928, at which time the following was discussed and considered:

**1. Call to order; Pledge of Allegiance; Establishment of Quorum**

Alderman Garcia and Alderman Padilla were absent.

**2. Open Forum:**

No one signed up to speak.

**CONSENT AGENDA**

*All matters listed under the CONSENT AGENDA are considered routine and will be enacted in one motion. There will be no separate discussion of these items unless a member(s) of the City Council requests one or more items be removed from the CONSENT AGENDA to the REGULAR AGENDA for separate discussion and action prior to the City Council's vote to adopt the CONSENT AGENDA.*

**3. Approval of Minutes from:**

7/14/20 Regular City Council Meeting

**4. Discussion and Action:**

Mayor/Chief McConnell

On the approval of the annual El Paso County E911 District FY20/21 budget.

**5. Discussion and Action:**

Mayor/Planning Director

On the award of Informal Bid No. 2020-005PW for the cleaning and rehabilitation of the ponding area at 14324 Rudi Kuefner to McKenzie Development, LLC in the amount of \$26,444.00.

**6. Discussion and Action:**

Mayor/Planning Director

On a request that the City Council reject all bids received for Informal Bid No. 2020-006PW for the cleaning and rehabilitation of the ponding area at 457 Mel Cole Drive.

**7. Request to Excuse Absent Council Members:**

A motion was made by Alderman Duran and seconded by Alderman Corral to excuse Alderman Garcia and Alderman Padilla and approve the remainder of the consent agenda. The CITY CLERK polled the Council: MILLER - Aye; GARCIA - Absent; ORTEGA - Aye; RENTERIA - Aye; DURAN - Aye; PADILLA - Absent; CORRAL - Aye. Motion passed.

**REGULAR AGENDA**

**8. Discussion and Action:**

Mayor/Planning Director

On the award of Solicitation No. 2020-007PW Parks and Grounds Maintenance Contract (Re-Bid), to De La Paz Cleaning & Rental Services, LLC as the Best Value bidder.

Planning Director, Michelle Padilla and Public Works Director, Albert Valle spoke regarding this item.

A motion was made by Alderman Duran and seconded by Alderman Renteria to award Solicitation No. 2020-007PW Parks and Grounds Maintenance Contract (Re-Bid), to De La Paz Cleaning & Rental Services, LLC as the Best Value bidder with the revised amount as read into the record. The CITY CLERK polled the Council: MILLER - Aye; GARCIA – Absent; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Absent; CORRAL – Aye. Motion passed.

9. **Discussion and Action:**

Asst. City Atty

On the approval of the Social Media Policy for the Town of Horizon City.

Asst. City Atty, Bertha Ontiveros spoke regarding this item.

A motion was made by Alderman Duran and seconded by Alderman Renteria to approve the Social Media Policy for the Town of Horizon City as amended by the Asst. City Atty. The CITY CLERK polled the Council: MILLER - Aye; GARCIA – Absent; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Absent; CORRAL – Aye. Motion passed.

10. **Discussion and Action:**

Mayor/Chief McConnell

On a recommendation to change the date of the annual fireworks display from August 29, 2020, to July, \_\_\_\_\_, 2021, and allowing the Mayor to negotiate and execute an amended contract.

Chief McConnell spoke regarding this item.

A motion was made by Alderman Corral and seconded by Alderman Duran to approve to change the date of the annual fireworks display from August 29, 2020, to July, 4, 2021, and allowing the Mayor to negotiate and execute an amended contract. The CITY CLERK polled the Council: MILLER - Aye; GARCIA – Absent; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Absent; CORRAL – Aye. Motion passed.

***Item #11 was reconsidered and taken after Item #12.***

11. **Discussion and Action:**

Mayor/Chief McConnell

On a recommendation that the Town approve the use of CARES Act funds for police officer hazard pay, Covid-19 related personnel and equipment expenses and other qualified expenditures.

Chief McConnell spoke regarding this item.

A motion was made by Alderman Corral and seconded by Alderman Renteria to approve the use of CARES Act funds for police officer hazard pay at \$3 per hour worked. The CITY CLERK polled the Council: MILLER - Aye; GARCIA – Absent; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Absent; CORRAL – Aye. Motion passed.

A motion was made by Alderman Miller and seconded by Alderman Renteria to authorize hazard pay for all employees that are qualified to receive \$3 hazard pay for hours worked under the CARES Act, for Mayor to work with city staff to develop a list of eligible employees and authorize the Mayor to approve such hazard pay effective August 2 and to report back to Council for ratification of the eligible employees at the next Regular City Council Meeting. Alderman Miller amended his motion to also include hazard pay for eligible employees. The amended motion was seconded by Alderman Renteria. The CITY CLERK polled the Council: MILLER - Aye; GARCIA – Absent; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Absent; CORRAL – Aye. Motion passed.

12. **Discussion:**

Mayor/Finance Director  
Workshop on the proposed FY 2020 - 2021 Budget.

Finance Director, Pat Randleel, Planning Director, Michelle Padilla, Building Official, Danny Serrano and Chief, Mike McConnell spoke regarding this item.

A motion was made by Alderman Miller and seconded by Alderman Renteria to reconsider item #11. The CITY CLERK polled the Council: MILLER - Aye; GARCIA – Absent; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Absent; CORRAL – Aye. Motion passed

13. **Discussion and Action:**

Mayor/Asst. City Atty  
***This item was postponed at the 7/14/20 Regular City Council Meeting.***

On approval of the First Amendment to Collective Bargaining Agreement between the Town of Horizon City, Texas and the Horizon City Police Officers Association extending the term for one (1) year until September 30, 2021.

Chief, Mike McConnell and Police Lieut. Jesus Ortega, spoke regarding this item.

A motion was made by Alderman Miller and seconded by Alderman Renteria to approve the First Amendment to Collective Bargaining Agreement between the Town of Horizon City, Texas and the Horizon City Police Officers Association extending the term for one (1) year until September 30, 2021. The CITY CLERK polled the Council: MILLER - Aye; GARCIA – Absent; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Absent; CORRAL – Aye. Motion passed

14. **Executive Session**

The City Council of the Town of Horizon City may recess into EXECUTIVE SESSION pursuant to the Texas Government Code, Chapter 551, Subchapter D, under Article 551.071 – Consultation with Attorney; 551.072 – Deliberation Regarding Real Property; 551.073 – Deliberation Regarding Gifts and Donations; 551.074 – Personnel Matters; 551.076 – Deliberation Regarding Security Devices and 551.087 – Deliberation Regarding Economic Development Negotiations.

**ADJOURNMENT**

A motion was made by Alderman Corral and seconded by Alderman Duran to adjourn at 8:44 PM.

Approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**Attest:**

\_\_\_\_\_  
Elvia Schuller, City Clerk

\_\_\_\_\_  
Ruben Mendoza, Mayor

# Town of Horizon City Capital Improvement Program

Council Meeting  
August 11, 2020

# Oxbow & Pawling Street Improvements

- Pending closing on property with FAA
- Have begun coordinating with HRMUD's water line projects on Breaux and Oxbow
- Project will likely follow HRMUD project for improvements on Horizon Blvd., Breaux and Oxbow
- Reviewing plans

# Ryderwood Extension



Images from  
June 5, 2020



# Ryderwood Extension

## Next steps

- Verify completion for acceptance
  - Coordinating with County for completion
- Confirm costs
- Coordinate with school to address concerns expressed

# Municipal Facilities

- Notice to Proceed with Exigo, design consultant, issued March 9, 2020
- Floor layout and site plan developed (Schematic Design) – Departments have concurred with schematic
- Total square footage increased to accommodate permanent PW Department, Municipal Court requests and entry requirements – will impact Phase 1 costs
- Millings relocated to be used by Horizon City at various locations
- Staff continuing to work on final application for USDA which requires a department-specific environmental document

# Golden Eagle Park

## Construction

- Construction contract awarded September 16, 2019
- Construction Start – fall 2019
- Projected completion date – August 2020
- Contractor not on schedule and has been advised of contractual liquidated damages
- Working with MCI, construction manager to review requests for information and address schedule

# Golden Eagle Park



14

All pictures from MCI, Construction Manager, August 7 and 8, 2020.

# Golden Eagle Park



## Work on Splash Pad



All pictures from MCI, Construction Manager, August 7 & 8, 2020

# Golden Eagle Park

## Work on Baseball Field



16

All pictures from MCI, Construction Manager, August 7 & 8, 2020.

# Horizon Mesa Park

- Notice to Proceed for Construction scheduled for January 20, 2020.
- Completion date –August 2020.

# Horizon Mesa Park



All images from construction manager, Huitt Zollars – July 23 and August 5, 2020.

# Corcoran (Corky) Park

## **Bidding & Construction**

- Bidding and construction award – Summer 2020
- Received Competitive Sealed Proposals – under cone of silence as staff evaluates proposals

# Benton-Ryderwood Dog Park

- Grant application for Texas Parks and Wildlife Local Recreation Grants submitted December 4, 2019
  - Notice expected in August 2020 Commission Meeting scheduled for August 26 -27, 2020.

# Street Maintenance Fund

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# N. Darrington

- City staff had begun considering interim measures before the reconstruction project was approved
- Given wet winter, City staff re-evaluating an interim treatment for the riding surface
- Preliminary estimates total \$750,000 to \$1 million
- Re-evaluating treatment that will address pavement between now and 2022 when reconstruction project is scheduled for award and construction start

# Other Streets

Reviewing available funding to develop a pipeline for maintenance of other eligible streets

- **Breaux** – to be packaged with Oxbow & Pawling
- **Duanesburg**
- **S. Kenazo**
- **Acra**

# 2020 Street Maintenance Program

- Finalizing specifications for requirements contract to address
  - **N. Darrington**
  - **Duanesburg from McMahan to S. Kenazo**
  - **Acra**
- Updated Schedule
  - Advertising – August 2020
  - Award – September 2020

# Funding Updates

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# N. Darrington Reconstruction

Transportation Policy Board (TPB) approved the 2019 Mobility Plan at its December 13, 2019 meeting.

Project is scheduled for construction award in **FY 2022**

# N. Darrington Reconstruction

## Next Steps for City:

- City, TXDOT & CRRMA develop new funding agreement for design and construction costs
- City coordinates with HRMUD regarding HRMUD's<sub>27</sub> infrastructure with project limits
- City identifies match for project

# Transit

- The 2019 El Paso Mobility Plan also includes County Transit.
- Projects/routes not defined.
- Inclusion in plan identifies transit in the county, outside the El Paso city limits, as a priority for the region.
- Staff reviewing Local Government Corporation with County
  - Bylaws
  - Articles of Incorporation

# TOD

Staff, in conjunction with EDC is reviewing grants for planning efforts from

Economic Development Administration (EDA) and  
Department of Transportation (DOT)

Next steps will be to include project in region's 2050 Master Transportation Plan (MTP) – the long-term plan at the MPO to make the project eligible for DOT funding.

# Funding Updates – 2050 MTP

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# 2050 Metropolitan Transportation Plan (MTP)

Horizon City Staff submitted projects to MPO as presented to Council at the June 9, 2020 Meeting.

Next steps are to go through project evaluation and selection at the MPO.

# Proposed MTP Projects

Project	City Design	TIRZ	City /County Funding
S. Darrington Rd. Repaving (Oxbow to Alberton)	X		
N.. Kenazo Ave. Reconstruction (Eastlake to Horizon)	X		
Alberton Ave/Antwerp Rd. Construction	X		
Dilley & Delake (TOD Phase 1 Roadways)		X	
Transit Plaza with park & ride (TOD)		X	
Horizon City – Socorro Circulator Bus Route			X
Horizon City – UTEP Express Route			X

# Town of Horizon City Capital Improvement Program

Council Meeting  
August 11, 2020



**TOWN OF HORIZON CITY  
MEMORANDUM**

Date: August 7, 2020

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

**SUBJECT:** On a request for a six month extension to a Specific Use Permit (SUP #002368-2019) for a temporary real estate office at 848 Villa Allende Way.

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On August 13, 2019, the City Council voted unanimously to approve of the Specific Use Permit to allow for a temporary real estate office within a new residential structure at 848 Villa Allende Way, Horizon City, TX, 79928. The applicant is Desert View Homes.

In accordance with Section 406.2 (Cessation of Temporary Uses) of Article 14.02 (Zoning Ordinance) of the Municipal Code, the applicant is requesting that the City Council grant a six-month extension for the Specific Use Permit. Additionally, the applicant has been informed that any adaptations of the residential structure shall be removed at the end of the term of use.

Attached for your review is the applicant's written request, the action letter dated July 28, 2020, and the staff report that was presented to City Council on August 13, 2019.



July 28, 2020

Elizabeth Luna  
Planning & Zoning Commission  
14999 Darrington Rd.  
Horizon City, Texas 79928

Re: Specific Use Permit Extension Application

Dear Ms. Luna,

Desert View Homes would like to request a **special use permit extension** for the existing property located on 848 Villa Allende in the Ranchos Desierto Bello subdivision. The proposed use will be for a model home sales office as part of the residential construction which is currently completed at the above address. Please accept this letter as our formal request for permit extension with the planning and zoning review at your next available meeting. Please contact me if you require any additional information. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin Woods", with a long horizontal flourish extending to the right.

Kevin Woods  
kwoods@desertviewhomes.com  
915-591-6319 ext 22

cc: Permanent File



**TOWN OF HORIZON CITY**  
**Planning and Zoning Commission Staff Report**

**Case No.:** SUP002368-2019  
**Application Type:** Specific Use Permit  
**P&Z Hearing Date:** July 15, 2019

**Staff Contact:** Michelle Padilla, Planning Director  
915-852-1046 ext.105; mpadilla@horizoncity.org

**Address/Location:** 848 Villa Allende Way  
**Legal Description:** Lot 40, Block 35, Rancho Desierto Bello Unit-5  
**Acreage:** Approximately 0.14 acres  
**Existing Use:** Vacant  
**Existing Zoning:** R-9 (Residential)  
**Request:** Specific Use Permit in an R-9 zone to allow for a temporary real estate office within a new residential structure  
**Owner:** Desert View Homes  
**Applicant:** Desert View Homes

**Surrounding Zoning and Land Use:**

**North:** R-9 (Residential)-Single Family Units  
**South:** R-9 (Residential) – Ricardo Estrada Middle School  
**East:** County of El Paso –Vacant  
**West:** R-9 (Residential) –Single Family Units

**Future Land Use Designation:** Residential  
**Nearest Park:** Golden Eagle Park (approximately 1.00 miles)  
**Nearest School:** Ricardo Estrada Middle School (approximately .25 mile)

**Application Description:**

The applicant is requesting a Specific Use Permit to allow for a temporary real estate sales office within a new residential structure. The applicant is proposing to make adaptations to the garage of the residential structure to allow for a real estate sales office and a displaying area.

Currently, the applicant has a temporary real estate sales office at 852 Villa Allende Way that has expired. The applicant has submitted a Building Permit to remove the temporary real estate sales office and complete the garage.

**Notice:**

In accordance with Section 211.007 of the Texas Local Government Code, notices of the July 15, 2019 public hearing were sent to those property owners within 200 feet of the subject property on June 28, 2019.

**Staff Recommendation:**

Staff recommends **approval** of the request for a Specific Use Permit for a temporary real estate office in a new residential structure as it complies with Section 406.1 (Uses Permitted by Specific Use Permit - General) of Municipal Code, Chapter 14 (Zoning Ordinance). This section allows for temporary real estate sales office associated with a new residential development to be conducted within a new residential structure adapted for that purpose.

Additionally, in accordance with Section 406.2 (Cessation of Temporary Uses), the applicant shall comply with the following:

- The real estate sales office use shall not continue for more than twelve months, unless expressly extended by the Town Council. Only one six-month extension shall be allowed.
- Any adaptations of residential structures shall be removed at the end of the term of use.

**Vision 2020 – Future Land Use Map Designation:**

The Future Land Use Map designates this area as Residential, which includes all single-family detached homes and related accessory and ancillary uses.

The purpose of a Residential Zoning District is to provide for residential development, at moderately low densities, together with churches, recreational facilities, public uses and accessory uses as may be necessary or are normally compatible with residential surroundings.

**Options available to the Planning and Zoning Commission:**

The Planning and Zoning Commission may consider the following options and additional requirements that it identifies when reviewing this rezoning application:

1. Recommend approval of the request for Specific Use Permit in an R-2 Zoning District as stated.
2. Recommend approval of the request for Specific Use Permit in an R-2 Zoning District as stated, including any modifications to bring the Specific Use Permit into conformance with the Zoning Ordinance and the Vision 2020: Comprehensive and Strategic Plan.
3. Recommend denial of the Applicant’s request for Specific Use Permit finding that it is not in conformance with the Zoning Ordinance and/or the Vision 2020: Comprehensive and Strategic Plan.

**Attachments:**

**Attachment 1 – Zoning Designation**

**Attachment 2 – Aerial**

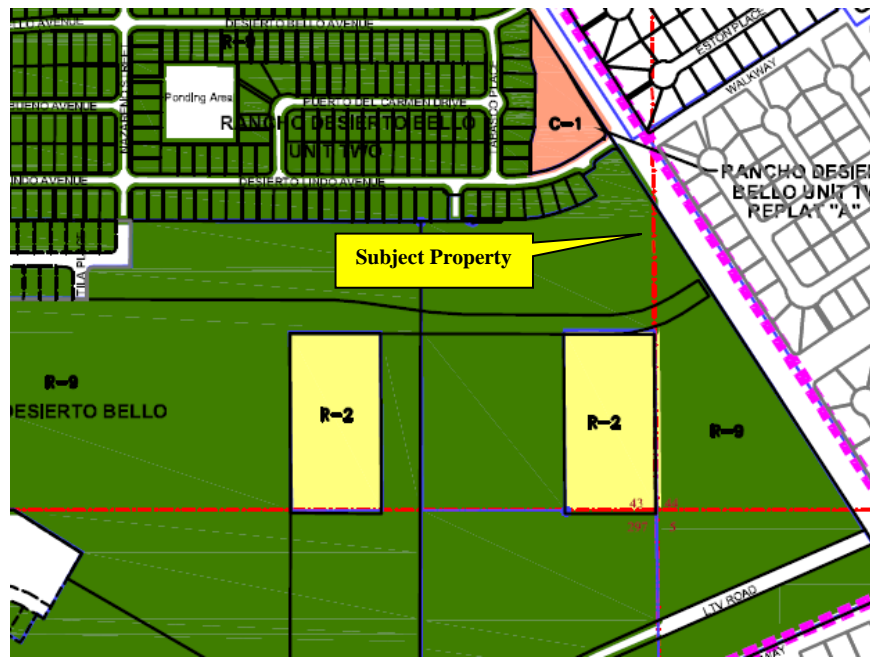
**Attachment 3 – Floor and Plot Plans**

**Attachment 4 – Subdivision Plat**

**Attachment 5 – Letter from Applicant**

**Attachment 6 – Application**

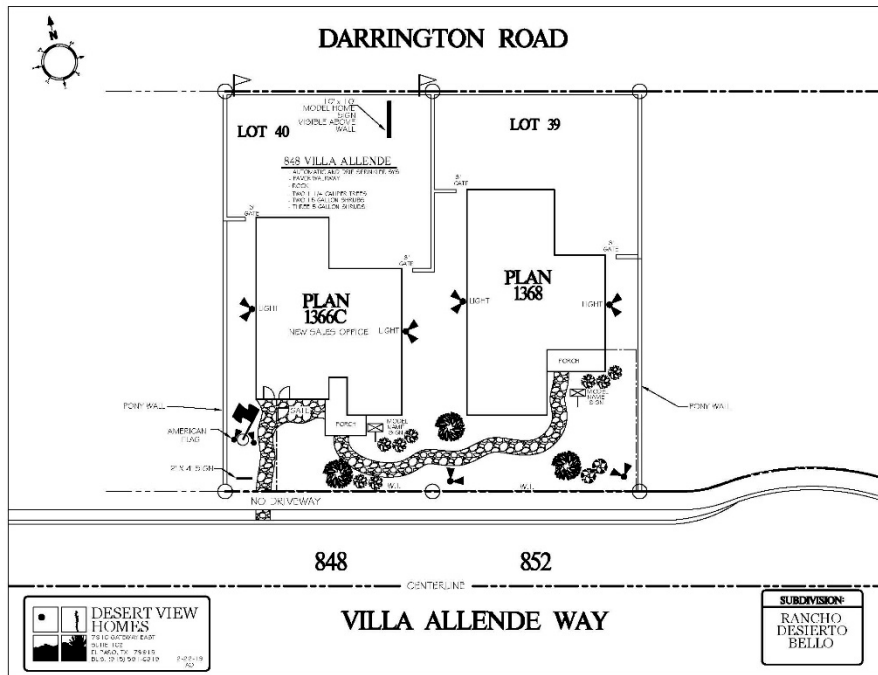
**Attachment 1: Zoning Designation**

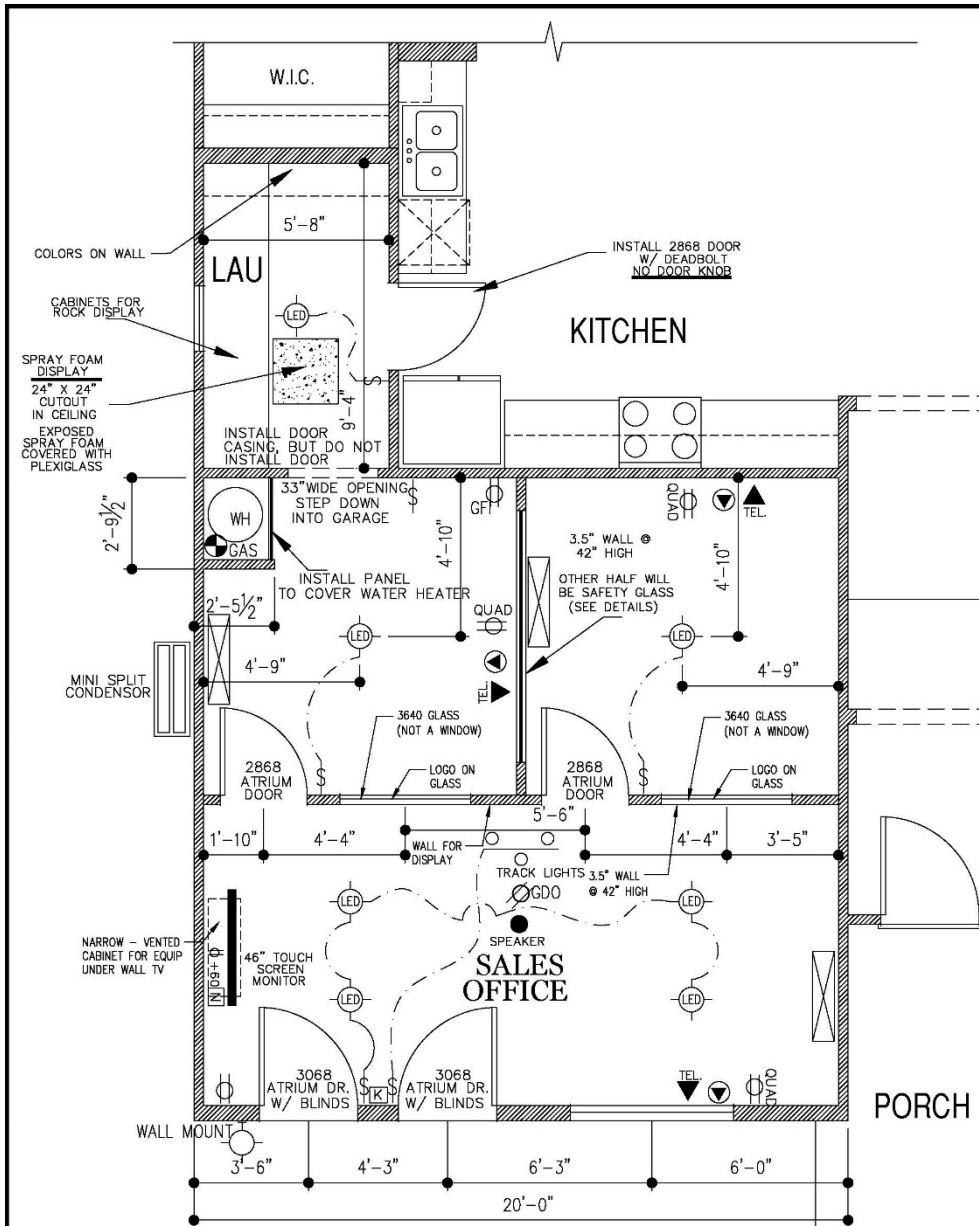


**Attachment 2: Aerial**



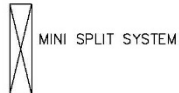
**Attachment 3: Elevations, Floor and Plot Plans**





**ELECTRICAL LEGEND**

- [N] = NETWORK OUTLET
- [T] = TELEPHONE
- [K] = KEY PAD FOR ALARM
- [C] = NETWORK (MAIN COMPUTER)



**\*\*NOTE\*\***  
TELEPHONE WILL BE WIRED WITH CAT 5

ENTRY DOORS AND PRIVATE OFFICES TO BE KEYPAD ALIKE

NO CAR STOP

FIELD LOCATE 2 - RETURN AIR VENTS

**Floor Plan No. 1366C**

SCALE: 1/4" = 1'-0"

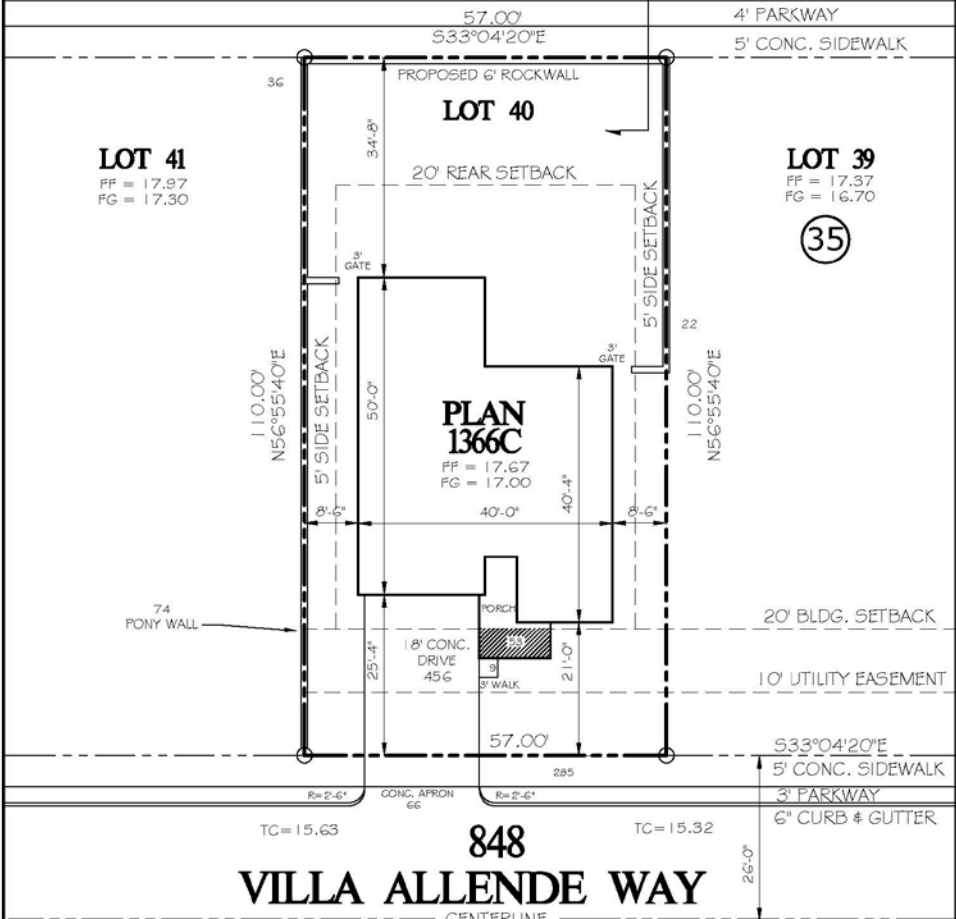
**848 VILLA ALLENDE WAY**  
SALES OFFICE

Drawn by A.O. 3-15-19





# DARRINGTON ROAD



LEFT REGULAR	_____ X _____ = _____ ÷ 16 = _____ X _____ = _____
LEFT GARDEN	_____ X _____ = _____ ÷ 16 = _____ X _____ = _____
RIGHT REGULAR	_____ X _____ = _____ ÷ 16 = _____ X _____ = _____
RIGHT GARDEN	_____ X _____ = _____ ÷ 16 = _____ X _____ = _____
BACK REGULAR	_____ X _____ = _____ ÷ 16 = _____ X _____ = _____
LEFT / RIGHT RET	_____ X _____ = _____ ÷ 16 = _____ X _____ = _____
RETAINING	_____ X _____ = _____ ÷ 16 = _____ X _____ = _____

**RW FTNGS**  
 YDS. \_\_\_\_\_  
 REBAR \_\_\_\_\_

**FOUNDATION FTNGS**

YDS. \_\_\_\_\_  
 LABOR \_\_\_\_\_  
 CABLES \_\_\_\_\_

**FLATWORK**

\$ \_\_\_\_\_ = 0.45 X \_\_\_\_\_ SQ. FT.  
 \$42 = SILLS # EXPANSION  
 \$25 = WIRE MESH  
 \$26 = A/C PAD  
 \$ \_\_\_\_\_ = TOTAL

ROCKWALL \_\_\_\_\_  
 FW \_\_\_\_\_  
 YDS \_\_\_\_\_

**LEGAL DESCRIPTION:**  
 LOT NO. 40  
 BLOCK NO. 35  
 RANCHO DESIERTO BELLO UNIT - 5  
DRAWN: 3/4/2019 AO  
 SCALE: 1"=20.00'

**Attachment 4: Subdivision Plat**

**RANCHO DESIERTO BELLO  
UNIT FIVE**

A PORTION OF SECTIONS 43 & 44, BLOCK 78,  
TOWNSHIP 3, TEXAS AND PACIFIC RAILROAD COMPANY,  
TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS.  
CONTAINING 16.385 ACRES ±



**DEDICATION**

SDC DEVELOPMENT, LTD., the owner of this land, does hereby present this map and dedicate their respective portions of property to the use of the public, the streets, drives, ponding area, and utility easements as hereon laid down and designated, including easements for overhead of service wires for pole type utilities and the right for installation of service poles alongside lot lines as may be required, easements for buried service wires, conduits and pipes for underground utilities, and the right to ingress and egress for service and construction, and the right to trim interfering trees and shrubs.

Witness my signature this 2nd day of June, 2015.

*Patrick Woods*  
PATRICK WOODS  
SDC DEVELOPMENT, LTD.

**ACKNOWLEDGEMENT**

STATE OF TEXAS  
COUNTY OF EL PASO

Before me, the undersigned authority, on this day personally appeared Patrick Woods, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed for the purpose and consideration herein expressed.

Given under my hand and seal of office this 2nd day of JUNE, 2015.

*Kimberly A. Brannon* 322-17

**Attachment 5: Desert View Home Letter**



May 28, 2019

Liz Luna  
Planning & Zoning Commission  
14999 Darrington Rd.  
Horizon City Texas 79928

Re: Specific Use Permit Application

Dear Ms. Luna,

Desert View Construction, Inc would like to request a special use permit for the property located at 848 Villa Allende Way in the Ranchos Desierto Bello Unit - 5 subdivision. The proposed use will be for a model home sales office as part of the residential construction which is presently completed at the above address. Attached you will find the proposed sales office plans and a copy of the model home park site plans as well. Please accept this letter as our formal request for planning and zoning review at your next available meeting. Please contact me if you require any additional information. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Woods", with a long horizontal flourish extending to the right.

Kevin Woods  
kwoods@desertviewhomes.com  
915-591-6319 ext 22

cc: Permanent File

7910 Gateway East, Suite 102 • El Paso, Texas, 79915 Bus 915-591-6319 Fax 915-591-5451

[www.desertviewhomes.com](http://www.desertviewhomes.com)

## Attachment 6: Application



**TOWN OF HORIZON CITY**  
 14999 Darrington Road  
 Horizon City, Texas 79928  
 Phone 915-852-1046 Fax 915-852-1005

### SPECIFIC USE PERMIT APPLICATION

1. Owner of Record: DESERT VIEW CONSTRUCTION, LLC  
7910 GATEWAY EAST SUITE 102 EL PASO, TX 79915-915-591-6319  
(ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant DESERT VIEW CONSTRUCTION, LLC Is applicant also the Owner?  Yes  No  
 Contact Person KEVIN WOODS Is applicant also the Contractor?  Yes  No

3. Contractor SAME  
7910 GATEWAY EAST, SUITE 102 EL PASO, TX 79915 915-540-6299 KWOODS@DESERTVIEWHOMES.COM  
(ADDRESS) (ZIP) (PHONE) (EMAIL)

4. Site Address/Location 848 Villa Ailende Way  
(ADDRESS) (ZIP) (PHONE) (EMAIL)

Legal Description: 40 35 RANCHOS DESERTE BELO UNIT-5  
(Lot) (Block) (Subdivision Name)

If the legal description of the complete tracts or if plat is not available, the **required** Metes & Bounds Description with a survey map is attached?  Yes  No

5. Briefly explain why you request a Specific Use Permit? MODEL HOME SALES OFFICE - NEW RESIDENTIAL

6. Land's Presents Use: DEVELOPED RESIDENTIAL LOT Zone \_\_\_\_\_  
 Land Vacant  Lot size \_\_\_\_\_ Structure  Structure's size \_\_\_\_\_ Last known date the structure was occupied? \_\_\_\_\_  
 Land's Proposed Use: \_\_\_\_\_ Proposed Zone Use \_\_\_\_\_  
 Will you be making any improvements to the existing lot or structure?  Yes  No This request includes Site Improvements for approval?  Yes  No

**Building Official Findings & Pre Licensing Consultation for Non-Conforming Use & Site Improvements**

7. Non-Conforming use of a lot, uses, land & structures, uses of structures, premises & characteristics of use or site improvements, necessitates that the applicant and/or contractor consult with the Town's Building Official on the proposed project & Business to discuss any requirements for this request.

A field inspection on (date) \_\_\_\_\_ determined the lot is:  Not Applicable  Legal Non-Conforming  Non-Conforming and Requires the following: \_\_\_\_\_

\_\_\_\_\_  
 Building Official Signature Date

**NOTICE:** Applicant is responsible for all expenses incurred by the City in connection with the Specific Use Permit Application request, including but not limited to attorney's fees, engineering fees and publication. Additional charges will be invoiced separately and shall be paid to the Town prior to City Council action. Applicant's Signature [Signature]

8. Signatures: \_\_\_\_\_  
(OWNER'S SIGNATURE)

\_\_\_\_\_ Kevin Woods  
(OWNER'S PRINTED NAME)

\_\_\_\_\_ Kevin Woods  
(APPLICANT'S SIGNATURE) (APPLICANT'S PRINTED NAME)

<b>FEES:</b>	
EL PASO TIMES PUBLISHING FEE	APPROXIMATELY \$250
ENGINEER FEES	\$60 PER EACH 1/2 HOUR

Application & Submittals Due Date: \_\_\_\_\_  
 P&Z Scheduled Mtg. Date: \_\_\_\_\_  
 City Council Scheduled Date: \_\_\_\_\_  
 Application Received By: \_\_\_\_\_  
 Date Application Rec'd: \_\_\_\_\_

Please see reverse side for list of items required at time of submitting SUP application.

Schedule appointment with Building Official



# TOWN OF HORIZON BOARDS AND COMMISSIONS APPLICATION

PLEASE PRINT OR TYPE

Name: Charles C Berry Home pH: N/A  
Home address: 461 Cedarwood Cell pH: 253 651-5405  
City/State: Horizon City Zip: 79928 Email: Charles.Berry@mtc-trains.com  
cberry2639@gmail.com  
Occupation: Chaplain Resident of Horizon City for 6 years; of Texas 13 years

Please indicate the Board or Commission in which you are interested in serving.

Board of Adjustment

Planning and Zoning Commission

Provide the name and the date(s) of prior service, if any, on any Horizon board: \_\_\_\_\_

Are you currently holding any public office or appointment? P&Z If so, what? \_\_\_\_\_

Please list any specific municipal officials' training, or any special knowledge, education or experience that qualifies you to serve in the areas you have indicated: Religious Coordinator

If applicable, please list any scheduled training, etc. you intend to complete that will further qualify you to serve in the areas indicated: Religious Studies / Community Outreach

Explain why you are seeking an appointment. Also, list any business or personal relationships with the city that might create a conflict of interest or that may affect your ability to serve. First to continue to help Horizon City in its growth stage.

What do you perceive to be Horizon City's two greatest strengths? Housing Growth and the communities

Signature: [Handwritten Signature] Date: 24 June, 2020

The City Council will receive this form only. Do not send resumes, photographs or letters of recommendation. Mail form to Board Sec'y; Liz Luna at 14999 Darrington Rd, Horizon City, TX 79928 or email [eluna@horizoncity.org](mailto:eluna@horizoncity.org). For more information, call 915-852-1046 ext 404. Your application will be made available to the public upon request.

Public service opportunities are offered by the City of Horizon without regard to race, color, national origin, religion, gender or disability.



# TOWN OF HORIZON BOARDS AND COMMISSIONS APPLICATION

PLEASE PRINT OR TYPE

Name: Kelly Duran Home pH: (915) 852-7292  
Home address: 3627 Buxton Dr Cell pH: (915) - 867-5702  
City/State: Horizon City, TX Zip: 79928 Email: Kellyduran007@yahoo.com  
Occupation: N/A Resident of Horizon City for 19 years; of Texas 52 years

Please indicate the Board or Commission in which you are interested in serving.

Board of Adjustment  Planning and Zoning Commission

Provide the name and the date(s) of prior service, if any, on any Horizon board: P+Z previous past yrs.

Are you currently holding any public office or appointment? Y If so, what? P+Z board member

Please list any specific municipal officials' training, or any special knowledge, education or experience that qualifies you to serve in the areas you have indicated: Have attended several work shops to include Bojorquez Law City Hall Essentials Training.

If applicable, please list any scheduled training, etc. you intend to complete that will further qualify you to serve in the areas indicated: whenever training comes up I attend them.

Explain why you are seeking an appointment. Also, list any business or personal relationships with the city that might create a conflict of interest or that may affect your ability to serve. Want to continue to serve the Horizon Community as a P+Z board member.

What do you perceive to be Horizon City's two greatest strengths? its staff, & Council direction to its economic development.

Signature: Kelly Duran Date: June 25<sup>th</sup> 2020

The City Council will receive this form only. Do not send resumes, photographs or letters of recommendation. Mail form to Board Sec'y; Liz Luna at 14999 Darrington Rd, Horizon City, TX 79928 or email [eluna@horizoncity.org](mailto:eluna@horizoncity.org). For more information, call 915-852-1046 ext 404. Your application will be made available to the public upon request.

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# TOWN OF HORIZON BOARDS AND COMMISSIONS APPLICATION

PLEASE PRINT OR TYPE

Name: Matthew Gardea Home pH: (915) 497-3063

Home address: 632 Valle de Bravo Pl Cell pH: (915) 497-3063

City/State: Horizon City, Texas Zip: 79928 Email: matt.a.gardea@gmail.com

Occupation: Student/ Walmart Associate Resident of Horizon City for 18 years; of Texas 18 years

Please indicate the Board or Commission in which you are interested in serving.

Board of Adjustment

Planning and Zoning Commission

Provide the name and the date(s) of prior service, if any, on any Horizon board: N/A

Are you currently holding any public office or appointment? Yes If so, what? I currently serve as the Policy director for the El Paso Young Democrats, a nonprofit organization working to educate the public of democratic candidates for public office.

Please list any specific municipal officials' training, or any special knowledge, education or experience that qualifies you to serve in the areas you have indicated: I'm a proactive, recent high school graduate and 2020 Terry Foundation Scholar who will be attending the University of Texas at El Paso as an accounting major. During my time in high school I served in both the Clint ISD student advisory committee and Volunteer income tax assistance program along with various extra-curriculars. My leadership originates from my experience at the 2018 World Leadership Conference. I learned that generational diversity in leadership is critical and will serve our community best. If applicable, please list any scheduled training, etc. you intend to complete that will further qualify you to serve in the areas indicated: N/A

Explain why you are seeking an appointment. Also, list any business or personal relationships with the city that might create a conflict of interest or that may affect your ability to serve. As our nation faces this pandemic, leadership has never been more vital. It is critical that we have a generational coalition that is ready to lead and bring new innovative ideas at all levels of government. I seek to bring a new perspective to the Planning and Zoning commission to ensure that our city can be model for the county and serve to best aid our community.

What do you perceive to be Horizon City's two greatest strengths? I perceive that Horizon City's two greatest strengths are that we're a tight-knit community and that we enjoy a low crime rate (being at only 9.26% according to homefacts.com). The safety of our city will allow the commission to approve planning/zoning projects that will promote community involvement to create a more inclusive social dynamic.

Signature: Matthew Gardea Date: 07/11/2020

The City Council will receive this form only. Do not send resumes, photographs or letters of recommendation. Mail form to Board Sec'y; Liz Luna at 14999 Darrington Rd, Horizon City, TX 79928 or email [eluna@horizoncity.org](mailto:eluna@horizoncity.org). For more information, call 915-852-1046 ext 404. Your application will be made available to the public upon request.

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# TOWN OF HORIZON BOARDS AND COMMISSIONS APPLICATION

PLEASE PRINT OR TYPE

Name: Michael McElroy Home pH: \_\_\_\_\_

Home address: 5829 Spanish Place Cell pH: 915-346-9412

City/State: El Paso Zip: 79932 Email: msmcelroy@gmail.com

Occupation: Urban Planner Resident of Horizon City for 0 years; of Texas 38 years

Please indicate the Board or Commission in which you are interested in serving.

Board of Adjustment

Planning and Zoning Commission

Provide the name and the date(s) of prior service, if any, on any Horizon board: August 2017 - Present

Are you currently holding any public office or appointment? No If so, what? \_\_\_\_\_

Please list any specific municipal officials' training, or any special knowledge, education or experience that qualifies you to serve in the areas you have indicated: 7 years experenece as an urban planner. Licensed Professional Planner (New jersey, #6322) and Certified Planner (AICP #276730).

If applicable, please list any scheduled training, etc. you intend to complete that will further qualify you to serve in the areas indicated: Normal continuing education for planners, AICP and USGBC hours.

Explain why you are seeking an appointment. Also, list any business or personal relationships with the city that might create a conflict of interest or that may affect your ability to serve. No conflicts of interests present. My interest is in serving comes from a simple desire to have a great hometown. I'm from El Paso and it is where I will continue to be.

What do you perceive to be Horizon City's two greatest strengths? Lower property values (i.e. attractive for growth) and solid Planning Department.

Signature: Michael McElroy Date: 6-16-20

The City Council will receive this form only. Do not send resumes, photographs or letters of recommendation. Mail form to Board Sec'y; Liz Luna at 14999 Darrington Rd, Horizon City, TX 79928 or email [eluna@horizoncity.org](mailto:eluna@horizoncity.org). For more information, call 915-852-1046 ext 404. Your application will be made available to the public upon request.

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# TOWN OF HORIZON BOARDS AND COMMISSIONS APPLICATION

PLEASE PRINT OR TYPE

Name: Jorge Ojeda Home pH: N/A

Home address: 1589 Hartsdale Dr. Cell pH: (915) 996-7615

City/State: Horizon City, Tx Zip: 79928 Email: jojeda@hawkconcrete.com

Occupation: Self Employed - Contractor Resident of Horizon City for 12 years; of Texas 31 years

Please indicate the Board or Commission in which you are interested in serving.

Board of Adjustment

Planning and Zoning Commission

Provide the name and the date(s) of prior service, if any, on any Horizon board: Board of Adjustments (currently)

Also served as Chair for the 2020 Horizon Comprehensive Plan - Community Advisory Committee

Are you currently holding any public office or appointment? Yes If so, what? Town of Horizon City -

Board of Adjustments, Chairman

Please list any specific municipal officials' training, or any special knowledge, education or experience that qualifies you to serve in the areas you have indicated: Previous employment and public government training at Texas Department of Transportation (11 yrs.)

Have been a member of the Board of Adjustments for 7 years with FOIA and Public Service training.

If applicable, please list any scheduled training, etc. you intend to complete that will further qualify you to serve in the areas indicated: N/A

Explain why you are seeking an appointment. Also, list any business or personal relationships with the city that might create a conflict of interest or that may affect your ability to serve. I am seeking re-appointment to the BoA because I would like to continue serving my community in this capacity as it allows me to use my experience as an engineer, contractor, and homeowner for the good of the community. While, I own a construction company I have been to serve the Board with no real or apparent conflict of interest.

What do you perceive to be Horizon City's two greatest strengths? Horizon City continues to have great political leadership that is progressive and visionary on thier views. They plan fo the long term and attempt to maintan good sustainable growth. The second would be the current population growth as it presents a great opportunity to implement a lot of the quality of life goals that the community wants and needs.

Signature:  Date: 7/8/2020

The City Council will receive this form only. Do not send resumes, photographs or letters of recommendation. Mail form to Board Sec'y; Liz Luna at 14999 Darrington Rd, Horizon City, TX 79928 or email [eluna@horizoncity.org](mailto:eluna@horizoncity.org). For more information, call 915-852-1046 ext 404. Your application will be made available to the public upon request.

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# TOWN OF HORIZON BOARDS AND COMMISSIONS APPLICATION

PLEASE PRINT OR TYPE

Name: Wilfredo M. Lopez Home pH: \_\_\_\_\_

Home address: 725 Desert Silver Dr. Cell pH: 915-799-8194

City/State: Horizon City / Texas Zip: 79928 Email: wilopez47@yahoo.com

Occupation: Retired Resident of Horizon City for 18 years; of Texas 18 years

Please indicate the Board or Commission in which you are interested in serving.

Board of Adjustment

Planning and Zoning Commission

Provide the name and the date(s) of prior service, if any, on any Horizon board: \_\_\_\_\_  
Board of Adjustments for the past 3 years.

Are you currently holding any public office or appointment? Yes If so, what? Board of Adjustment

Please list any specific municipal officials' training, or any special knowledge, education or experience that qualifies you to serve in the areas you have indicated: \_\_\_\_\_  
Various trainings; Open government, public information act, open meeting act, and ordinance and by laws directory.

If applicable, please list any scheduled training, etc. you intend to complete that will further qualify you to serve in the areas indicated: \_\_\_\_\_  
I am open to any and all trainings provided by the city hall to perform better in position.

Explain why you are seeking an appointment. Also, list any business or personal relationships with the city that might create a conflict of interest or that may affect your ability to serve. \_\_\_\_\_  
The reason why I am seeking an appointment is to better improve quality of life in my community.

What do you perceive to be Horizon City's two greatest strengths? \_\_\_\_\_  
I perceive Horizon City's two greatest strengths are its leaderships and economic growths.

Signature: *W Lopez* Date: 06/25/2020

The City Council will receive this form only. Do not send resumes, photographs or letters of recommendation. Mail form to Board Sec'y; Liz Luna at 14999 Darrington Rd, Horizon City, TX 79928 or email [eluna@horizoncity.org](mailto:eluna@horizoncity.org). For more information, call 915-852-1046 ext 404. Your application will be made available to the public upon request.

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# TOWN OF HORIZON BOARDS AND COMMISSIONS APPLICATION

PLEASE PRINT OR TYPE

Name: DAVID J. LOPEZ Home pH: \_\_\_\_\_

Home address: 12471 ~~EAS~~ EYESHAMM Cell pH: 915-637-3056

City/State: HORIZON CITY, TX Zip: 79928 Email: davidlopez039@yahoo.com

Occupation: RETIRED Resident of Horizon City for 5 years; of Texas 58 years

Please indicate the Board or Commission in which you are interested in serving.

Board of Adjustment

Planning and Zoning Commission

Provide the name and the date(s) of prior service, if any, on any Horizon board: \_\_\_\_\_

BOA - 2016

Are you currently holding any public office or appointment? NO If so, what? \_\_\_\_\_

Please list any specific municipal officials' training, or any special knowledge, education or experience that qualifies you to serve in the areas you have indicated: Land PLANNING

If applicable, please list any scheduled training, etc. you intend to complete that will further qualify you to serve in the areas indicated: N/A

Explain why you are seeking an appointment. Also, list any business or personal relationships with the city that might create a conflict of interest or that may affect your ability to serve. Community development

What do you perceive to be Horizon City's two greatest strengths? Optimum land growth.

Signature: [Signature] Date: 7-1-00

The City Council will receive this form only. Do not send resumes, photographs or letters of recommendation. Mail form to Board Sec'y; Liz Luna at 14999 Darrington Rd, Horizon City, TX 79928 or email [eluna@horizoncity.org](mailto:eluna@horizoncity.org). For more information, call 915-852-1046 ext 404. Your application will be made available to the public upon request.

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# TOWN OF HORIZON BOARDS AND COMMISSIONS APPLICATION

PLEASE PRINT OR TYPE

Name: Cruz Alvarez Home pH: \_\_\_\_\_

Home address: 813 Caterick Steet Cell pH: 915.504.9481

City/State: El Paso / TX Zip: 79928 Email: caalvarez21@gmail.com

Occupation: Civil Engineer Resident of Horizon City for 14 years; of Texas 34 years

Please indicate the Board or Commission in which you are interested in serving.

Board of Adjustment

Planning and Zoning Commission

Provide the name and the date(s) of prior service, if any, on any Horizon board: Board of Adjustment since 8/18/15


Are you currently holding any public office or appointment? yes If so, what? Board of Adjustment

Please list any specific municipal officials' training, or any special knowledge, education or experience that qualifies you to serve in the areas you have indicated: Licensed Professional Engineer in the state of Texas  
BS in Civil Engineering & Member of the Congress for the New Urbanism

If applicable, please list any scheduled training, etc. you intend to complete that will further qualify you to serve in the areas indicated: \_\_\_\_\_

Explain why you are seeking an appointment. Also, list any business or personal relationships with the city that might create a conflict of interest or that may affect your ability to serve. To become knowledgeable in the process and procedures of the position and to help the surrounding area as it has been my home area for many years.

What do you perceive to be Horizon City's two greatest strengths? Its growth rate in population and development to become a great city.

Signature:  Date: 6.24.20

The City Council will receive this form only. Do not send resumes, photographs or letters of recommendation. Mail form to Board Sec'y; Liz Luna at 14999 Darrington Rd, Horizon City, TX 79928 or email [eluna@horizoncity.org](mailto:eluna@horizoncity.org). For more information, call 915-852-1046 ext 404. Your application will be made available to the public upon request.

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**TOWN OF HORIZON CITY  
MEMORANDUM**

**Date:** March 6, 2020

**To:** Honorable Mayor and Members of City Council

**From:** Michelle Padilla, Planning Director

**SUBJECT:** On a replat application for Horizon Manor Unit Three Replat "A" (SUB #002434-2019), legally described as a portion of lot 19, Block 9, Horizon Manor Unit Three, Town of Horizon City, El Paso County, Texas. Containing 7.935 ± acres. Application submitted by CAD Consulting Co.

---

On February 17, 2020, the Planning and Zoning Commission voted unanimously to recommend that the City Council approve the replat application for the Horizon Manor Unit Three Replat "A" with the condition that staff comments be addressed prior to City Council action.

Although the applicant has provided a revised plat that addresses most of the comments listed on the staff report, not all comments have been addressed. Staff recommends **denial** of the replat application.

Additionally, staff has requested throughout the application process that the City be provided with a cost estimate for the oversized improvements that the applicant has indicated are required to serve the existing stormwater runoff from the surrounding development. To date, staff has not received any information on the cost estimate.

Attached for your review is the staff report and the replat (preliminary and final).

**History:**

The City Council approved the rezoning application for this property on June 12, 2018. The zoning district is now R-2 (residential).



**TOWN OF HORIZON CITY**  
**Planning and Zoning Commission Staff Report**

**Case No.:** SUB002434-2019  
**Application Type:** Replat Application  
**Proposed Name:** Horizon Manor Unit Three Replat “A”  
**P&Z Hearing Date:** **February 17, 2020 (Postponed at January 20, 2020 Meeting)**  
**Staff Contact:** Michelle Padilla, Planning Director  
915-852-1046 ext.105; [mpadilla@horizoncity.org](mailto:mpadilla@horizoncity.org)

**Address/Location:** The property is located on the west side of Duanesburg Street & encircled by Opossum Circle

**Legal Description:** A portion of Lot 19, Block 9, Horizon Manor Unit Three, El Paso County, Texas

**Acreage:** Approximately 7.9365 acres

**Existing Use:** Open Space/Ponding Area

**Existing Zoning:** Rezoned to R-2 (Residential) on June 12, 2018 (Ordinance 244)

**Property Owner:** JPD Properties LLC

**Applicant:** CAD Consulting Company

**Future Land Use Designation:** Park/Open Space

**Nearest Park:** Golden Eagle Park

**Nearest School:** Carrol T. Welch Intermediate School

**Surrounding Zoning and Land Use:**

**North:** R-8 (Residential)-Single Family Homes

**South:** R-8 (Residential)-Single Family Homes

**East:** R-9 Residential)-Single Family Homes

**West:** R-8 (Residential) & R-4A Single Family Homes

**Application Description:**

The applicant proposes to Replat approximately 7.9365 acres of land. The proposed subdivision includes 31 single family residential units, the smallest lot measures approximately 6,000 square feet and the largest lot measuring approximately 8,083 square feet in size. An existing pond will be sized to accommodate the new residential subdivision and its drainage.

In accordance with Section 2.10 of the Municipal Code for Subdivisions, no parkland dedication is required; however, the applicant is required to pay **\$12,400** in park fees prior to filing the subdivision plat.

**Notice:**

In accordance with Section 212.015.f of the Texas Local Government Code, notice of the approval of the replat will be mailed to each property owner of a lot in the original subdivision that is within 200 feet of the lot(s) to be replatted no later than fifteen (15) days after the date of the City Council meeting at which the replat is approved.

**Staff Recommendation:**

Staff recommends *approval* of the proposed Replat with the condition that all plat comments be addressed prior to City Council action. A revised plat must be submitted on or before Friday, *February 21, 2020*. The plat comments are as follows:

**Planning Division Comments:**

1. Preliminary/Final Plat: Provide different street names
2. Preliminary/Final Plat: It is recommended that the 10' utility easement running through lots 5-8, Block 1 and lots 4-7, Block 2 be vacated. If that is not feasible, provide proof that 1,250 square foot structures will be able to be constructed on the lots while maintaining the required setbacks.
3. Preliminary/Final Plat: It is recommended that the 10' utility easement proposed along front of the most of the lots be continued along lots 1-4, block 1 and lots 1-3, block 2.
4. Preliminary Plat: Provide street cross-section on the preliminary plat
5. Final Plat: Remove "parks" from dedication statements
6. Final Plat: Remove the "El Paso County Certificate of Plat approval" statement
7. Final Plat: Provide copy of proposed covenants for review.

**General Note:** If the proposed pond is going to be oversized to accommodate existing flows, please provide the developer's required improvements with associated costs and the oversized improvements with associated costs for consideration by the City as soon as possible.

**Other Requirements:**

1. Original 2020 Tax Certificate showing zero balance will be required prior to recording.
2. Change 2019 dates to 2020 where applicable on face of plats
3. Parkland Fees - \$12,400 due prior to filing plat

**Public Works Director Comments:**

**Preliminary Plat:**

1. Provide location of any existing utilities with the size of sewer or water mains if they exist within the area.
2. Show Drainage flow arrows on existing streets. Show water draining into the pond.
3. Provide Ponding capacity information/calculations. See Ordinance No.0035 4.2.2.5 (7c.) and 4.2.2.6 (8c.) and 4.2.2.6 (8d.) and 4.2.2.7 (9)
4. Show watershed areas.
5. Provide legal description at the east and west side parcels.
6. Provide the Lot Number and Block Number for proposed area to include adjacent lot.

NOTE: Drainage study/report to be submitted during the Subdivision Improvement Plan Review.

**Final Plat:**

1. Provide legal description at the east and west side parcels.
2. Missing all addresses, no address review. El Paso County 9-1-1 District approval is required.
3. Provide existing address from the adjacent lots located at the south AND north side of the proposed subdivision.
4. Missing Benchmark along with DATUM information (see Preliminary plat).
5. Provide A copy of the restrictions and covenants to be recorded, if any.
6. Provide the Lot Number and Block Number for proposed area to include adjacent lot.
7. Provide utility easements for Block 3 and block 2 facing Duanesburg St.
8. Remove 10' Utility Easement on Blocks 1 and 2.
9. On the note section, add a note stating the developer is responsible to repave any portion of Duanesburg St. or Opossum Cir. (include limits, sidewalks and H.C. Ramps) as necessary for drainage purposes.

**Town Engineer Comments:****Summary of Recommended Conditions for Preliminary Plat Approval:**

The Town Engineer recommends the following:

1. Revise legal description, to read “..Town of Horizon City, El Paso, County, Texas...”; subdivision in Town of Horizon City’s city limits.
2. Per Section 4.2.2.11 of the Subdivision Ordinance, add a list of proposed street on plat.
3. Provide typical section for proposed streets.
4. For Block 1, there are two parcels labeled Lot 8, correct.
5. Show 5-foot Utility Easements to the on the south side of subdivision along lots- Block 1 Lot 4 and 5 and 20-foot drainage easement.
6. Verify that minimum lot requirements, such as setbacks and dwelling size, will be meet for Block 1, Lots 5, 6, 7, 8 and Block 2-Lots 4, 5, 6, and 7. Existing 10’ utility easement will restrict placement of dwellings.
7. Consider add restrictions to covenants for Block 1, Lots 5, 6, 7, 8 and Block 2- Lots 4, 5, 6, and 7 prohibiting the construction of in ground pool due to location of utility easements.
8. Coordinate with the Town of Horizon City with regard to any additional comments they may have.

**Summary of Recommended Conditions for Final Plat Approval:**

The Town Engineer recommends the following:

1. Revise legal description, to read “..Town of Horizon City, El Paso, County, Texas...”; subdivision in Town of Horizon City’s city limits.
2. Show 5-foot Utility Easements to the on the south side of subdivision along lots- Block 1 Lot 4 and 5 and 20-foot drainage easement.
3. Verify that minimum lot requirements, such as setbacks and dwelling size, will be meet for Block 1, Lots 5, 6, 7, 8 and Block 2-Lots 4, 5, 6, and 7. Existing 10’ utility easement will restrict placement of dwellings.
4. Provide addresses for the proposed lots.
5. Provide Benchmark on plat.

6. Add Legend indicating monumentation.
7. Revise dates in dedication block to 2020.
8. Consider add restrictions to covenants for Block 1, Lots 5, 6, 7, 8 and Block 2- Lots 4, 5, 6, and 7 prohibiting the construction of in ground pool due to location of utility easements.
9. Coordinate with the Town of Horizon City with regard to any additional comments they may have.

**El Paso 9-1-1 District:**

On January 14, 2020, the following review comment/concern was received:

1. Street names as proposed on plat appear as duplicate names. In the event of an emergency, time could be lost trying to find which is the correct street even if streets are close together.

The City responded to the District's concern and informed them the City had requested new street names for the proposed Replat.

**Attachments:**

- 1 - Zoning Designation (Rezoned 6/12/18 to R-2)**
- 2 – Aerial**
- 3 - Plat Location Map**
- 4 – Preliminary and Final Plats**
- 5 – Application**

**Attachment 1: Zoning Designation**

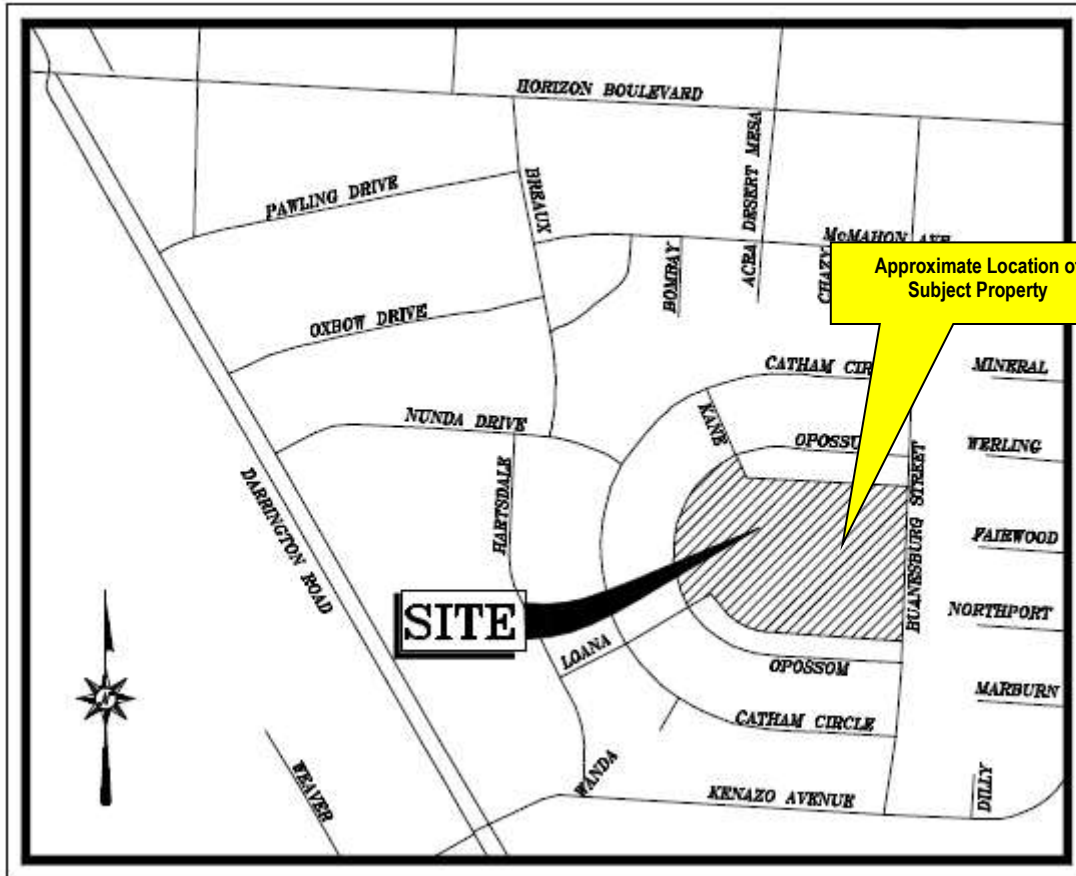


**Attachment 2: Aerial**



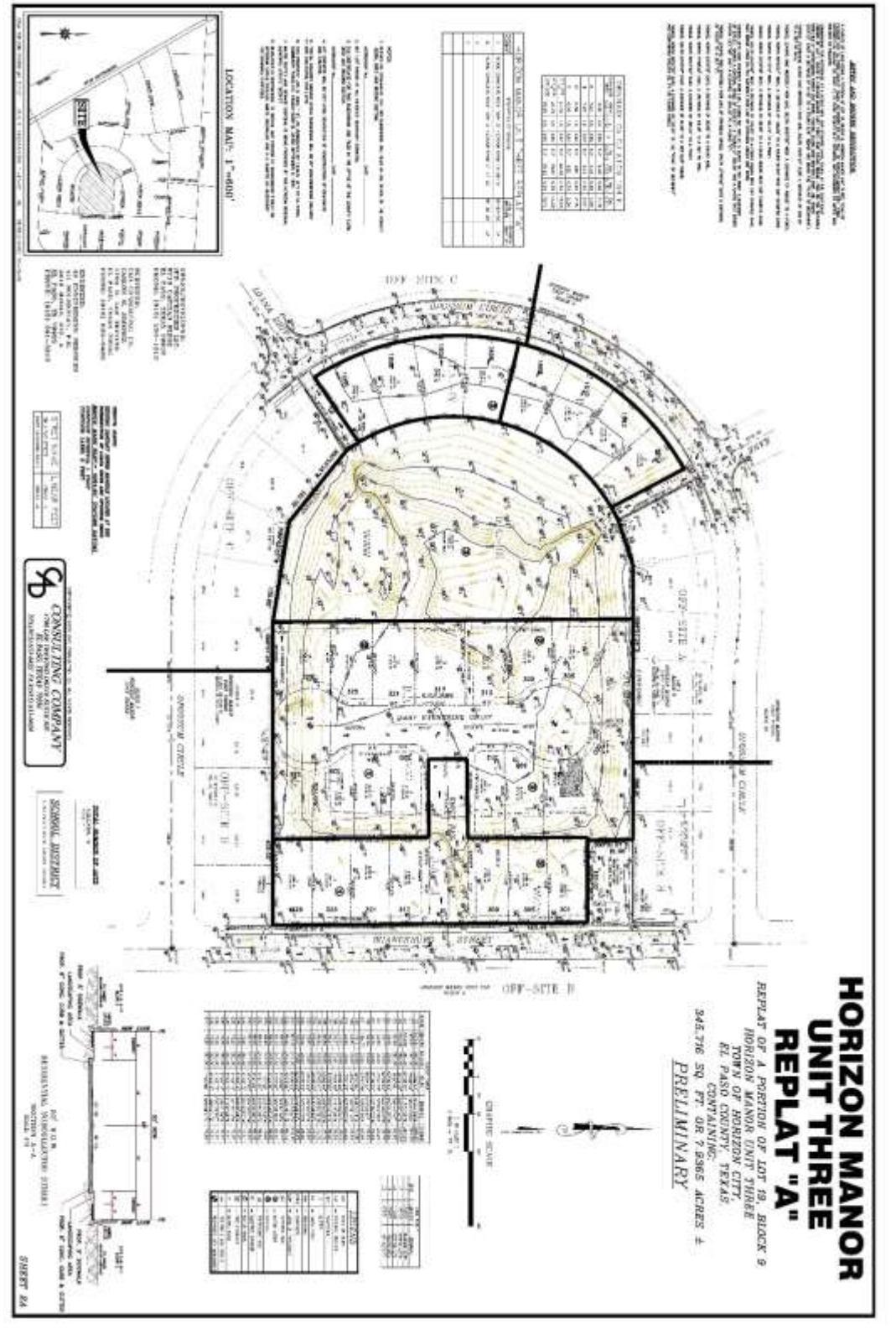
**Attachment 3: Location Map**

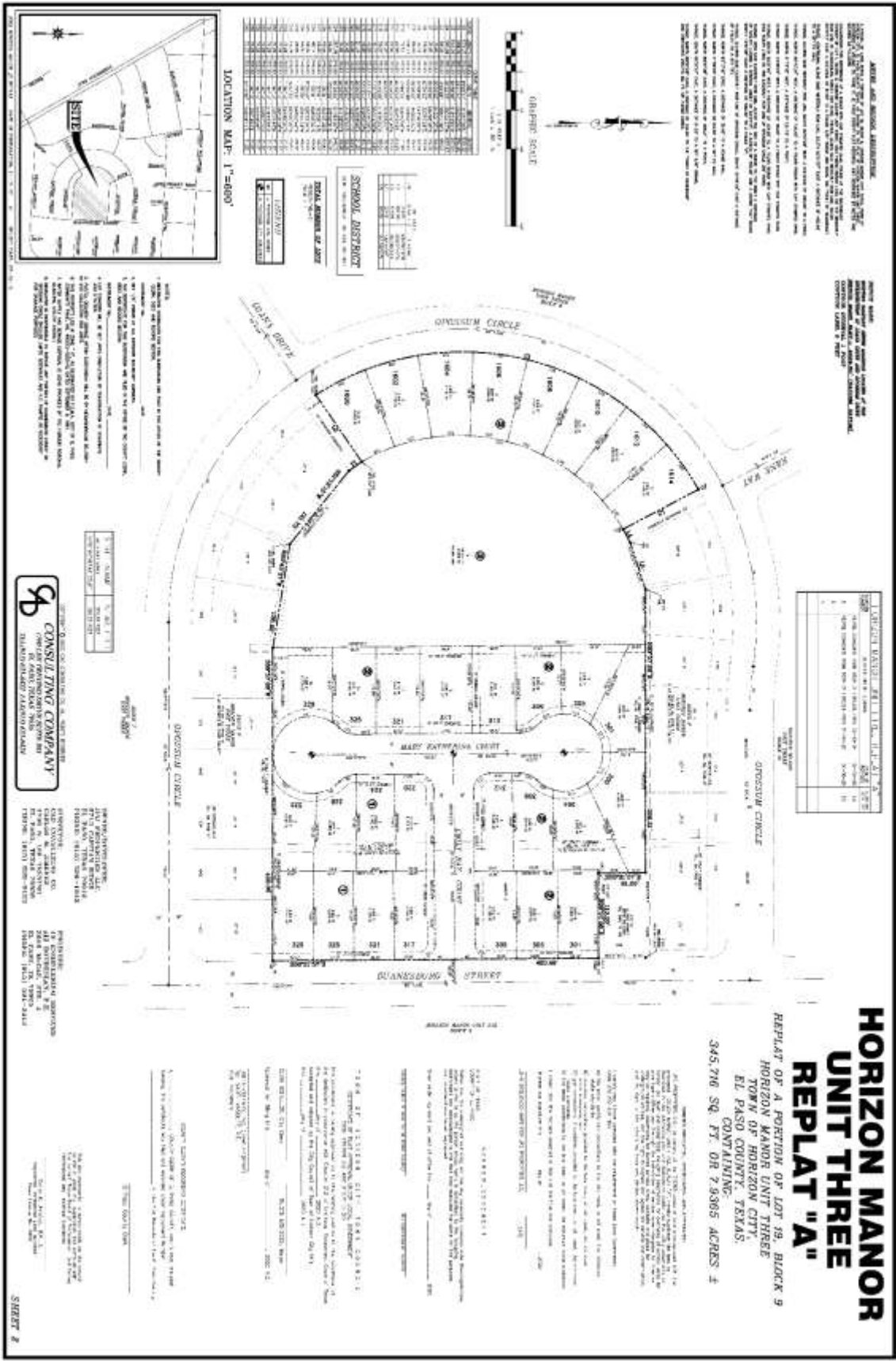
**LOCATION MAP: 1"=600'**



JOB# HORIZON MANOR #3 REPLAT DATE OF PREPARATION: 11-17-17 ML

**Attachment 4 – Revised 1/16/2020 - Preliminary and Final Plats**





**Attachment 5: Application**



**TOWN OF HORIZON CITY**  
 14999 Darrington Road  
 Horizon City, Texas 79928  
 Phone 915-852-1046 Fax 915-852-1005

**REPLAT APPLICATION**

SUBDIVISION ASSIGNED NAME HORIZON MANOR UNIT THREE REPLAT A DATE \_\_\_\_\_

1 LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.)  
PORTION OF LOT 19, BLOCK 9, HORIZON MANOR UNIT THREE

2 PROPERTY LAND USES

	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	_____	<u>31</u>	OFFICE	_____	_____
DUPLEX	_____	_____	STREET & ALLEY	_____	_____
APARTMENT	_____	_____	PONDING & DRAINAGE	<u>2.4206</u>	<u>1</u>
MOBILE HOME	_____	_____	INSTITUTIONAL	_____	_____
P.U.D.	_____	_____	OTHER	_____	_____
PARK	_____	_____	_____	_____	_____
SCHOOL	_____	_____	_____	_____	_____
COMMERCIAL	_____	_____	TOTAL NO. SITES	_____	<u>31</u>
INDUSTRIAL	_____	_____	TOTAL (GROSS) ACREAGE	_____	_____

3 WHAT IS THE EXISTING ZONING OF THE ABOVE DESCRIBED PROPERTY? R-2 PROPOSED ZONING \_\_\_\_\_

4 WILL THE RESIDENTIAL SITES, AS PROPOSED, PERMIT DEVELOPMENT IN FULL COMPLIANCE WITH ALL ZONING REQUIREMENTS OF THE EXISTING RESIDENTIAL ZONE(S)? YES  NO

5 WHAT TYPE OF UTILITY EASEMENTS ARE PROPOSED? UNDERGROUND  OVERHEAD  COMBINATION

6 WHAT TYPE OF DRAINAGE IS PROPOSED? (IF APPLICABLE LIST MORE THAN ONE) DRAIN TO POND

7 IF SINGLE-FAMILY OR DUPLEX DEVELOPMENT IS PROPOSED: AVERAGE FLOOR AREA OF HOUSES \_\_\_\_\_

8 PRICE RANGE \_\_\_\_\_ TO \_\_\_\_\_ FINANCED UNDER FHA  VA  CONVENTIONAL

9 ARE SPECIAL IMPROVEMENTS PROPOSED IN CONNECTION WITH THE DEVELOPMENT? YES  NO

10 IS A MODIFICATION OF ANY PORTION OF THE SUBDIVISION ORDINANCE PROPOSED? YES  NO

11 IF ANSWER IS "YES", PLEASE EXPLAIN THE NATURE OF THE MODIFICATION \_\_\_\_\_

12 WHAT TYPE OF LANDSCAPING IS PROPOSED? PARKWAY  MEDIANS  OTHER

13 REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES \_\_\_\_\_

14 WILL PLAT BE RECORDED PRIOR TO SUBDIVISION IMPROVEMENTS BEING COMPLETED & APPROVED? YES  NO  INITIALS EA

IF YES: PROVIDE THE REQUIRED GUARANTEE PER SECTION 4.10.3 & 8.17, ORD. #35 (ATTACH COPY)

15 WILL ANY RESTRICTIONS AND COVENANTS BE RECORDED WITH PLAT? YES  NO  INITIALS E.A. IF YES, PLEASE ATTACH COPY.

16 OWNER OF RECORD JPD PROPERTIES LLC 6713 CAPITAN RIDGE 250-1913

(NAME & ADDRESS) (ZIP) (PHONE)

17 OPTIONEE \_\_\_\_\_

(NAME & ADDRESS) (ZIP) (PHONE)

18 DEVELOPER \_\_\_\_\_

(NAME & ADDRESS) (ZIP) (PHONE)

19 ENGINEER US ENGINEERING SERVICES 3616 H. ABE 591-3312

(NAME & ADDRESS) (ZIP) (PHONE)

20 APPLICANT CAD CONSULTING CO. 1790 N. LEE TREVINO 633-6422

(NAME & ADDRESS) (ZIP) (PHONE)

**NOTE:** Applicant is responsible for all expenses incurred by the City in connection with the Final plat approval request, including but not limited to attorney's fees, engineering fees and publication. Charges will be invoiced separately. Initials \_\_\_\_\_

Applicant Signature [Signature] EMAIL [Email]

**APPLICATION MUST BE COMPLETE & VALIDATED PRIOR TO SUBDIVISION PROCESSING**

Acceptance of fee does not grant acceptance of application.

Non Refundable Deposit **\$800**, & Fees: **\$250** (\$100 Replat & \$150 Improvement Plan), Publishing Fee Deposit (if applicable): **\$250**

**METES AND BOUNDS DESCRIPTION**

A PARCEL OF LAND BEING A PORTION OF LOT 19, BLOCK 9, HORIZON MANOR UNIT THREE, TOWN OF HORIZON CITY, EL PASO COUNTY TEXAS, AS SHOWN ON THE PLAT OF HORIZON MANOR UNIT THREE, RECORDED IN VOLUME 35, PAGE 17, EL PASO COUNTY PLAT RECORDS, AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING FOR REFERENCE AT A REBAR WITH CAP STAMPED 2449, FOUND AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 9, HORIZON MANOR UNIT THREE, SAID FOUND REBAR LYING ON THE WESTERLY ROW LINE OF DUANESBURG STREET (60' ROW); THENCE, ALONG SAID WESTERLY ROW LINE, SOUTH 00°31'57" EAST A DISTANCE OF 61.00' TO A FOUND 5/8" REBAR AND BEING THE "POINT OF BEGINNING"; THENCE, CONTINUING ALONG SAID WESTERLY ROW LINE, SOUTH 00°31'57" EAST A DISTANCE OF 420.49' TO A SET PK NAIL;

THENCE, LEAVING SAID WESTERLY ROW LINE, SOUTH 89°57'28" WEST A DISTANCE OF 405.00' TO A POINT;

THENCE, NORTH 80°43'37" WEST, A DISTANCE OF 135.92' TO A FOUND REBAR WITH CAP STAMPED 2449;

THENCE, NORTH 91°13'15" WEST, A DISTANCE OF 121.73' TO A POINT;

THENCE, NORTH 34°28'18" WEST, A DISTANCE OF 20.00' TO A FOUND REBAR WITH CAP STAMPED 2449;

THENCE, SOUTH 55°14'42" WEST, A DISTANCE OF 105.00' TO A FOUND REBAR WITH CAP STAMPED 2449, SAID REBAR LYING ON THE EASTERLY ROW LINE OF OPOSSUM CIRCLE (60' ROW);

THENCE, WITH SAID EASTERLY ROW LINE, ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 570.37', HAVING A CENTRAL ANGLE OF 93°22'17", A RADIUS OF 350.00' AND A CHORD THAT BEARS NORTH 13°51'05" EAST A DISTANCE OF 509.32' TO A FOUND "X";

THENCE, LEAVING SAID EASTERLY ROW LINE OF OPOSSUM CIRCLE, SOUTH 27°49'42" EAST A DISTANCE OF 110.01' TO A SET "X";

THENCE, NORTH 62°10'18" EAST, A DISTANCE OF 20.00' TO A FOUND NAIL;

THENCE, NORTH 71°58'22" EAST, A DISTANCE OF 63.39' TO A SET PK NAIL;

THENCE, NORTH 89°57'28" EAST, A DISTANCE OF 366.21' TO A POINT;

THENCE, SOUTH 00°31'57" EAST, A DISTANCE OF 61.00' TO A SET 5/8" REBAR;

THENCE, NORTH 89°57'28" EAST, A DISTANCE OF 110.00' TO THE "POINT OF BEGINNING" AND CONTAINING 345,716 SQ. FT. OR 7.9365 ACRES ±.

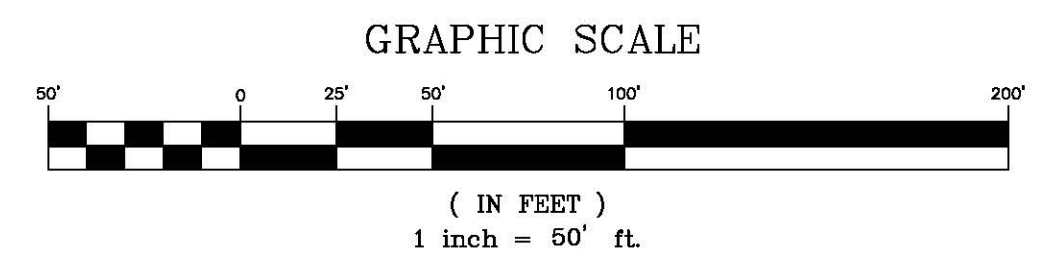
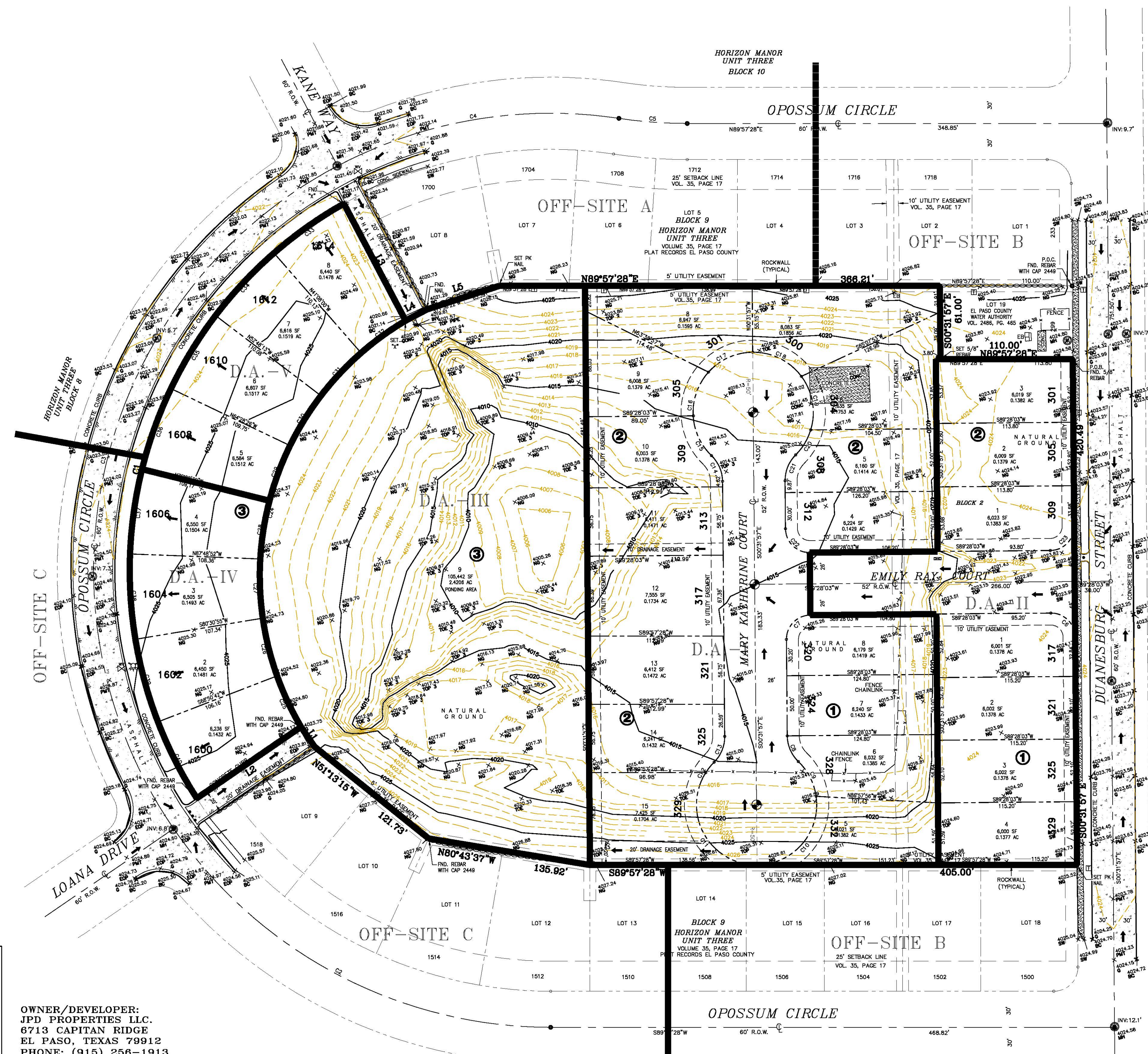
# HORIZON MANOR UNIT THREE REPLAT "A"

REPLAT OF A PORTION OF LOT 19, BLOCK 9 HORIZON MANOR UNIT THREE TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS. CONTAINING: 345,716 SQ. FT. OR 7.9365 ACRES ± **PRELIMINARY**

DRAINAGE AREA	AREA (Acres)	Tc (min)	C (ft/hr)	Im (in/hr)	Q <sub>100</sub> (cfs)	Q <sub>50</sub> (cfs)	Q <sub>25</sub> (cfs)
I	3.09	4.0	0.60	5.31	9.84	6.34	11.78
II	1.23	4.0	0.60	5.31	3.92	6.34	4.69
III	2.42	4.0	0.33	5.31	4.24	6.34	5.07
IV	0.59	4.0	0.60	5.31	1.88	6.34	2.25
V	0.60	4.0	0.60	5.31	1.92	6.34	2.29
OFF-SITE	14.66	4.0	0.60	5.31	46.68	6.34	55.80
OFF-SITE	24.78	4.0	0.60	5.31	78.89	6.34	94.29
OFF-SITE	18.60	4.0	0.60	5.31	59.22	6.34	70.79

REVISION NUMBER	DESCRIPTION OF REVISION	DATE OF REVISION	REVISION DONE BY
1.	REVISE COMMENTS FROM TOWN OF HORIZON FROM 12-30-19	01-03-20	EA
2.	REVISE COMMENTS FROM TOWN OF HORIZON FROM 01-07-20	01-08-20	EA
3.			
4.			

- NOTES:**
- RESTRICTIVE COVENANTS FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORD SECTION.
  - INSTRUMENT NO. \_\_\_\_\_ DATE \_\_\_\_\_
  - SET 1/2" REBAR AT ALL EXTERIOR BOUNDARY CORNERS.
  - TAX CERTIFICATE FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORD SECTION.
  - INSTRUMENT NO. \_\_\_\_\_ DATE \_\_\_\_\_
  - LOT CORNERS WILL BE SET UPON COMPLETION OF CONSTRUCTION OF ROADWAYS AND UTILITIES.
  - POSTAL DELIVERY SERVICE WITHIN SUBDIVISION WILL BE BY NEIGHBORHOOD DELIVERY AND COLLECTION BOX UNITS.
  - THIS PROPERTY LIES IN ZONE "X", AS DESIGNATED BY F.E.M.A.; CITY OF EL PASO, COMMUNITY PANEL NO. 480212-0250-B, DATED SEPTEMBER 9, 1991.
  - WATER SUPPLY AND SEWAGE DISPOSAL IS BEING PROVIDED BY THE HORIZON REGIONAL MUNICIPAL UTILITY DISTRICT
  - DEVELOPER IS RESPONSIBLE TO REPAVE ANY PORTION OF DUANESBURG STREET OR OPOSSUM CIRCLE (INCLUDE LIMITS, SIDEWALKS AND H.C. RAMPS) AS NECESSARY FOR DRAINAGE PURPOSES.

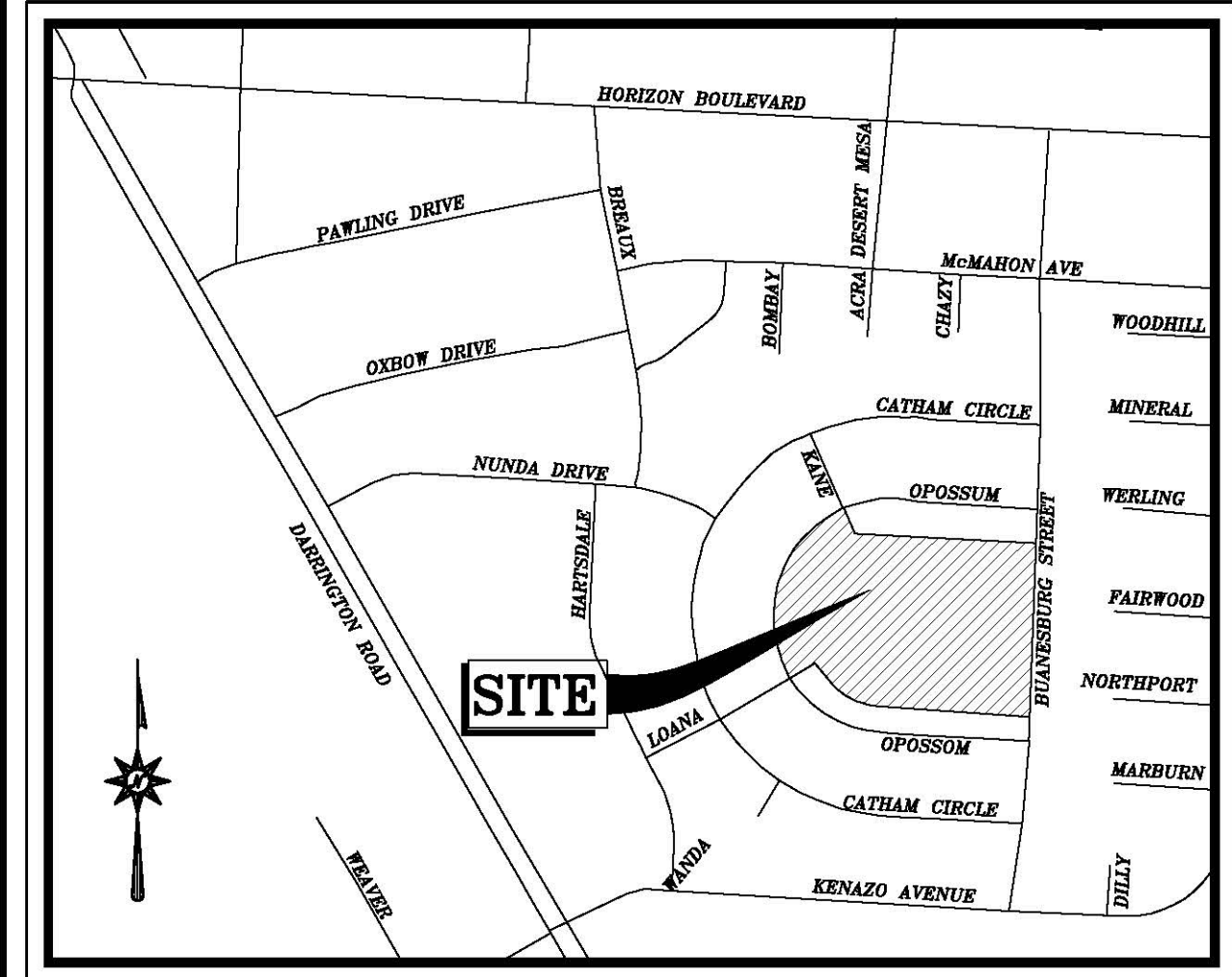


CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	570.37	350.00	93°22'17"	N13°51'05"E	509.32
C2	368.56	380.00	55°34'14"	S62°19'29"E	354.28
C3	640.96	380.00	86°38'36"	S13°31'00"W	587.64
C4	241.26	380.00	36°22'38"	S80°21'37"W	237.23
C5	56.98	380.00	8°32'28"	S85°44'48"E	56.93
C6	31.42	20.00	90°00'00"	N45°31'37"W	28.28
C7	31.42	20.00	90°00'00"	S44°28'03"W	28.28
C8	23.86	30.00	45°34'23"	S23°19'08"E	23.24
C9	33.15	50.00	37°58'58"	N27°08'52"W	32.54
C10	85.59	50.00	98°43'22"	N40°55'02"E	76.52
C11	106.77	50.00	122°20'38"	S28°52'3"E	87.61
C12	11.12	50.00	12°44'20"	S38°40'16"W	11.09
C13	23.86	30.00	45°34'23"	N27°15'14"E	23.24
C14	23.86	30.00	45°34'23"	N23°19'08"W	23.24
C15	37.27	50.00	42°42'28"	S24°45'07"E	36.41
C16	39.57	50.00	45°20'29"	S19°18'20"W	38.54
C17	41.37	50.00	47°31'28"	S85°42'19"W	40.29
C18	46.89	50.00	53°43'44"	N63°40'05"W	45.19
C19	46.89	50.00	53°43'44"	N09°28'11"E	45.19
C20	24.54	50.00	28°08'55"	N30°58'58"E	24.29
C21	23.86	30.00	45°34'23"	S22°15'14"W	23.24
C22	31.42	20.00	90°00'00"	S45°31'57"E	28.28
C23	31.42	20.00	90°00'00"	N44°28'03"W	28.28
C24	387.36	246.60	90°00'00"	S14°23'55"W	348.75
C25	46.85	246.60	10°53'08"	S25°09'31"E	46.78
C26	49.56	246.60	11°30'51"	S13°57'32"E	49.47
C27	49.33	246.60	11°27'41"	S22°28'18"E	49.25
C28	49.14	246.60	11°25'01"	S08°58'05"W	49.06
C29	48.99	246.60	11°22'59"	S20°22'05"W	48.91
C30	48.90	246.60	11°21'39"	S31°44'24"W	48.82
C31	48.85	246.60	11°21'05"	S43°55'46"W	48.76
C32	45.74	246.60	10°57'35"	S44°30'07"W	45.67
C33	71.29	350.00	11°40'13"	S54°42'07"W	71.17
C34	71.29	350.00	11°40'13"	S43°01'54"W	71.17
C35	71.29	350.00	11°40'13"	S31°21'41"W	71.17
C36	71.29	350.00	11°40'13"	S19°41'28"W	71.17
C37	71.29	350.00	11°40'13"	S08°01'15"W	71.17
C38	71.29	350.00	11°40'13"	S03°38'58"E	71.17
C39	71.29	350.00	11°40'13"	S1°19'11"E	71.17
C40	71.35	350.00	11°40'46"	S28°59'41"E	71.22

LINE	LENGTH	BEARING
L1	20.00	N34°28'18"W
L2	105.00	S55°31'42"W
L3	110.01	S72°48'42"E
L4	20.00	N8°10'18"E
L5	63.39	N71°56'22"E

BC	= BACK OF CURB
NG	= NATURAL GROUND
PMT	= PAVEMENT
G	= GUTTER
FP	= FENCE POST
RW	= ROCKWALL
CONC	= CONCRETE
EOP	= EDGE OF PAVEMENT
EB	= ELECTRIC BOX
WM	= WATER METER
MH	= MANHOLE
TB	= TELEPHONE BOX
EV	= ELECTRIC VALVE
WV	= WATER VALVE
FM	= FIRE HYDRANT
GP	= GUARD POST
MB	= PROPOSED MAIL BOXES
CC	= PROPOSED CITY MONUMENT

LOCATION MAP: 1"=600'



OWNER/DEVELOPER:  
JPD PROPERTIES LLC.  
6713 CAPITAN RIDGE  
EL PASO, TEXAS 79912  
PHONE: (915) 256-1913

SURVEYOR:  
CAD CONSULTING CO.  
CARLOS M. JIMENEZ  
1790 N. LEE TREVINO  
EL PASO, TEXAS 79936  
PHONE: (915) 633-6422

ENGINEER:  
4S ENGINEERING SERVICES  
ALI BOURESLAN, P.E.  
3616 McRAE, STE. A  
EL PASO, TX 79925  
PHONE: (915) 591-3312

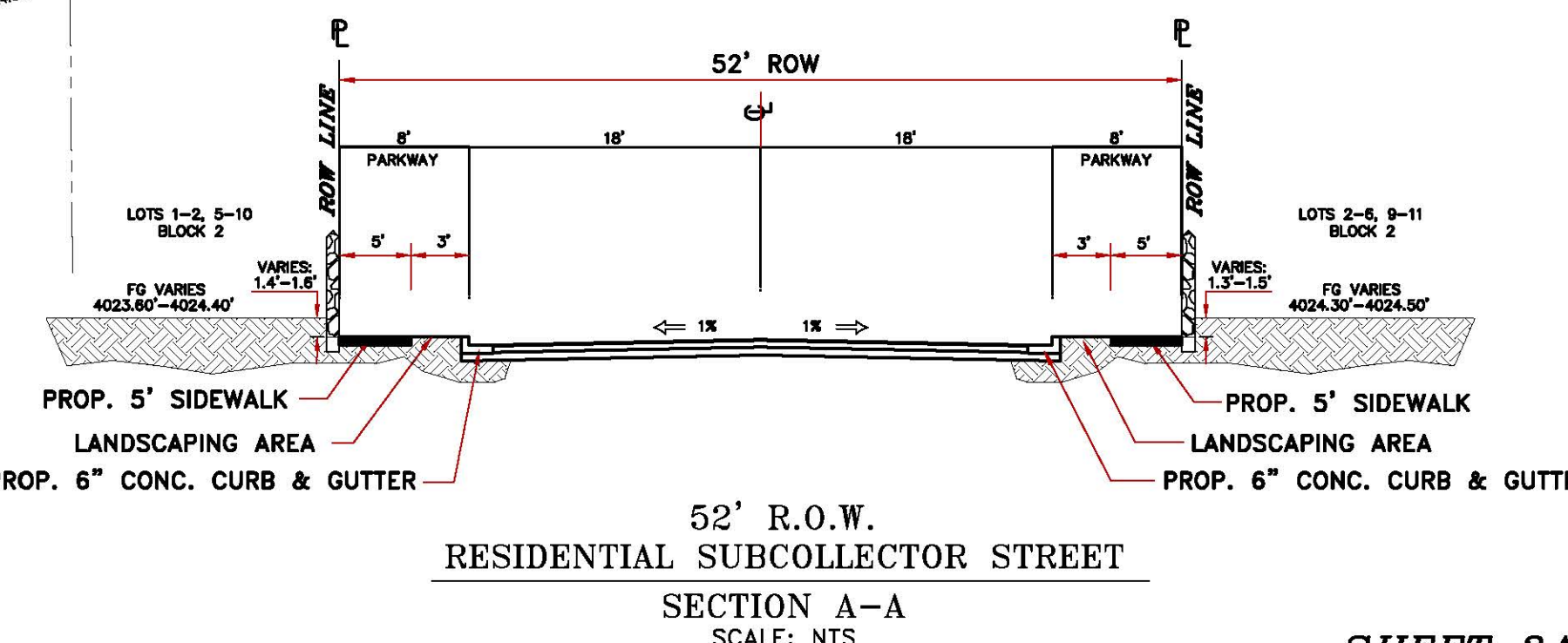
BENCH MARK:  
EXISTING SANITARY SEWER MANHOLE LOCATED AT THE INTERSECTION OF LOANA DRIVE AND OPOSSUM DRIVE  
BENCH MARK ELEV. = 4024.60' (NAVD88 DATUM)  
CONTOUR INTERVAL 1 FOOT  
CONTOUR LABEL 5 FEET

STREET NAME	LINEAR FEET
EMILY RAY STREET	266.00 FEET
MARY KATHERINE COURT	326.33 FEET

CONSULTING COMPANY  
1790 LEE TREVINO DRIVE SUITE 503  
EL PASO, TEXAS 79936  
TEL(915) 633-6422 FAX(915) 633-6424

TOTAL NUMBER OF LOTS  
RESIDENTIAL=31  
POND = 1

SCHOOL DISTRICT  
CLINT INDEPENDENT SCHOOL DISTRICT



# HORIZON MANOR UNIT THREE REPLAT "A"

REPLAT OF A PORTION OF LOT 19, BLOCK 9 HORIZON MANOR UNIT THREE TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS. CONTAINING: 345,716 SQ. FT. OR 7.9365 ACRES ±

REVISION NUMBER	DESCRIPTION OF REVISION	DATE OF REVISION	REVISION DONE BY
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2.	REVISE COMMENTS FROM TOWN OF HORIZON FROM 01-07-20	01-08-20	EA
3.			
4.			

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THENCE, LEAVING SAID WESTERLY ROW LINE, SOUTH 89°57'28" WEST A DISTANCE OF 405.00' TO A POINT;

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THENCE, WITH SAID EASTERLY ROW LINE, ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 570.37', HAVING A CENTRAL ANGLE OF 83°22'17", A RADIUS OF 350.00' AND A CHORD THAT BEARS NORTH 13°51'05" EAST A DISTANCE OF 508.32' TO A FOUND "X";

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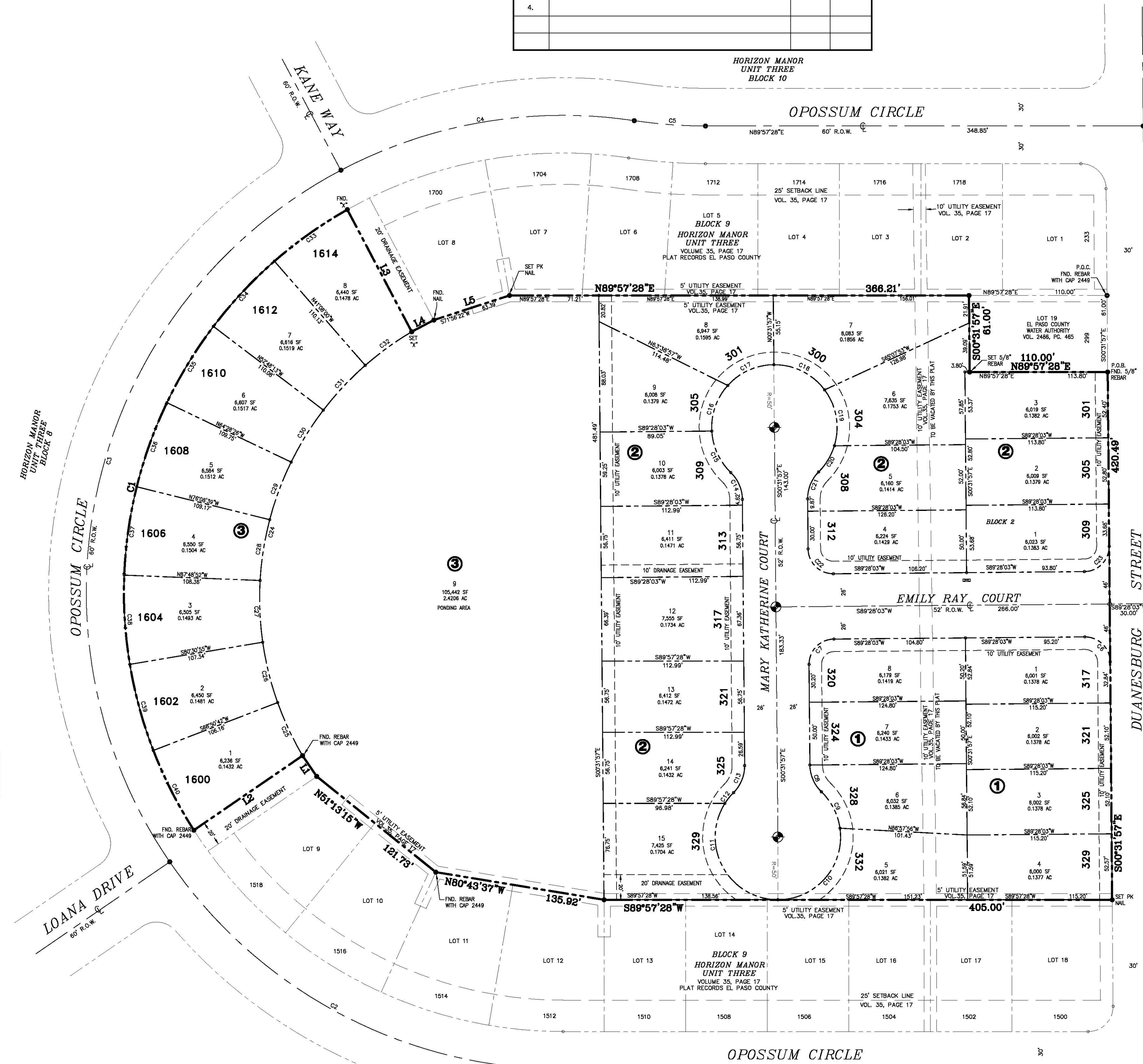
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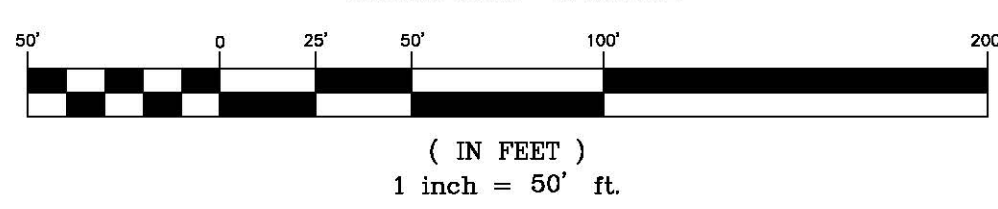
THENCE, NORTH 89°57'28" EAST, A DISTANCE OF 110.00' TO THE "POINT OF BEGINNING" AND CONTAINING 345,716 SQ. FT. OR 7.9365 ACRES.

### BENCH MARK

EXISTING SANITARY SEWER MANHOLE LOCATED AT THE INTERSECTION OF LOANA DRIVE AND OPOSSUM DRIVE BENCH MARK ELEV. - 4024.80' (NAVD83 DATUM) CONTOUR INTERVAL 1 FOOT CONTOUR LABEL 6 FEET



### GRAPHIC SCALE



CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	570.37	350.00	83°22'17"	N13°51'05"E	509.32
C2	368.56	380.00	55°34'14"	S82°15'25"E	354.28
C3	640.98	380.00	89°38'36"	S13°31'00"W	567.64
C4	241.26	380.00	38°22'38"	S80°21'37"W	237.23
C5	56.98	380.00	8°35'28"	S85°44'48"E	56.93
C6	31.42	20.00	90°00'00"	N45°31'57"W	28.28
C7	31.42	20.00	90°00'00"	S44°28'03"E	28.28
C8	23.86	30.00	45°34'23"	S23°19'08"E	23.24
C9	33.15	50.00	37°58'56"	N27°06'52"W	32.54
C10	85.59	50.00	88°04'52"	N40°35'02"E	75.52
C11	106.77	50.00	122°20'38"	S28°52'13"E	87.61
C12	11.12	50.00	124°42'00"	S88°40'18"W	11.09
C13	23.86	30.00	45°34'23"	N22°15'14"E	23.24
C14	23.86	30.00	45°34'23"	N23°19'08"W	23.24
C15	37.27	50.00	42°42'25"	S24°43'07"E	36.41
C16	35.97	50.00	45°02'09"	S13°18'20"W	36.54
C17	41.37	50.00	47°31'28"	S85°42'19"W	40.29
C18	46.89	50.00	53°43'44"	N8°34'05"W	45.19
C19	46.89	50.00	53°43'44"	N09°58'21"W	45.19
C20	24.54	50.00	28°08'56"	N30°58'58"E	24.29
C21	23.86	30.00	45°34'23"	S23°15'14"W	23.24
C22	31.42	20.00	90°00'00"	S45°31'57"E	28.28
C23	31.42	20.00	90°00'00"	N44°28'03"E	28.28
C24	387.36	246.60	90°00'00"	S14°23'55"W	348.75
C25	46.85	246.60	105°33'08"	S22°03'11"E	46.78
C26	49.56	246.60	110°30'51"	S13°57'32"E	49.47
C27	49.33	246.60	112°7'41"	S02°28'16"E	49.25
C28	49.14	246.60	112°51'01"	S08°38'05"W	49.06
C29	48.89	246.60	112°23'08"	S20°22'05"W	48.91
C30	48.90	246.60	112°13'39"	S31°44'24"W	48.82
C31	48.86	246.60	112°10'06"	S43°05'46"W	48.78
C32	45.74	246.60	109°37'35"	S54°05'07"W	45.67
C33	71.29	350.00	114°01'13"	S84°42'07"W	71.17
C34	71.29	350.00	114°01'13"	S43°01'54"W	71.17
C35	71.29	350.00	114°01'13"	S31°21'41"W	71.17
C36	71.29	350.00	114°01'13"	S19°41'28"W	71.17
C37	71.29	350.00	114°01'13"	S08°01'15"W	71.17
C38	71.29	350.00	114°01'13"	S03°38'58"W	71.17
C39	71.29	350.00	114°01'13"	S15°19'11"E	71.17
C40	71.35	350.00	114°01'48"	S26°59'41"E	71.22

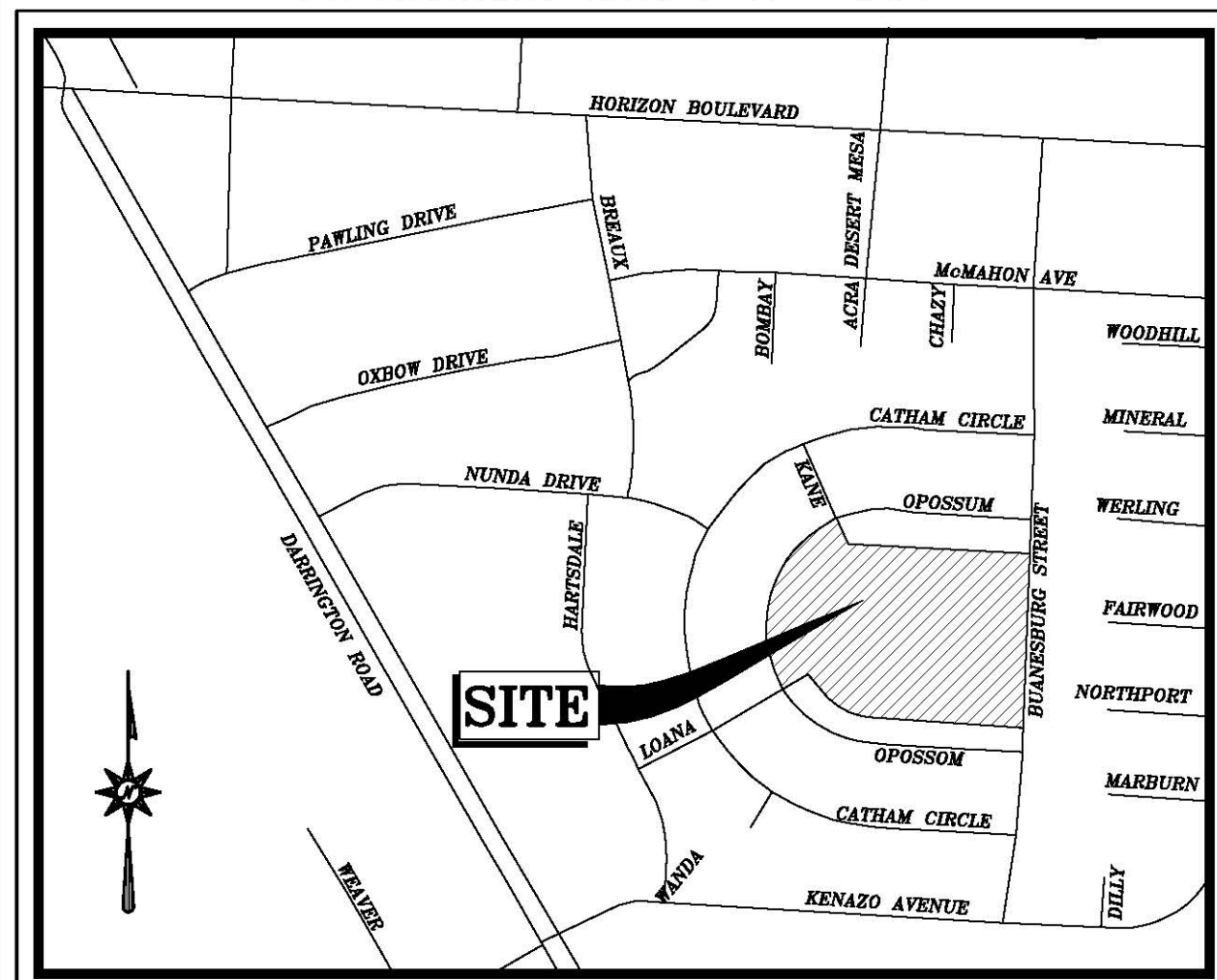
LINE	LENGTH	BEARING
L1	20.00	N34°28'18"W
L2	105.00	S55°31'42"W
L3	110.01	S27°49'42"E
L4	20.00	N62°10'18"E
L5	63.39	N71°56'22"E

**SCHOOL DISTRICT**  
CLINT INDEPENDENT SCHOOL DISTRICT

**TOTAL NUMBER OF LOTS**  
RESIDENTIAL=31  
POND = 1

LEGEND	
	= PROPOSED MAIL BOXES
	= PROPOSED CITY MONUMENT

### LOCATION MAP: 1"=600'



### NOTES:

- RESTRICTIVE COVENANTS FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORD SECTION.
- SET 1/2" REBAR AT ALL EXTERIOR BOUNDARY CORNERS.
- TAX CERTIFICATE FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORD SECTION.
- LOT CORNERS WILL BE SET UPON COMPLETION OF CONSTRUCTION OF ROADWAYS AND UTILITIES.
- POSTAL DELIVERY SERVICE WITHIN SUBDIVISION WILL BE BY NEIGHBORHOOD DELIVERY AND COLLECTION BOX UNITS.
- THIS PROPERTY LIES IN ZONE "X", AS DESIGNATED BY F.E.M.A.; CITY OF EL PASO, COMMUNITY PANEL NO. 480212-0250-B, DATED SEPTEMBER 9, 1991.
- WATER SUPPLY AND SEWAGE DISPOSAL IS BEING PROVIDED BY THE HORIZON REGIONAL MUNICIPAL UTILITY DISTRICT.
- DEVELOPER IS RESPONSIBLE TO REPAVE ANY PORTION OF DUANESBURG STREET OR OPOSSUM CIRCLE (INCLUDE LIMITS, SIDEWALKS AND H.C. RAMPS) AS NECESSARY FOR DRAINAGE PURPOSES.

STREET NAME	LINEAR FEET
EMILY RAY STREET	286.00 FEET
MARY KATHERINE COURT	326.33 FEET

OWNER/DEVELOPER:  
JPD PROPERTIES LLC.  
6713 CAPITAN RIDGE  
EL PASO, TEXAS 79912  
PHONE: (915) 256-1913

SURVEYOR:  
CAD CONSULTING CO.  
CARLOS M. JIMENEZ  
1790 N. LEE TREVINO  
EL PASO, TEXAS 79936  
PHONE: (915) 633-6422

ENGINEER:  
4S ENGINEERING SERVICES  
ALI BOURESLAN, P.E.  
3616 McRAE, STE. A  
EL PASO, TX 79925  
PHONE: (915) 581-3312

CONSULTING COMPANY  
1790 LEE TREVINO DRIVE, SUITE 503  
EL PASO, TEXAS 79936  
TEL(915) 633-6422 FAX(915) 633-6424

OWNER'S DEDICATION, CERTIFICATION AND ATTESTATION

JPD PROPERTIES LLC, as owners of the 7.9365 acres of land encompassed with the proposed HORIZON MANOR UNIT THREE, REPLAT "A", hereby subdivide the land as described in this subdivision plat and dedicate to public use the utility easements as hereon laid out and designated, including easements for overhead of service wires for pole type utilities and the right for installation of service poles alongside lot lines as may be required, easements for buried service wires, conduits and pipes for underground utilities, and the right to ingress and egress for service and construction, and the right to trim interfering trees and shrubs, shown herein.

I certify that I have complied with the requirement of Texas Local Government Code 232.032 and that:

- the water quality and connections to the lots meet, or will meet, the minimum state standards;
- electrical connections provided to the lots meet, or will meet, the minimum state standards; and
- gas connections, if available, provided to the lots meet, or will meet, the minimum state standards;

D) the sewer connections to the lots meet, or will meet, the minimum state standards.

I attest that the matters asserted in this plat are true and complete.

Witness our signature this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

JOHN DESLONGCHAMPS FOR JPD PROPERTIES LLC. DATE \_\_\_\_\_

STATE OF TEXAS COUNTY OF EL PASO

Before me, the undersigned authority, on this day personally appeared John Deslongchamps, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations herein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Notary Public in and for El Paso County. My Commission Expires \_\_\_\_\_

TOWN OF HORIZON CITY TOWN COUNCIL  
CERTIFICATE OF PLAT APPROVAL UNDER LOCAL GOVERNMENT CODE 212.009 (c) AND 212.015 (b)

This subdivision is hereby approved as to the platting and as to the conditions of the dedication in accordance with Chapter 212 of the local Government Code of Texas this \_\_\_\_\_ day of \_\_\_\_\_, 2020 A.D.

Accepted and adopted by the City Council of Town of Horizon City this \_\_\_\_\_ day of \_\_\_\_\_, 2020 A.D.

ELVIA SCHULLER, City Clerk RUBEN MENDOZA, Mayor

Approved for filling this \_\_\_\_\_ day of \_\_\_\_\_, 2020 A.D.

HUITT-ZOLLARS, INC. (Town Engineer)  
By: ISABEL VASQUEZ, P.E.  
VICE PRESIDENT

COUNTY CLERK'S RECORDING CERTIFICATE

I, \_\_\_\_\_, COUNTY CLERK OF EL PASO COUNTY, certify that the plat bearing this certificate was filed and recorded under Instrument Number \_\_\_\_\_ in the Plat Records of the El Paso County.

El Paso County Clerk

This plat represents a survey made on the ground by me or under my supervision and complies with the current Texas Board of Professional Land Survey and Engineering Standards.

Carlos M. Jimenez, R.P.L.S.  
Registered Professional Land Surveyor  
Texas License No. 3950



**TOWN OF HORIZON CITY  
MEMORANDUM**

**Date:** August 7, 2020

**To:** Honorable Mayor and Members of City Council

**From:** Michelle Padilla, Planning Director

**SUBJECT:** On a request to accept the accepted roadway and drainage improvements as constructed with the Rancho Desierto Bello Unit 12 subdivision for maintenance and to accept the required maintenance bond.

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At the time that the City Council agenda is posted, the final inspection of the improvements will not have been completed. The Town Engineer's recommendation on whether to accept the improvements or not will be presented at the City Council meeting.

***History:***

On April 14, 2020, the City Council voted unanimously to approve of the final and recording plat applications for the Rancho Desierto Bello subdivision.

The applicant resubmitted the final plat application in order to provide the required security for the recording of the plat prior to the completion of the subdivision improvements. A Construction Bond in the amount of \$647,353.49 was provided for the subdivision improvements. The Town Engineer reviewed and approved the amount.

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Attached for review is the staff report that was presented to the City Council on March 25, 2020.



**TOWN OF HORIZON CITY**  
**Planning and Zoning Commission Staff Report**  
**RE-SUBMITTAL**

**Case No.:** SUB-002440-2020 - Rancho Desierto Bello Unit Twelve  
**Application Type:** Final Plat  
**P&Z Hearing Date:** March 16, 2020  
**Staff Contact:** Michelle Padilla, Planning Director  
915-852-1046 ext.105; mpadilla@horizoncity.org

**Address/Location:** The vacant parcel is located to the west of Darrington Road, between the Ricardo Estrada Middle School driveway and LTV Road.

**Legal Description:** A portion of Leigh Clark Survey No. 297, Section 44, Block 78, Township 3 and Section 5, Block 78, Township 4, Texas and Pacific Railroad Company, Town of Horizon City, El Paso County, Texas

**Acreage:** Approximately 20.766 ± Acres

**Existing Use:** Vacant

**Existing Zoning:** R-9 (Residential)

**Owner:** SDC Development, LTD.  
**Applicant:** TRE & Associates, L.L.C.

**Surrounding Zoning and Land Use:**

**North:** R-9 (Residential) and County of El Paso (Horizon View Estates)  
**South:** County of El Paso – Horizon View Estates  
**East:** County of El Paso – Horizon View Estates  
**West:** R-2 (Residential) - Vacant

**Future Land Use Designation:** Single Family Detached Homes  
**Nearest Park:** Golden Eagle Park  
**Nearest School:** Ricardo Estrada Middle School

**Application Description:**

The proposed subdivision includes 72 lots for single-family residential development, the smallest lot measuring approximately 6,050 square feet and the largest lot measuring approximately 16,112 square feet in size. On February 20, 2020, a second final plat application was submitted as the applicant now requests to record the subdivision prior to improvements being completed. Such improvements are currently under construction. The applicant will be required to provide a performance bond based on the cost estimates for the remaining improvements as approved by the Public Works Director and Town Engineer.

The preliminary plat for this subdivision was recommended for approval by the Planning and Zoning Commission on October 15, 2018 and was approved by City Council on November 13, 2018. The first final plat application for this subdivision was recommended for approval by the Planning and Zoning Commission on April 15, 2019 and was approved by the City Council on May 14, 2019.

In accordance with Section 2.8.1 of the Subdivision Ordinance, the proposed subdivision is not adjoining to other properties, hence the developer qualifies to pay parkland fees in lieu of dedicating parkland. Fees in the amount of \$28,800 will be paid prior to the recording of the final plat.

**Staff Recommendation:**

Staff recommends *approval* of the proposed final plat with the following condition:

1. All comments are shall be addressed prior to City Council action.

**Planning Comments:**

1. Based on the estimated number of total lots at full build out, a second point of access will be required. A Traffic Impact Analysis is requested for the entire development. On February 27, 2020 staff and the Town Engineer met with the developer to coordinate and discuss the scope for the required TIA. The TIA will be required to be submitted prior to or with the final plat application for Rancho Desierto Bello Unit 13.
2. Please submit CCR for review as noted on plat note #8.
3. Remove plat note #12. The dedication statement accounts for the improvements being dedicated to the City for maintenance.
4. Plat notes 10 and 11 have references to “Lot” and such references need to be corrected to read “Lots” where applicable.
5. An Original Tax Certificate will be required with the Recording Plat application.
6. Parkland Fees in lieu of parkland dedication are estimated at **\$28,800**. Fees are required to be paid prior to filing plat.
7. Please list all revision dates on the face of the submitted revised plat
8. All comments shall be addressed prior to City Council action. In order to provide the City with the 15 day review period in accordance with the Texas Local Government Code, it is recommended that the Developer submit revised plats and/or additional documentation by no later than **March 26, 2020**.

**Public Works Director Comments:**

On February 25, 2020 the PW Director states that previous review comments of 5/9/2019 have been addressed.

**Town Engineer Comments:**

On February 28, 2020 the following review comments were recommended by the engineer:

1. Label Point of Beginning (POB) on the plat.
2. There is a 4.5’ easement along Darrington. Does this easement provide sufficient space to maintain utilities.
3. According to preliminary evaluation, the development will generate more than 5000 trips with the completion of Unit 16. According to Chapter 10 Section 5.4.4,

a secondary access will be required. Provide a secondary access to development prior to improvement of Unit 16 (end of Phase II).

**Additional Requirements:**

Failure of the subdivider to submit a recording plat within twelve (12) months of approval of the final plat by the City Council will nullify the approval of the final plat and obligate the subdivider to reapply for preliminary plat approval should the subdivider wish to pursue the subdivision. (§4.11.2 Subdivision Municode Chapter 10)

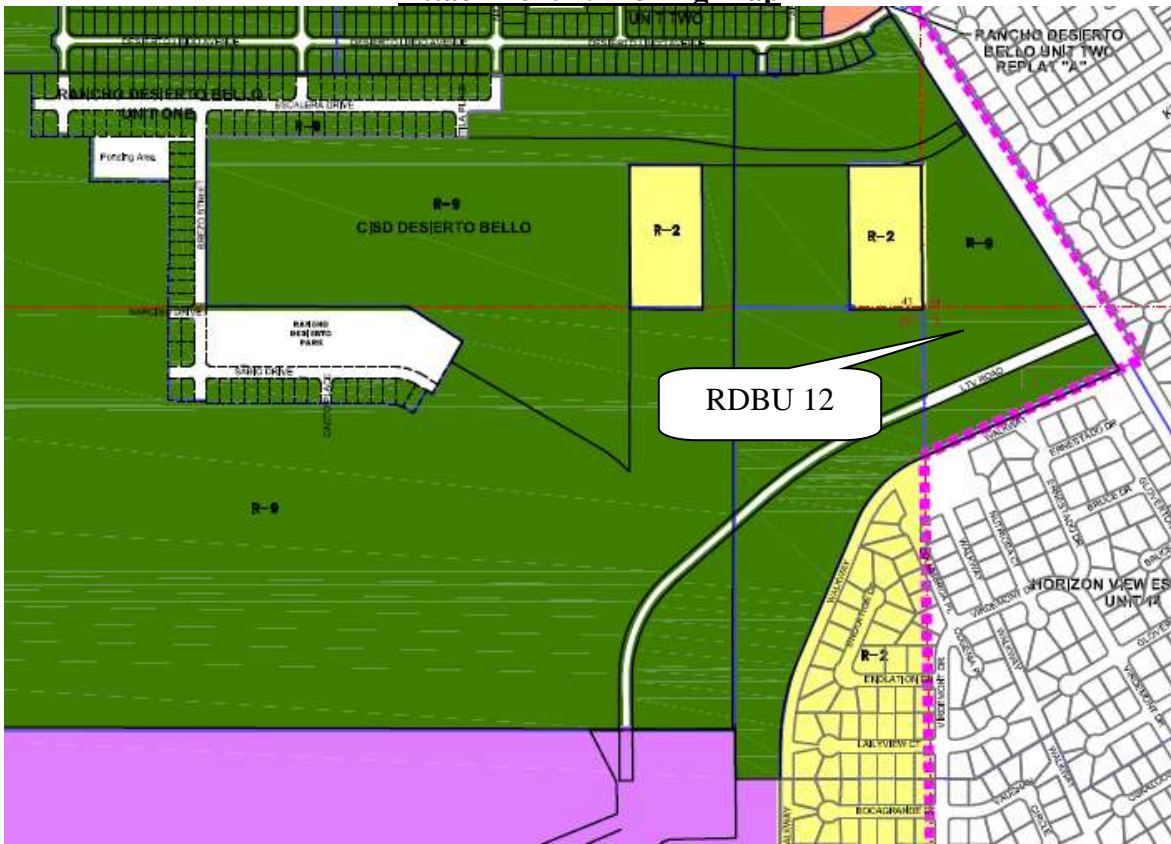
**Attachments:**

- 1 - Aerial**
- 2 - Zoning Map**
- 3 - Location Map**
- 4 –Final Plat**
- 5 – Final Plat Application**

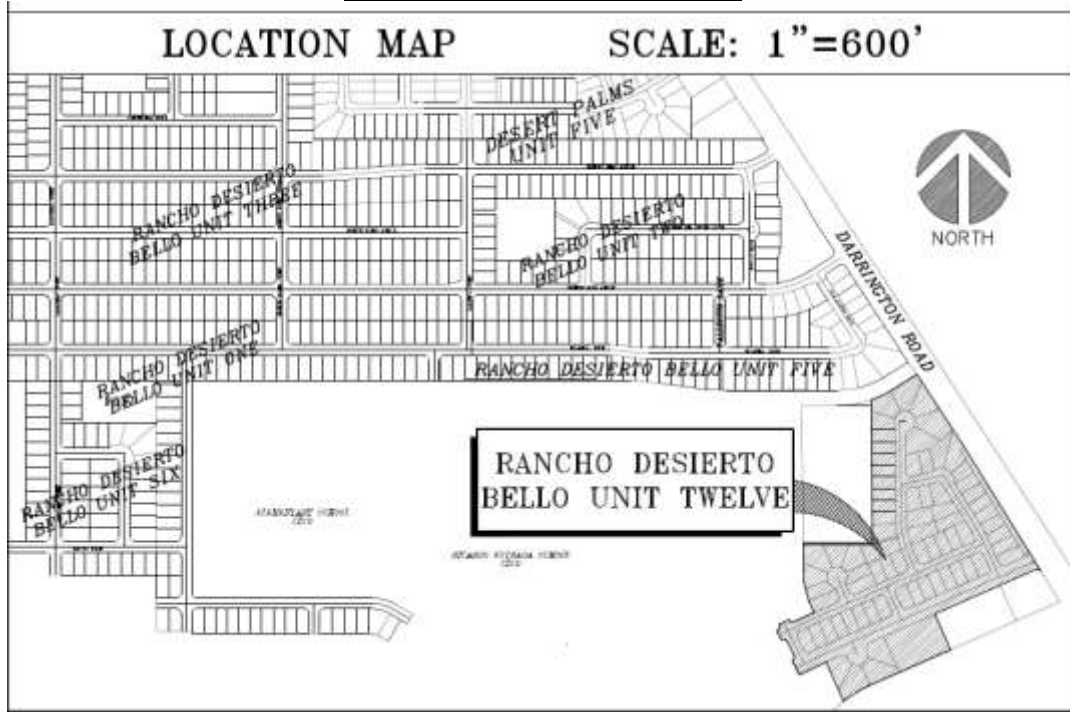
**Attachment 1: Aerial**



**Attachment 2: Zoning Map**



**Attachment 3- Location Map**



**Attachment 4- Final Plat**



## Attachment 5 - Application



**TOWN OF HORIZON CITY**  
 14999 Darrington Road  
 Horizon City, Texas 79928  
 Phone 915-852-1046 Fax 915-852-1005

### **MAJOR SUBDIVISION FINAL PLAT APPLICATION**

SUBDIVISION PROPOSED NAME: Rancho Desierto Bello Unit 12 SUBMITTAL DATE: 02/20/2020

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.)  
A PORTION OF LEIGHT CLARK SURVEY NO. 297 SECTION 44, BLOCK 78, TOWNSHIP 3, AND SECTION 5, BLOCK 78 TOWNSHIP 4, TEXAS AND PACIFIC RAILROAD COMPANY, TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS CONTAINING 20.766 ACRES +/-.
2. PROPERTY LAND USES:

	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	<u>13.102</u>	<u>72</u>	OFFICE		
DUPLEX			STREET & ALLEY	<u>6.514</u>	
APARTMENT			PONDING & DRAINAGE	<u>1.150</u>	<u>1</u>
MOBILE HOME			INSTITUTIONAL		
P.U.D.			OTHER		
PARK (Min 1 Acre)					
SCHOOL					
COMMERCIAL			TOTAL NO. SITES		<u>73</u>
INDUSTRIAL			TOTAL (GROSS) ACREAGE	<u>20.766</u>	

3. WHAT IS THE EXISTING ZONING OF THE PROPERTY DESCRIBED ABOVE? R-9 PROPOSED ZONING N/A
4. WILL THE RESIDENTIAL SITES, AS PROPOSED, PERMIT DEVELOPMENT IN FULL COMPLIANCE WITH ALL ZONING REQUIREMENTS OF THE EXISTING RESIDENTIAL ZONE(S)? YES  NO
5. WHAT TYPE OF UTILITY EASEMENTS ARE PROPOSED? UNDERGROUND  OVERHEAD  COMBINATION
6. WHAT TYPE OF DRAINAGE IS PROPOSED? (IF APPLICABLE LIST MORE THAN ONE) Underground storm sewer system to retention pond
7. IF SINGLE-FAMILY OR DUPLEX DEVELOPMENT IS PROPOSED: AVERAGE FLOOR AREA OF HOUSES N/A
8. ARE SPECIAL IMPROVEMENTS PROPOSED IN CONNECTION WITH THE DEVELOPMENT? YES  NO
9. IS A MODIFICATION OF ANY PORTION OF THE SUBDIVISION ORDINANCE PROPOSED? YES  NO   
 IF "YES", PLEASE LIST SECTION & EXPLAIN THE NATURE OF THE MODIFICATION
10. WHAT TYPE OF LANDSCAPING IS PROPOSED? PARKWAY  MEDIANS  OTHER  N/A
11. REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES: \_\_\_\_\_
12. WILL PLAT BE RECORDED PRIOR TO SUBDIVISION IMPROVEMENTS BEING COMPLETED & APPROVED?  YES  NO  N/A INITIALS RR  
 IF YES, submit REQUIRED GUARANTEE (SECTION 4.10.3 & 8.1.7, Municoda Chapter 10) OR Improvement Cost Estimates & Construction Agreement
13. WILL ANY RESTRICTIONS AND COVENANTS BE RECORDED WITH PLAT? YES  NO  INITIALS RR IF YES, PLEASE SUBMIT COPY.
14. OWNER OF RECORD SDC Development, LTD 7910 Gateway Blvd E, Suite 102, El Paso Tx 79915 lduran@desertviewhomes.com (915) 591-5319  
 (NAME & ADDRESS) (EMAIL) (PHONE)
15. DEVELOPER SDC Development, LTD 7910 Gateway Blvd E, Suite 102, El Paso Tx 79915 lduran@desertviewhomes.com (915) 591-5319  
 (NAME & ADDRESS) (EMAIL) (PHONE)
16. ENGINEER TRE & Associates, LLC 110 Mesa Park Drive, Suite 200 El Paso Tx 79912 rromero@tr-eng.com (915) 852-9093  
 (NAME & ADDRESS) (EMAIL) (PHONE)
17. APPLICANT TRE & Associates, LLC 110 Mesa Park Drive, Suite 200 El Paso Tx 79912 rromero@tr-eng.com (915) 852-9093  
 (NAME & ADDRESS) (EMAIL) (PHONE)
18. REP/POINT OF CONTACT Robert Romero -TRE & Associates, LLC 110 Mesa Park Drive, Suite 200 El Paso Tx 79912 rromero@tr-eng.com (915) 852-9093  
 (NAME & ADDRESS) (EMAIL) (PHONE)

**NOTE:** Applicant is responsible for all expenses incurred by the City in connection with the Final plat approval request, including but not limited to attorney's fees, engineering fees and publication. Charges exceeding deposit will be invoiced separately. Initials RR

Applicant Signature [Signature] EMAIL rromero@tr-eng.com

**APPLICATION MUST BE COMPLETE & VALIDATED PRIOR TO SUBDIVISION PROCESSING**  
 Acceptance of fee does not grant acceptance of application.  
 Non Refundable Deposit \$500.00 | Application Fee: \$150

# RANCHO DESIERTO BELLO UNIT TWELVE

A PORTION OF LEIGH CLARK SURVEY No. 297, SECTION 44, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILROAD COMPANY, AND A PORTION OF LTV ROAD, TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS. CONTAINING 20.765 ACRES ±

**PROPOSED LAND USE**  
RESIDENTIAL  
RESIDENTIAL LOTS = 72  
**SCHOOL DISTRICT**  
CLINT INDEPENDENT SCHOOL DISTRICT

### DEDICATION

SDC DEVELOPMENT, LTD., the owner of this land, does hereby present this map and dedicate their respective portions of property to the use of the public, the streets, drives, ponding area, drainage right-of-way, and utility easements as hereon laid down and designated, including easements for overhead of service wires for pole type utilities and the right for installation of service poles alongside lot lines as may be required, easements for buried service wires, conduits and pipes for underground utilities, and the right to ingress and egress for service and construction, and the right to trim interfering trees and shrubs.

We certify that all utilities have been or will be installed in accordance to requirements by the local utility companies and the Town of Horizon City.

We attest that the matters asserted in this plat are true and complete

Witness my signature this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

Doug Little, Chief Financial Officer  
SDC DEVELOPMENT, LTD.

### ACKNOWLEDGEMENT

STATE OF TEXAS  
COUNTY OF EL PASO

Before me, the undersigned authority, on this day personally appeared Doug Little, Chief Financial Officer, SDC DEVELOPMENT, LTD., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed for the purpose and consideration herein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

Notary Public in and for El Paso County, Texas My Commission Expires \_\_\_\_\_

### TOWN OF HORIZON CITY TOWN COUNCIL

This subdivision is hereby approved as to the platting and as to the conditions of the dedication in accordance with Chapter 212 of the Local Government Code of Texas, this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

Accepted and adopted by the City Council of Town of Horizon City this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

Elvia Schuller, City Clerk RUBEN MENDOZA, Mayor

Approved for filing this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

HUITT-ZOLLARS, INC. (Town Engineer)  
by Isabel Vasquez, P.E.,  
Vice President

### FILING

Filed and recorded in the office of the County Clerk of El Paso County, Texas, this \_\_\_\_\_ day of \_\_\_\_\_ 2020, in Volume \_\_\_\_\_ of the Plat Records,

Page \_\_\_\_\_, File No. \_\_\_\_\_

County Clerk \_\_\_\_\_ by Deputy \_\_\_\_\_

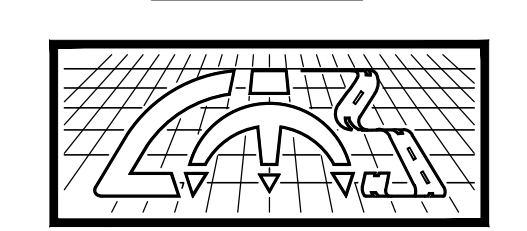
### PLAT NOTES AND RESTRICTIONS

- BEARINGS ARE BASED ON UNDERLYING DEEDS.
- = THIS SYMBOL REPRESENTS ALL PROPOSED STREET MONUMENTS LOCATIONS.
- DBD = THIS SYMBOL REPRESENTS U.S. POSTAL SERVICE COLLECTION BOX UNITS. POSTAL SERVICE WITHIN THE SUBDIVISION WILL BE PROVIDED USING NEIGHBORHOOD DELIVERY AND COLLECTION BOX UNITS.
- ACCORDING TO THE FEDERAL EMERGENCY MAPPING AGENCY, FLOOD INSURANCE RATE MAP, PANEL NO. 450212 0250B, DATED SEPTEMBER 4, 1991, THIS PROPERTY APPEARS TO LIE WITHIN ZONE "X" WHICH BY DEFINITIONS IS NOT A SPECIAL FLOOD HAZARD ZONE.
- ALL UTILITY EASEMENTS ARE 10 FEET WIDE UNLESS OTHERWISE SPECIFIED.
- SET 5/8" REBAR WITH CAP STAMPED "LAND-MARK TX 4869 NM11402" AT ALL EXTERIOR BOUNDARY CORNERS UNLESS OTHERWISE NOTED.
- TAX CERTIFICATE(S) FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORDS SECTION.
- INSTRUMENT No. \_\_\_\_\_ INSTRUMENT No. \_\_\_\_\_
- RESTRICTIVE COVENANTS FOR THIS SUBDIVISION ARE FILED IN THE OFFICE OF THE COUNTY CLERK, DEED AND RECORDS SECTION.
- INSTRUMENT No. \_\_\_\_\_
- THIS IS TO CERTIFY THAT WATER AND SEWER SERVICES WILL BE PROVIDED TO RANCHO DESIERTO BELLO UNIT TWELVE BY THE HORIZON REGIONAL MUNICIPAL UTILITY DISTRICT IN ACCORDANCE WITH THEIR RULES AND REGULATIONS AND WITH SECTION 16.343 OF THE TEXAS WATER CODE. WATER AND SEWER SERVICES WILL BE EXTENDED TO THE SUBDIVISION FROM EXISTING FACILITIES LOCATED ON ESCALERA DRIVE AND DARRINGTON ROAD AND WILL BE CONSTRUCTED TO SERVE THE SUBDIVISION WITHIN TWO (2) YEARS OF THE DATE OF FILING THE FINAL SUBDIVISION PLAT.
- ACCESS TO LOTS 1-8, BLOCK 55, LOTS 1-8 BLOCK 56, LOTS 2-5, BLOCK 57, AND LOTS 1, BLOCK 53, ABUTTING LTV ROAD SHALL BE FROM OTHER DEDICATED STREETS ONLY.
- ACCESS TO LOT 1-10, 15-17, BLOCK 53, ABUTTING DARRINGTON ROAD SHALL BE FROM OTHER DEDICATED STREETS ONLY.

### OWNER

SDC DEVELOPMENT, LTD.  
7910 GATEWAY BLVD., E. SUITE 102  
EL PASO TEXAS 79915  
VOICE: (915) 591-6319  
CONTACT: JOHN DURAN

LARRY L. DREWES, R.P.L.S.  
Registered Professional Land Surveyor  
Texas License No. 4869



DATE OF PREPARATION: AUGUST 28, 2018  
REVISION DATE: JANUARY 7, 2019  
REVISION DATE: MARCH 26, 2019  
REVISION DATE: OCTOBER 22, 2019  
REVISION DATE: MARCH 16, 2020

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	500.00'	118.72'	118.45'	N64°21'01"E	13°36'17"
C2	554.95'	147.47'	147.04'	S58°38'51"W	15°13'32"
C3	1922.00'	140.62'	140.59'	S63°41'45"W	8°11'31"
C4	20.00'	30.61'	27.71'	N17°51'32"E	87°40'58"
C5	20.00'	32.29'	28.89'	N72°13'40"W	92°29'25"
C6	2160.00'	80.87'	80.87'	S65°07'25"E	2°08'43"
C7	20.00'	30.67'	27.75'	N17°41'48"E	87°52'17"
C8	526.00'	1.77'	1.77'	S26°08'32"E	0°11'36"
C9	20.00'	31.38'	28.28'	S71°00'33"E	89°13'47"
C10	2160.00'	80.87'	80.87'	S65°07'25"E	2°08'43"
C11	1960.00'	43.67'	43.67'	S62°20'19"W	1°16'36"
C12	1960.00'	110.12'	110.11'	S64°35'12"W	3°13'29"
C13	2134.00'	48.02'	48.02'	S69°10'18"E	1°17'23"
C14	2134.00'	125.88'	125.86'	S64°30'23"W	3°22'47"
C15	1000.00'	39.87'	39.86'	N24°56'45"W	2°17'03"
C16	1000.00'	97.41'	97.38'	N28°52'43"W	3°34'53"
C17	500.00'	204.95'	203.52'	S12°03'40"E	2°32'59"
C18	20.00'	34.16'	30.16'	N17°15'52"E	87°51'48"
C19	20.00'	31.42'	28.28'	S88°48'14"E	90°00'00"
C20	20.00'	31.42'	28.28'	N21°11'46"E	90°00'00"
C21	20.00'	31.42'	28.28'	N68°48'14"W	90°00'00"
C22	1026.00'	18.05'	18.05'	N24°18'28"W	1°00'28"
C23	1026.00'	65.01'	65.00'	N28°20'52"W	3°04'18"
C24	1026.00'	55.01'	55.00'	N28°25'10"W	3°04'18"
C25	1026.00'	12.79'	12.79'	N31°18'45"W	0°42'51"
C26	50.00'	4.99'	4.98'	S26°54'15"E	0°31'49"
C27	30.00'	10.16'	10.11'	S12°26'29"E	19°23'44"
C28	70.00'	47.32'	46.43'	N2°06'37"W	38°44'01"
C29	70.00'	43.92'	42.35'	S89°03'07"W	35°48'48"
C30	70.00'	46.88'	46.01'	S84°07'22"W	38°22'19"
C31	70.00'	19.78'	19.71'	S56°50'31"W	16°11'23"
C32	30.00'	15.15'	14.99'	N63°12'36"E	28°55'33"
C33	20.00'	35.61'	31.09'	N102°00'32"E	100°00'00"
C34	30.00'	34.78'	32.86'	S32°53'34"W	66°25'19"
C35	50.00'	32.62'	32.05'	N47°24'40"E	37°23'07"
C36	50.00'	41.93'	40.71'	N64°15'35"E	48°03'03"
C37	50.00'	41.93'	40.71'	N43°21'29"W	48°03'03"
C38	50.00'	41.93'	40.71'	S88°35'28"W	48°03'03"
C39	50.00'	41.93'	40.71'	S43°23'24"W	48°03'03"
C40	50.00'	14.69'	14.64'	S08°05'54"W	16°49'58"
C41	526.00'	40.70'	40.69'	S02°32'06"E	4°26'01"
C42	526.00'	53.45'	53.92'	S07°39'46"E	5°49'18"
C43	526.00'	18.98'	18.98'	S11°38'27"E	2°04'03"

### METES & BOUNDS DESCRIPTION

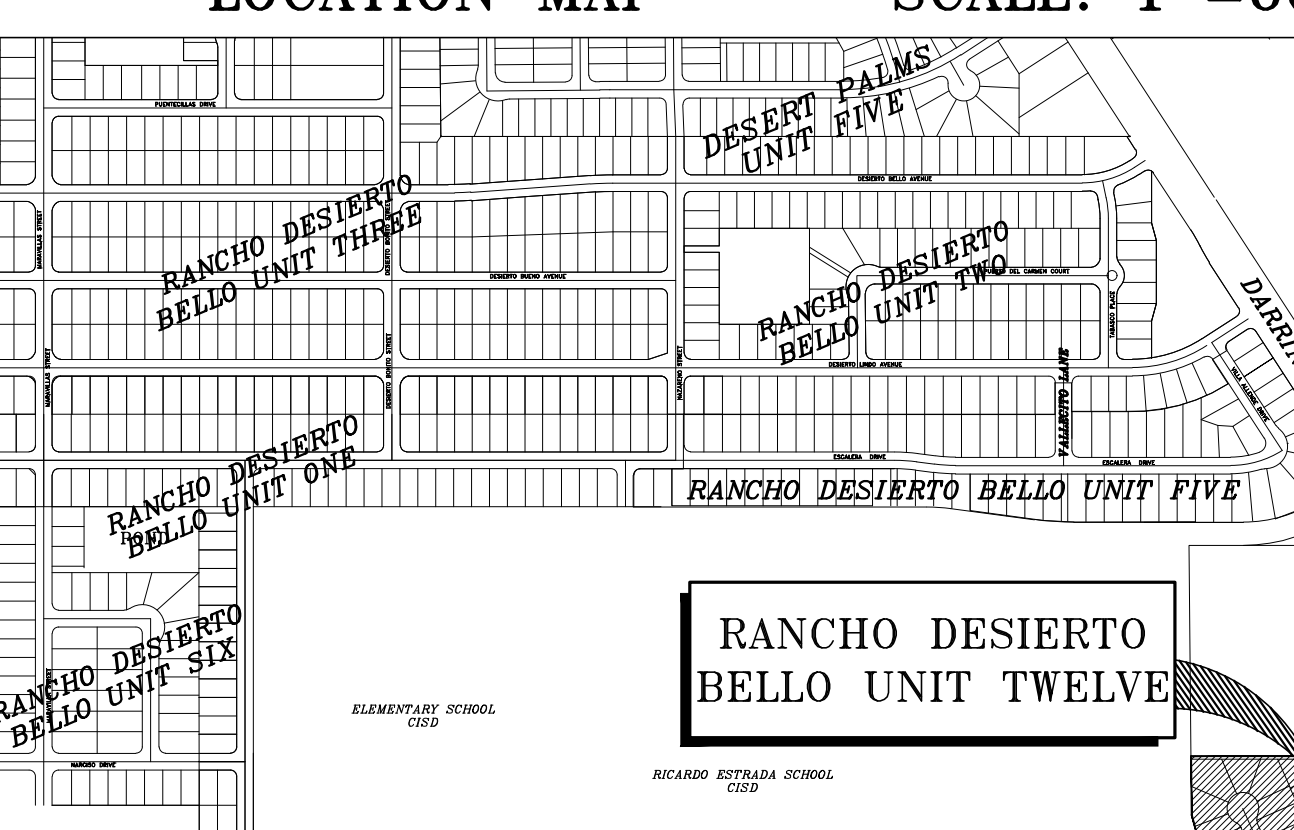
20.765 ACRES OUT OF LEIGH CLARK SURVEY No. 297, SECTION 44, BLOCK 78, TOWNSHIP 3, SECTION 5, BLOCK 78, TOWNSHIP 4, TEXAS AND PACIFIC RAILROAD COMPANY SURVEY, AND A PORTION OF LTV ROAD, TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at an existing 2-inch iron pipe located at the southeast corner of Section 43, Block 78, Township 3, the southwest corner of said Section 44, Block 78, Township 3, and the northeast corner of said Section 4, Block 78, Township 4, and the northeast corner of said Leigh Clark Survey No. 297, for a corner of this parcel and the POINT OF BEGINNING of this parcel description; THENCE, North 0°33'12" West, along the common section line of said Section 43, Block 78, Township 3, and Section 44, Block 78, Township 3, a distance of 684.77 feet to a point lying on the southerly boundary line of CID Desierto Bello Subdivision, recorded in Document No. 20090061514, Plat Records of El Paso County, Texas, for a corner of this parcel; THENCE, Northwesterly, with the arc of a curve to the left, having a radius of 500.00 feet, a central angle of 13°36'17", and a chord which bears North 64°21'01" East a distance of 118.45 feet; THENCE, North 57°32'52" East, continuing with said southerly boundary line, a distance of 133.81 feet to a 5/8" rebar with cap stamped "Land-Mark TX4869 NM11402" set in the southerly right-of-way line of Darrington Road, for a corner of this parcel; THENCE, South 37°04'12" East, with said southerly right-of-way line, a distance of 414.08 feet to a point, for a corner of this parcel; THENCE, South 31°42'02" East, continuing with said southerly right-of-way line, a distance of 683.41 feet to a 5/8" rebar with cap stamped "Land-Mark TX4869 NM11402" set in the southerly right-of-way line of Darrington Road, for a corner of this parcel; THENCE, South 37°04'12" East, continuing with said southerly right-of-way line, a distance of 414.08 feet to a point, for a corner of this parcel; THENCE, South 66°15'37" West, with said southerly right-of-way line, a distance of 423.16 feet to a point, for a corner of this parcel; THENCE, Southwesterly, with the arc of a curve to the left and continuing with said northerly boundary line, a distance of 147.47 feet to a point, for a corner of this parcel; Said curve having a radius of 554.95 feet, a central angle of 15°13'32", and a chord which bears South 58°38'51" West a distance of 147.04 feet; THENCE, North 23°48'14" West, a distance of 205.75 feet to a point, for a corner of this parcel; Said curve having a radius of 1922.00 feet, a central angle of 87°40'58", and a chord which bears North 17°51'32" East, a distance of 27.71 feet; THENCE, North 28°17'59" West, a distance of 76.00 feet to a point, for a corner of this parcel; Said curve having a radius of 20.00 feet, a central angle of 87°40'58", and a chord which bears North 17°51'32" East, a distance of 27.71 feet; THENCE, North 28°28'23" West, a distance of 52.00 feet to a point, for a corner of this parcel; Said curve having a radius of 20.00 feet, a central angle of 87°52'17", and a chord which bears North 17°41'48" East, a distance of 27.75 feet; THENCE, Northwesterly, with the arc of a curve to the left, a distance of 30.67 feet to a point, for a corner of this parcel; Said curve having a radius of 20.00 feet, a central angle of 92°29'25", and a chord which bears North 72°13'40" West, a distance of 28.89 feet; THENCE, North 25°58'58" East, a distance of 22.60 feet to a point, for a corner of this parcel; Said curve having a radius of 2160.00 feet, a central angle of 2°08'43", and a chord which bears North 65°07'25" East, a distance of 80.87 feet; THENCE, North 66°11'46" East, a distance of 22.60 feet to a point, for a corner of this parcel; THENCE, North 23°48'14" West, a distance of 60.00 feet to a point, for a corner of this parcel; THENCE, North 14°52'54" West, a distance of 98.99 feet to a point, for a corner of this parcel; THENCE, South 89°59'40" East, with said southerly boundary line, a distance of 332.21 feet to the POINT OF BEGINNING;

Said parcel contains 20.765 Acres (904,508 Square feet) more or less.

### LOCATION MAP

SCALE: 1"=600'



BENCHMARK  
CITY MONUMENT AT THE CENTERLINE INTERSECTION OF ESCALERA DRIVE AND VALLENOTO PLACE.  
ELEVATION 4016.99' (NAVD 88 DATUM)

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C44	526.00'	54.08'	54.05'	S15°35'11"E	5°37'25"
C45	526.00'	48.40'	48.39'	S21°10'04"E	5°16'20"
C46	20.00'	31.42'	28.28'	N21°11'46"E	90°00'00"
C47	20.00'	31.42'	28.28'	S68°48'14"E	90°00'00"
C48	474.00'	48.42'	48.40'	S20°52'39"E	5°51'10"
C49	474.00'	79.77'	79.67'	S13°07'49"E	9°38'32"
C50	474.00'	66.11'	66.05'	S04°18'49"E	7°59'28"
C51	30.00'	40.84'	37.76'	S38°40'39"W	77°49'28"
C52	30.00'	37.00'	34.70'	N65°59'54"W	70°39'28"
C53	974.00'	45.94'	45.93'	N30°19'06"W	2°42'08"
C54	20.00'	33.22'	29.53'	N18°36'52"E	95°09'48"
C55	20.00'	31.42'	28.28'	S68°48'14"E	90°00'00"
C56	20.00'	31.42'	28.28'	N21°11'46"E	90°00'00"
C57	20.00'	31.42'	28.28'	N68°48'14"W	90°00'00"
C58	20.00'	31.42'	28.28'	N21°11'46"E	90°00'00"
C59	1998.00'	22.10'	22.10'	S65°52'45"W	0°38'01"
C60	1998.00'	43.57'	43.57'	S64°56'16"W	1°14'58"
C61	20.00'	31.31'	28.21'	S70°50'09"E	89°42'16"
C62	20.00'	37.00'	34.70'	S19°02'05"W	90°02'26"
C63	2108.00'	45.97'	45.96'	S64°40'37"W	1°14'58"
C64	2108.00'	32.91'	32.91'	S65°44'56"W	0°53'40"
C65	20.00'	31.42'	28.28'	N21°11'46"E	90°00'00"
C66	30.00'	8.17'	6.18'	N29°42'02"W	11°47'36"
C67	30.00'	17.69'	17.43'	N52°29'13"W	33°46'47"
C68	50.00'	42.77'	41.48'	S44°52'14"E	49°00'46"
C69	50.00'	17.81'	17.01'	S01°21'29"W	43°26'40"
C70	50.00'	37.91'	37.01'	S44°48'09"W	43°26'40"
C71	50.00'	37.91'	37.01'	S88°14'49"W	43°26'40"
C72	50.00'	37.34'	36.48'	N48°38'11"W	42°47'23"
C73	50.57'	42.78'	41.52'	N02°36'31"W	48°28'15"
C74	30.00'	17.69'	17.43'	S04°52'45"W	33°46'47"
C75	30.00'	6.17'	6.16'	S17°54'28"E	11°47'36"
C76	20.00'	31.42'	28.28'	S68°48'14"E	90°00'00"
C77	1922.00'	10.20'	10.20'	S66°02'39"W	0°18'14"
C78	25.00'	41.27'	36.74'	N66°30'35"W	94°35'19"
C79	50.00'	39.76'	35.88'	S40°14'38"E	42°03'25"
C80	50.00'	44.32'	42.88'	S86°39'55"E	50°47'11"
C81	50.00'	44.32'	42.88'	N42°32'54"E	50°47'11"
C82	25.00'	39.76'	35.71'	N05°37'07"W	45°32'51"
C83	25.00'	41.27'	36.74'	S18°54'07"W	94°35'19"
C84	500.00'	103.38'	103.20'	N65°13'45"E	11°50'48"
C85	500.00'	15.34'	15.34'	N58°25'37"E	1°45'29"

STREET TABLE			
NORTH - SOUTH	SOUTH - NORTH	EAST - WEST	WEST - EAST
SMALLOWTAIL STREET		CLARET CUP PLACE	
GLASSINGMOUNT COURT		HOLLY BLUE AVENUE	
ORANGETIP DRIVE			
BLUE MORPHO DRIVE			
ADONIS BLUE COURT			
PAINTED LADY STREET			

SECTION 43, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILROAD COMPANY  
SECTION 44, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILROAD COMPANY  
SECTION 5, BLOCK 78, TOWNSHIP 4, TEXAS AND PACIFIC RAILROAD COMPANY

LEIGH CLARK SURVEY No. 297  
RKM Land Partners, LLC  
Doc. # 20170084559

LEIGH CLARK SURVEY No. 297  
RKM Land Partners, LLC  
Doc. # 20170084559

LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	N57°32'52"E	133.81'
L2	S23°48'14"E	87.67'
L3	N23°48'14"W	24.00'
L4	N28°17'59"W	76.00'
L5	N25°58'58"W	71.58'
L6	S07°19'05"E	15.31'
L7	N64°01'02"E	52.00'
L8	N66°11'46"E	22.60'
L9	N23°48'14"W	24.99'
L10	N14°52'54"W	98.99'
L11	N00°32'55"W	183.12'

LINE TABLE		
LINE	DIRECTION	DISTANCE
L12	N25°58'58"W	46.44'
L13	S23°48'14"E	87.67'
L14	S89°49'55"W	24.00'
L15	N23°48'14"W	69.00'
L16	S77°40'22"W	25.06'
L17	S07°19'05"E	15.31'
L18	N07°19'05"E	14.11'
L19	S23°48'14"E	24.99'
L20	N19°58'08"E	13.88'
L21	N00°32'55"W	6.23'

TRACT 11, SECTION 43, BLOCK 78,



**TOWN OF HORIZON CITY  
MEMORANDUM**

**Date:** March 20, 2020

**To:** Honorable Mayor and Members of City Council

**From:** Michelle Padilla, Planning Director

**SUBJECT:** **1st Reading of Ordinance \_\_\_\_:** An ordinance amending the Municipal Code of the Town of Horizon City, Texas, Chapter 14 (Zoning), Exhibit A (Zoning Ordinance), to revise and amend the following: 1) Subchapter 4 (Residential Districts) to add a residential district, amend development standards by revising lot and building sizes, setbacks, and revise regulations related to uses permitted by Specific Use Permit; 2) Subchapter 8 (General Provisions), Section 804 (Wall Standards) to revise the rear wall standards for rear walls on golf course lots; and providing for the following: findings of fact; repealer; severability; proper notice and hearing; the penalty being as provided in Section 810 of the City Code, Chapter \_\_, Section \_\_ of the Town of Horizon City, Texas, creating a misdemeanor punishable by a fine not to exceed \$2,000.00.

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On March 16, 2020, the Planning and Zoning Commission voted unanimously to recommend that the City Council approve the proposed zoning amendment. The attached amendment establishes an additional residential zoning district and adjusts the minimum lot requirements for residential lots which will allow for a range of sizes from 5,000 square feet to 9,000 square feet for more. It also allows for an administrative process to issue specific use permits for temporary real estate offices in new residential structures and provides for more flexible height standards for rear walls along the golf course.

The P&Z Commission did question why 4,500 square foot lots were not considered and staff informed the Commission that the recommendation was based on comments and concerns that had been expressed previously in response to similar proposed changes.

This amendment is brought forward in accordance with the City's Shaping Our Horizon: 2030 - Comprehensive and Strategic Plan which calls for the following strategic actions in regard to land use:

- Establish zoning to accommodate denser and more walkable mixed-use development
- Revise existing zoning categories to simplify and align with the Future Land Use Map
- Enable neighborhood character through lot and home size variety

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE TOWN OF HORIZON CITY, TEXAS, CHAPTER 14 (ZONING), EXHIBIT A (ZONING ORDINANCE), TO REVISE AND AMEND THE FOLLOWING:**

**1) SUBCHAPTER 4 (RESIDENTIAL DISTRICTS) TO AMEND DEVELOPMENT STANDARDS BY REVISING LOT AND BUILDING SIZES, SETBACKS, AND REVISE REGULATIONS RELATED TO USES PERMITTED BY SPECIFIC USE PERMIT; 2) SUBCHAPTER 8 (GENERAL PROVISIONS), SECTION 804 (WALL STANDARDS) TO REVISE THE REAR WALL STANDARDS FOR REAR WALLS ON GOLF COURSE LOTS; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; PROPER NOTICE AND HEARING; THE PENALTY BEING AS PROVIDED IN SECTION 810 OF THE CITY CODE, CHAPTER \_\_, SECTION \_\_ OF THE TOWN OF HORIZON CITY, TEXAS, CREATING A MISDEMEANOR PUNISHABLE BY A FINE NOT TO EXCEED \$2,000.00.**

**WHEREAS,** a proposal was brought forward by staff to and considered by the Town of Horizon City Planning and Zoning Commission to amend portions of the Zoning Ordinance as set forth in Chapter 14 of the Municipal Code; and

**WHEREAS,** the Planning and Zoning Commission considered the staff's proposals at its \_\_\_\_\_, 2020 meeting and voted to recommend [approval] of the change to the ordinance; and

**WHEREAS,** the notice required by the Texas Local Government Code has been published in a newspaper of general circulation; and

**WHEREAS,** public hearings have been held by the City Council as required by law; and

**WHEREAS,** all written and oral protests (if any) submitted against the proposed ordinance change have been reviewed and considered; and

**WHEREAS,** pursuant to Texas Local Government Code section 51.001, the Town has general authority to adopt an ordinance that is for the good government, peace or order of the Town and is necessary or proper for carrying out a power granted by law to the Town; and

**WHEREAS,** the City Council finds that it is necessary and proper for the good government, peace and order of the Town of Horizon City to adopt this Ordinance and technical code; and

**WHEREAS,** the City Council finds that the costs and fees provided for in this ordinance reflect the costs of issuing permits and providing the regulated services.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS:**

**I. ENACTMENT OF AMENDMENTS**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code, the City Council of the Town of Horizon City hereby enacts and adopts this Ordinance to amend Chapter 14 of the Municipal Code, which chapter regulates zoning within the territorial limits of the Town of Horizon City and related matters, to amend Sections 103, 202, 301, 302, 401, 403, 404, 405, 502, 503, 602, 603, 703, 802, 803, 804, 807, 812, 901 and 1311, and Appendix I as follows:

**CHAPTER 4  
Residential Districts**

**Section 401 Districts Established**

**401.1 General**

The following districts have been established as residential zones for the Town of Horizon City for zoning and rezoning of properties after the adoption of this Ordinance amending Ordinance No. 0102 (February 24, 2015):

R-1	R-3	<u>R-5</u>	R-MH
R-2	R-4	R-PD	

**Section 405 Bulk Regulations**

**405.1 Lot Size Standards**

	Min. Lot Areas (square feet)	Min. Average Lot Width (feet)	Min. Lot Depth (feet)
R-1	9,000	60	120
R-2	6,000	50	100

R-3	<del>6,000</del> <u>5,500</u>	<del>50</del> <u>45</u>	90
R-4	<del>8,000 for duplexes</del> <u>5,000</u>	<del>50</del> <u>45</u>	<del>100</del> <u>90</u>
<u>R-5</u>	<u>8,000 for duplexes</u>	<u>50</u>	<u>100</u>
R-PD	6,000	50	100
R-MH	Unspecified	50	100
Other Permitted Uses	9,000	150	200

**405.2 Setback Requirements**

	Minimum Front Yard	Minimum Side Yard	Minimum Side Yard Abutting a Street	Minimum Rear Yard
R-1	20 feet	10 feet	15 feet	20 feet
R-2, R-3, R-4, <u>R-5</u>	20 feet	5 feet	10 feet	20 feet
R-PD	20 feet	5 feet	10 feet	20 feet
R-MH	20-30 feet	5 feet	15 feet	20 feet
Other Permitted Uses	20 feet without parking 45 feet with parking	15 feet	15 feet	20 feet

**405.3 Dwelling Size Standards**

Dwelling size standards, in minimum square feet, excluding garages, carports, porches and patios, are as follows:

		Square Feet (Minimum)	
R-1	Single-family dwelling	2,000 1,500	1 story more than 1 story*

R-2	Single-family dwelling	1,500 800	1 story more than 1 story*
R-3	Single-family dwelling	1,250 800	1 story more than 1 story*
R-4	<del>Two-family duplex dwelling</del> Single-family dwelling	<del>1,800</del> 1,000 <del>900</del> 800	1 story <del>each unit</del> more than 1 story *
R-5	Two-family duplex dwelling	1,800 900	1 story each unit
R-5	Single-family dwelling	1,500 1,000	1 story more than 1 story*
R-PD	Single-family dwelling*	1,000 900	1 story 2 story provided total is 1,400+
R-MH	Single-family dwelling	728	
* Minimum square footage of the main floor. Total square footage of 1+ stories shall be at least the square footage of 1 story.			

## Section 406 Uses Permitted by Specific Use Permit (SUP)

### 406.1 General

The following uses may be permitted by a Specific Use Permit that is administratively approved by the Mayor or his designee, if approved by the City Council, with or without conditions, ~~following a report by the Planning and Zoning Commission~~, in accordance with the ~~procedures, guides and standards~~ of the City Code.

A. Temporary real estate sales office associated with a new residential development conducted within:

1. a new residential structure adapted for that purpose; or,
2. a commercial office trailer placed on a residential lot within the aforementioned new residential development, provided however that such commercial office trailer is not also used for residential purposes.

### 406.2 Cessation of Temporary Uses

A. Real estate sales office uses, as otherwise authorized by Section 4.06.1.B [406.1.A], shall not continue for more than twelve months, unless expressly extended by the ~~City Council~~ Mayor or his designee. Only one six-month extension shall be allowed.

B. Any adaptations of residential structures shall be removed at the end of the term of use.

- C. Any commercial office trailer used for a real estate sales office shall be removed within 30 days of the cessation of its authorized use as a sales office.

## CHAPTER 8 General Provisions

### Section 802 Wall Standards

#### 802.2 Regulations *(amending only subsections 802.2.3)*

**802.2.3** Rear walls on golf course lots shall be of rock and mortar two feet (2') high with one foot (1') square rock pillars constructed on the wall every ten feet (10') with rails of wrought iron set between the pillars. The maximum height of the wrought iron sections shall be six feet (6') in height from finished grade. The height of the rock pillars may match the height of the wrought iron. The rear wall height shall comply with Subsection 807.1.0 when applicable. The Building Official may allow the location of one or more pillars to be adjusted for the wall to correctly fit the property dimensions.

### II. FINDINGS OF FACT

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

### III. REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

### IV. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

### V. EFFECTIVE DATE

This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 60 days from and after the date of its final passage and adoption.

**VI. PROPER NOTICE AND MEETING**

It is officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52, Texas Local Government Code and the Charter of the Town of Horizon City, Texas.

**PASSED AND APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2020, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) of the City Council of Horizon City, Texas.

**Town of Horizon City**

\_\_\_\_\_  
Ruben Mendoza, Mayor

**ATTEST:**

\_\_\_\_\_  
Elvia Schuller, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Bertha A. Ontiveros  
Assistant City Attorney

\_\_\_\_\_  
Michelle Padilla, AICP, CNU-A  
Planning Director

First Reading:

Second Reading:

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE TOWN OF HORIZON CITY, TEXAS, CHAPTER 14 (ZONING), EXHIBIT A (ZONING ORDINANCE), TO REVISE AND AMEND THE FOLLOWING:**

**1) SUBCHAPTER 4 (RESIDENTIAL DISTRICTS) TO AMEND DEVELOPMENT STANDARDS BY REVISING LOT AND BUILDING SIZES, SETBACKS, AND REVISE REGULATIONS RELATED TO USES PERMITTED BY SPECIFIC USE PERMIT; 2) SUBCHAPTER 8 (GENERAL PROVISIONS), SECTION 804 (WALL STANDARDS) TO REVISE THE REAR WALL STANDARDS FOR REAR WALLS ON GOLF COURSE LOTS; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; PROPER NOTICE AND HEARING; THE PENALTY BEING AS PROVIDED IN SECTION 810 OF THE CITY CODE, CHAPTER \_\_, SECTION \_\_ OF THE TOWN OF HORIZON CITY, TEXAS, CREATING A MISDEMEANOR PUNISHABLE BY A FINE NOT TO EXCEED \$2,000.00.**

**WHEREAS,** a proposal was brought forward by staff to and considered by the Town of Horizon City Planning and Zoning Commission to amend portions of the Zoning Ordinance as set forth in Chapter 14 of the Municipal Code; and

**WHEREAS,** the Planning and Zoning Commission considered the staff's proposals at its \_\_\_\_\_, 2020 meeting and voted to recommend [approval] of the change to the ordinance; and

**WHEREAS,** the notice required by the Texas Local Government Code has been published in a newspaper of general circulation; and

**WHEREAS,** public hearings have been held by the City Council as required by law; and

**WHEREAS,** all written and oral protests (if any) submitted against the proposed ordinance change have been reviewed and considered; and

**WHEREAS,** pursuant to Texas Local Government Code section 51.001, the Town has general authority to adopt an ordinance that is for the good government, peace or order of the Town and is necessary or proper for carrying out a power granted by law to the Town; and

**WHEREAS,** the City Council finds that it is necessary and proper for the good government, peace and order of the Town of Horizon City to adopt this Ordinance and technical code; and

**WHEREAS,** the City Council finds that the costs and fees provided for in this ordinance reflect the costs of issuing permits and providing the regulated services.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS:**

**I. ENACTMENT OF AMENDMENTS**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code, the City Council of the Town of Horizon City hereby enacts and adopts this Ordinance to amend Chapter 14 of the Municipal Code, which chapter regulates zoning within the territorial limits of the Town of Horizon City and related matters, to amend Sections 103, 202, 301, 302, 401, 403, 404, 405, 502, 503, 602, 603, 703, 802, 803, 804, 807, 812, 901 and 1311, and Appendix I as follows:

**CHAPTER 4  
Residential Districts**

**Section 401 Districts Established**

**401.1 General**

The following districts have been established as residential zones for the Town of Horizon City for zoning and rezoning of properties after the adoption of this Ordinance amending Ordinance No. 0102 (February 24, 2015):

R-1      R-3      ~~R-5~~      R-MH  
R-2      R-4      R-PD

**Section 405 Bulk Regulations**

**405.1 Lot Size Standards**

	Min. Lot Areas (square feet)	Min. Average Lot Width (feet)	Min. Lot Depth (feet)
R-1	9,000	60	120
R-2	6,000	50	100

R-3	<del>6,000</del> <u>5,500</u>	<del>50</del> <u>45</u>	90
R-4	8,000 for duplexes	50	100
<del>R-5</del>	<del>8,000 for duplexes</del>	<del>50</del>	<del>100</del>
R-PD	6,000	50	100
R-MH	Unspecified	50	100
Other Permitted Uses	9,000	150	200

**405.2 Setback Requirements**

	Minimum Front Yard	Minimum Side Yard	Minimum Side Yard Abutting a Street	Minimum Rear Yard
R-1	20 feet	10 feet	15 feet	20 feet
R-2, R-3, R-4, <del>R-5</del>	20 feet	5 feet	10 feet	20 feet
R-PD	20 feet	5 feet	10 feet	20 feet
R-MH	20-30 feet	5 feet	15 feet	20 feet
Other Permitted Uses	20 feet without parking 45 feet with parking	15 feet	15 feet	20 feet

**405.3 Dwelling Size Standards**

Dwelling size standards, in minimum square feet, excluding garages, carports, porches and patios, are as follows:

		Square Feet (Minimum)	
R-1	Single-family dwelling	2,000 1,500	1 story more than 1 story*

R-2	Single-family dwelling	1,250 800	1 story more than 1 story*
R-3	Single-family dwelling	1,000 800	1 story more than 1 story*
R-4	Two-family duplex dwelling	1,800 900	1 story each unit
<del>R-5</del>	<del>Two-family duplex dwelling</del>	<del>1,800</del> <del>900</del>	<del>1 story</del> <del>each unit</del>
R-5	Single-family dwelling	1,500 1,000	1 story more than 1 story*
R-PD	Single-family dwelling*	1,000 900	1 story 2 story provided total is 1,400+
R-MH	Single-family dwelling	728	
* Minimum square footage of the main floor. Total square footage of 1+ stories shall be at least the square footage of 1 story.			

## Section 406 Uses Permitted by Specific Use Permit (SUP)

### 406.1 General

The following uses may be permitted by a Specific Use Permit that is administratively approved by the Mayor or his designee, if approved by the City Council, with or without conditions, ~~following a report by the Planning and Zoning Commission~~, in accordance with the ~~procedures, guides and standards of the City Code~~.

A. Temporary real estate sales office associated with a new residential development conducted within:

1. a new residential structure adapted for that purpose; or,
2. a commercial office trailer placed on a residential lot within the aforementioned new residential development, provided however that such commercial office trailer is not also used for residential purposes.

### 406.2 Cessation of Temporary Uses

A. Real estate sales office uses, as otherwise authorized by Section 4.06.1.B [406.1.A], shall not continue for more than twelve months, unless expressly extended by the ~~City Council~~ Mayor or his designee. Only one six-month extension shall be allowed.

B. Any adaptations of residential structures shall be removed at the end of the term of use.

C. Any commercial office trailer used for a real estate sales office shall be removed within 30 days of the cessation of its authorized use as a sales office.

## CHAPTER 8 General Provisions

### Section 802 Wall Standards

#### 802.2 Regulations *(amending only subsections 802.2.3)*

**802.2.3** Rear walls on golf course lots shall be of rock and mortar two feet (2') high with one foot (1') square rock pillars constructed on the wall every ten feet (10') with rails of wrought iron set between the pillars. The maximum height of the wrought iron sections shall be six feet (6') in height from finished grade. The height of the rock pillars may match the height of the wrought iron. The rear wall height shall comply with Subsection 807.1.0 when applicable. The Building Official may allow the location of one or more pillars to be adjusted for the wall to correctly fit the property dimensions.

### II. FINDINGS OF FACT

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

### III. REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

### IV. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

### V. EFFECTIVE DATE

This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 60 days from and after the date of its final passage and adoption.

**VI. PROPER NOTICE AND MEETING**

It is officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52, Texas Local Government Code and the Charter of the Town of Horizon City, Texas.

**PASSED AND APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2020, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) of the City Council of Horizon City, Texas.

**Town of Horizon City**

\_\_\_\_\_  
Ruben Mendoza, Mayor

**ATTEST:**

\_\_\_\_\_  
Elvia Schuller, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Bertha A. Ontiveros  
Assistant City Attorney

\_\_\_\_\_  
Michelle Padilla, AICP, CNU-A  
Planning Director

First Reading:

Second Reading:

**ORDINANCE NO. \_\_\_\_\_**  
**2020 TAX LEVY ORDINANCE**

**AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS, APPROVING THE 2020 AD VALOREM TAX RATE AND LEVY OF ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY; PROVIDING FOR PENALTIES AND INTEREST; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; SEVERABILITY; SAVINGS CLAUSE; PUBLICATION AND EFFECTIVE DATE.**

**WHEREAS**, a budget appropriating revenues generated for the use and support of the municipal government of the Town of Horizon City has been approved and adopted by the City Council of the Town of Horizon City as required by Section 102.009 of the Texas Local Government Code; and

**WHEREAS**, the budget will raise more revenue from the tax rate levy, increasing the Maintenance and Operations Rate on each \$100 assessed value of taxable property from 2019 to 2020, as follows:

	<u>2019</u>	<u>2020</u>	<u>Increase</u>	<u>Percent</u>
Maintenance and Operations Rate	0.390814	0.403519	0.012705	3.25%
Debt Service Rate	0.204526	0.199088	-0.005438	-2.66%
<b>Total</b>	<b>0.595340</b>	<b>0.602607</b>	<b>0.007267</b>	<b>1.22%</b>

**WHEREAS**, a notice of the hearing on a proposed tax levy was published in the Town's official newspaper on August \_\_\_\_\_, 2020, and hearings on the proposed tax levy were held on September 13, 2020 as noticed.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY:**

**1. APPROVAL OF 2020 TAX RATE AND LEVY**

That there be and is hereby levied and shall be assessed and collected for the year 2020, on all taxable property, real, personal and mixed, situated within the city limits of the Town of Horizon City, Texas (City), and not exempt by the Constitution of the State and valid state laws, the ad valorem tax rate of 60.2607 **cents** (\$0.602607) on each One Hundred Dollars (\$100.00) assessed value of taxable property remains unchanged, and shall be apportioned and distributed as follows:

- (a) For the purpose of defraying the current expenses and budget of the municipal government of the City (maintenance and operations), a tax rate of 40.3519 cents (\$0.403519) on each One Hundred Dollars (\$100.00) assessed value of taxable property.

- (b) For the purpose of creating a sinking fund to pay the interest and principal maturities on all outstanding debt of the Town of Horizon City, not otherwise provided for, a tax rate of 19.9088 cents (\$0.199088) on each one hundred dollars (\$100.00) of assessed value of taxable property within the Town of Horizon City and shall be applied to the payment of interest and maturities of all such outstanding debt.

For purposes of disclosure regarding the Maintenance and Operations Tax Rate:

**THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**

**AND**

**THE TAX RATE WILL EFFECTIVELY BE RAISED BY 0.035 PERCENT (3.5%) AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$13.65.**

## **2. ASSESSMENT AND COLLECTION OF TAXES; PENALTIES AND INTEREST**

All taxes shall be collected by the person(s) authorized as the Tax Assessor/Collector for the Town of Horizon City, in accordance with the Interlocal Governmental Agreement entered into by the Town for such purposes. All taxes shall become a lien upon the property against which assessed and the person(s) authorized as the Tax Assessor/Collector for the Town of Horizon City, Texas, shall by virtue of the tax rolls, fix and establish a lien by levying upon such property, whether real or personal, for the payment of said taxes, penalty and interest, and the penalty and interest collected from such delinquent taxes shall be appropriated for the general fund of the Town of Horizon City, Texas.

## **3. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

## **4. SEVERABILITY CLAUSE**

That if any section, subsection, paragraph, clause, phrase, or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or provision thereof, other than the part so decided to be invalid or unconstitutional.

## **5. SAVINGS CLAUSE**

That all previous tax levy ordinances shall remain in full force and effect, save and except as amended by this Ordinance.

**6. PUBLICATION CLAUSE**

The City Clerk of the Town of Horizon City, Texas, is hereby directed to post the notice required by Section 26.05 of the Texas Tax Code on the Town’s website.

**7. EFFECTIVE DATE**

The necessity for making and approving the tax levy for the year, as required by the laws of the State of Texas, requires that this Ordinance shall take effect immediately from and after its passage, as the law in such case provides.

**8. PROPER NOTICE & MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED & APPROVED** this, the \_\_\_\_ day of September 2020, by a vote of \_\_\_\_ (*ayes*) to \_\_\_\_ (*nays*) to \_\_\_\_ (*abstentions*) of the City Council of Horizon City, Texas.

**TOWN OF HORIZON CITY, TEXAS:**

by: \_\_\_\_\_  
Ruben Mendoza, Mayor

**ATTEST:**

\_\_\_\_\_  
Elvia Schuller, TRMC, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Bertha A. Ontiveros, Assistant City Attorney

First reading: 8/11/2020  
Second reading: 9/15/2020

**ORDINANCE NO. \_\_\_\_\_**

**BUDGET FOR FISCAL YEAR 2020-2021**

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS ENACTING THE MUNICIPAL BUDGET FOR 2020-2021 FISCAL YEAR; FUNDING MUNICIPAL PURPOSES; AUTHORIZING EXPENDITURES; AND PROVIDING FOR REPEALER AND SEVERABILITY CLAUSES**

**WHEREAS**, the City Council of the Town of Horizon City (“City Council”) seeks to enact and otherwise approve the City’s budget for Fiscal Year 2020-2021; and

**WHEREAS**, the new fiscal year commences October 1, 2020; and

**WHEREAS**, the City Council finds that the proposed Budget is for legitimate municipal purposes, and thus is statutorily authorized by Texas Local Government Code Section 102.010, and is further authorized by Sections 5.04 and 5.05 of the City Charter; and

**WHEREAS**, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS**, pursuant to Texas Local Government Code Chapter 102, the City Council may manage and control the finances of the municipality; and

**WHEREAS**, the City Council finds that it is necessary and proper for the good government, peace or order of the Town of Horizon City to adopt an ordinance establishing a budget for the upcoming fiscal year; and

**WHEREAS**, the City has satisfied all statutory requirements for public notices and public hearings regarding the attached budget.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

## 2. ENACTMENT

- A. The Town of Horizon City's budget for Fiscal Year 2020-2021 shall read in accordance with *Attachment "A"*, which is attached hereto and incorporated into this Ordinance for all intents and purposes.
- B. The Street Fund, effective October 1, 2013 and reauthorized on November 7, 2017, is derived from Sales Tax revenue designated for making repairs and accomplishing maintenance and repair of streets existing within the Town of Horizon City as of November 2, 2010. Such funding shall be allocated and expended as provided by state statute.
- C. The Economic Development Fund, effective October 1, 2013, is derived from Sales Tax revenue designated for use by the Horizon City Type 4B Economic Development Corporation as operating and project funding in accordance with Chapter 505 of the Local Government Code. The Mayor is authorized to transfer funds in the Economic Development Fund to the Horizon City Type 4B Economic Development Corporation for the use by the Corporation as needed and appropriate, or to direct the expenditure of the funds on behalf of the Corporation in accordance with the Corporation's directives.
- D. The Mayor is hereby authorized to administratively make all necessary budget and fund transfers in conjunction with reimbursements made to the City by the Horizon City Type 4B Economic Development Corporation for the provision of City services to the Corporation.
- E. Department Heads are hereby authorized to make administrative budget transfers not to exceed Ten Thousand Dollars (\$10,000), provided that each transfer is within the same department. A budget transfer for personal services appropriations, capital acquisition appropriations, or impacting revenue accounts requires the approval of the Mayor.
- F. The Mayor is hereby authorized to make administrative budget transfers not to exceed Twenty-five Thousand Dollars (\$25,000) between departments and/or funds, to the extent permitted by law.
- G. Budget transfers not exceeding Fifty Thousand Dollars (\$50,000) may be authorized by a motion or resolution of the City Council at the same time as and in conjunction with the approval of any expenditure to include a contract, purchase order or other authorization to procure goods or services.
- H. The Mayor or his designee is hereby authorized to administratively establish budgets for grants and similar awards when the applications or agreements relating to the grant or award have been approved by the City Council.

I. The Mayor is hereby authorized to accept, and appropriate funds associated with donations made to the City in the amount of One Thousand Dollars (\$1,000) or less; the City Council may by motion or resolution establish budgets for any other donations at the same time and in conjunction with accepting such donations.

### **3. FILING OF THE BUDGET**

The City Clerk shall attach any required cover page to the adopted budget, file the budget in her office, and post a copy of the budget, including the cover page, on the website of the Town of Horizon City. The City Clerk shall post the record vote on the budget on the website until September 15, 2021 or such date as the budget for the next fiscal year has been approved by the City Council.

### **4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

### **5. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

### **6. EFFECTIVE DATE**

This Ordinance shall be effective upon passage as provided for by law to adopt the budget for the Town of Horizon City for the fiscal year starting October 1, 2020.

### **7. PROPER NOTICE & MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED & APPROVED** this, the 15th day of September 2020, by a vote of \_\_\_ (*ayes*) to \_\_\_ (*nays*) to \_\_\_ (*abstentions*) of the City Council of Horizon City, Texas. (A record vote, if required, shall be recorded in the minutes of the Town of Horizon City.)

**TOWN OF HORIZON CITY:**

by: \_\_\_\_\_  
Ruben Mendoza, Mayor

**ATTEST:**

\_\_\_\_\_  
Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Bertha A. Ontiveros, Assistant City Attorney

First Reading 8/11/20  
Second Reading 9/15/20

## EMPLOYMENT AGREEMENT

**THIS EMPLOYMENT AGREEMENT** is made and entered into between the Town of Horizon City, Texas, a municipal corporation ("City") and Patricia Randleel, hereinafter called "Employee", collectively referred to as "Parties," upon the following terms, covenants and conditions:

**WHEREAS**, the City desires to retain the services of the Employee as its Finance Director pursuant to the terms, conditions and provisions of this Agreement; and

**WHEREAS**, Patricia Randleel desires to work for the City as its Finance Director upon the terms and conditions set forth herein; and

**WHEREAS**, The City desired to encourage full work productivity by outlining the Employee's functions and responsibilities within the organization, and to provide a proper means for termination or resignation of the Employee consistent with professional practices.

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein, the parties agree as follows:

### **1. TERM.**

The City employs the Employee, and the Employee accepts employment with the City, in the capacity of Finance Director for a period beginning on October 1, 2020 and extending through September 30, 2021. The Parties hereby agree this extends the Employee's employment under prior Employment Agreements dated on or about October 10, 2013 and August 17, 2016, under the terms and conditions described in in this Agreement.

### **2. DUTIES.**

A. Employee is responsible for the management of the City's day-to-day financial operations and budget, in accordance with the City's ordinances and the policies and directives of the City Council, and in compliance with all relevant federal and state law. Employee may additionally serve, if appointed, as the City's Investment Officer. The Employee shall report to the Mayor or his designee, serve as the central point of contact for the Mayor and department heads concerning the financial and budget matters of the City, and perform the essential functions as set forth in the Job Description in Attachment "A", attached hereto and made a part hereof. Employee will also assist with managing compliance of the City budget and the planning and preparation of future budgets for the City as requested by the Mayor.

### **3. WORKING HOURS.**

Employee is employed as a part-time exempt employee and is employed with a 50% appointment. The parties expect that her weekly duties will be performed in approximately 20

hours per week, more or less, and that Employee’s compensation under this Agreement is based on this expectation and appointment. Employee shall establish such working hours as are necessary and appropriate to accomplish her tasks and duties in conjunction with the needs and requests of the Mayor and his designees. Such working hours may occasionally require work outside normal business hours, such as attending the meetings of the City Council to provide budget and financial information to the Council, and Employee shall make such adjustments to her schedule and hours of work to accommodate this work.

**4. OUTSIDE EMPLOYMENT/ACTIVITIES.**

The Employee shall devote her best efforts to the financial affairs of the City, and she shall not accept any other employment during the term of this Agreement that will conflict with such efforts.

**5. EMPLOYEE BENEFITS.**

A. Commencing on the effective date of this Agreement, Employee shall accrue Paid Time Off as granted to a part-time employee as provided in the City's Personnel Manual upon the following schedule:

Year of the Agreement	Level of Years of Service
FY2020-21	10 years

B. Commencing on the effective date of this Agreement, Employee shall be included in the City’s the dental and vision benefit plans, and the life insurance and disability coverage as specified in the City’s Personnel Manual, and Employee shall be entitled to participate in the City’s 457b plan or other City pension plan (“Retirement Plan”). For such time as the Employee participates in the City’s Retirement Plan, the City will make its contributions in such amounts as are provided in the plan.

**6. COMPENSATION.**

A. As compensation for all services under this Agreement, commencing on the effective date of this Agreement, the City shall pay Employee for her services as Finance Director the weekly sum of \$665.00, paid on a bi-weekly basis in the same manner as the City payroll is paid. Beginning with fiscal year 2020-2021, Employee’s base salary shall be increased by the same percentage of base salary increase as may be and is paid to the City’s non-bargaining unit employees at the start of that and each subsequent fiscal year.

B. Employee shall obtain and maintain a cell phone with the expectation by the City that it will be able to contact the Employee through this phone. Employee will be reimbursed a sum of \$25.00 per month for the cell phone.

**7. PROFESSIONAL DEVELOPMENT.**

A. All training, conferences, subscriptions, meetings and professional dues must first be approved by the City Council in the same manner as for other City employees.

B. Employee is entitled reimbursement of reasonable, actual and necessary expenses in conducting City business, including ordinary expenses for travel, professional dues, subscriptions and fees.

## **8. PERFORMANCE REVIEWS.**

The Mayor shall make every effort to review and evaluate the performance of Employee at least once annually.

## **9. TERMINATION AND RESIGNATION.**

A. The City may terminate this Agreement for "just cause" under any one of the following circumstances, upon notice to Employee and an opportunity to be heard:

i. Conviction of a felony or other crime which renders the Employee incapable of satisfactorily performing the duties of her position, or impairs the safe, efficient, or effective operations of the City's financial services.

ii. Employee is under the influence of alcohol or controlled substances while on-duty.

iii. Violation of any lawful official order of, or failure to obey any lawful direction made and given by, the Mayor or his designees, where such violation or failure to obey amounts to an act of insubordination or a serious breach of proper discipline, or has resulted or reasonably might be expected to result in a loss or injury to the City or to the public.

B. Either Party may terminate this Agreement for any reason prior to the conclusion of the term upon the giving of sixty (60) days written notice to the other Party. Employee shall cooperate with the City in effecting the transfer of her duties during the sixty (60) day notice period.

C. Upon termination, Employee will receive the normal payout for accrued Paid Time Off in the manner provided by the City's Personnel Manual.

## **10. BONDING.**

The City shall pay the cost of any fidelity or other bonds required of Employee under any law or circumstance.

## **11. NOTICES.**

A. Notices by either party required to be given under this Agreement shall be in writing and hand-delivered or sent by certified mail addressed to the other party as herein provided. Notice to the City shall be delivered to the Mayor or City Clerk, at the offices of the City. Notice to Employee shall be delivered to her at her last known home address as indicated on the City's

records.

B. If notice is mailed, it shall be deemed "received" three (3) days after the postmarked date of mailing, provided such notice was sent postage prepaid and addressed as required by Paragraph 15(A) herein.

**12. MISCELLANEOUS.**

A. Horizon City Personnel Manual. With respect to the provisions in this agreement for which the provisions in the Horizon City Personnel Manual apply, any changes to the Personnel Manual approved by the City Council, shall automatically apply to this contract.

B. This Agreement shall be governed and construed in accordance with the substantive and procedural laws of the State of Texas.

C. This Agreement sets forth the entire agreement of the parties and supersedes and renders null and void any and all prior or contemporaneous oral or written understandings, statements, representations or promises. There are no other oral or written agreements between the parties.

D. If any provision of this Agreement is later deemed unenforceable, the remaining provisions will continue to be binding, and the arbitrator(s) making such a determination shall also have the limited authority to modify any clause solely in order to render the provision valid under applicable law.

**WHEREFORE, THE PARTIES HAVE EXECUTED THIS AGREEMENT ON THE DATES SET FORTH BELOW.**

**EMPLOYER:**

**EMPLOYEE:**

**TOWN OF HORIZON CITY, TEXAS**

By: \_\_\_\_\_  
**RUBEN MENDOZA**  
Mayor, Town of Horizon City

\_\_\_\_\_  
**PATRICIA RANDLEEL**

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

**THE STATE OF TEXAS )  
) ECONOMIC DEVELOPMENT  
) INCENTIVE GRANT/LOAN AND  
COUNTY OF EL PASO ) PERFORMANCE AGREEMENT**

This Economic Development Incentive Grant/Loan and Performance Agreement (this “Agreement”) is made and entered into this \_\_\_ day of \_\_\_\_\_, 2020 (“Execution Date”) by and between the **HORIZON CITY ECONOMIC DEVELOPMENT CORPORATION** (the “EDC”), a Texas corporation organized and existing under Chapter 501 and 505 of the Texas Local Government Code, known as the Development Corporation Act, as amended from time to time (the “Act”), and **PSC CUSTOM, LLC**, a Texas limited liability company (“Company”).

**RECITALS**

**WHEREAS**, Company occupies the property known as SE PT and NW PT of Lot 8, Block 2, Horizon Industrial Park Unit One Replat, Horizon City, Texas, commonly known as 491 Darrington Road, Horizon City, Texas, (“Property”). Company desires to expand its operation on the Property in Horizon City, Texas (“Project”); and

**WHEREAS**, Company has requested that the EDC authorize and provide financial and/or economic assistance to the Company to assist in the implementation of the Project, consisting of those certain economic incentives for a portion of the hard and soft costs required for the expansion of the company’s operations in Horizon City, necessary for the Project as may be required by the ordinances and regulations of the Town of Horizon City, Texas (“City”); and

**WHEREAS**, Section 501.103 of the Act states that the EDC may provide funding for specific expenditures that are found by the EDC Board of Directors to be required or necessary to promote or develop new or expanded business enterprises, as defined; and

**WHEREAS**, Company proposes to use the economic incentives to offset the costs of certain equipment, hiring staff, employee training and improvements to the Property which will include a portion of the hard and soft costs required for the expansion of the company’s operations in Horizon City that are necessary for the implementation of Project; and

**WHEREAS**, Company has executed the certification concerning the employment of undocumented aliens attached hereto as **Exhibit B** (the “Employment Certification”) specified by Chapter 2264 of the Texas Government Code; and

**WHEREAS**, the EDC has found that the Project will expand the Company’s business enterprise in the City and the EDC has concluded that the Company’s proposal constitutes a "project", as that term is defined in the Act, and is willing to provide Company with economic assistance as hereinafter set forth on the terms and subject to the conditions as stated herein and Company is willing to accept the same subject to all terms and conditions contained in this

Agreement; and

**WHEREAS**, the EDC has determined that the Project is in the best interest of the public and the Town of Horizon City and promotes the purposes authorized by the voters of the City for which the EDC was established to encourage the expansion, development and use of industrial and business properties within the City.

**NOW, THEREFORE**, for and in consideration of the above recitals and the terms, conditions and requirements hereinafter set forth, the parties hereto agree as follows:

**1. Economic Assistance.**

Subject to the terms of this Agreement and provided there is no Event of Default by Company under this Agreement with the City, the EDC will provide to the Company economic assistance in the form of a grant/unsecured loan that may be forgiven under the terms of this Agreement (“Economic Incentives”) to finance a portion of the costs incurred by Company to implement the Project in an amount up to, but not to exceed the principal amount of ONE HUNDRED FORTY THOUSAND AND NO/100ths DOLLARS (\$140,000.00).

The obligation to repay the loan shall be evidenced by the Note (attached hereto and incorporated by reference as **Exhibit “A”**). The Company’s obligation shall not be otherwise secured by the Project or any other collateral but shall be a general obligation of the Company. The Note shall bear interest at a rate per annum equal to the floating prime or base rate published in the Wall Street Journal for December 31<sup>st</sup> of each year plus one and three-fourths percent (1 - 3/4%) during the repayment period and will be adjusted annually.

The Company’s payment of the Economic Incentives loan amount may be forgiven by the EDC in the event the Company meets or exceeds the requirements described in Section 5 of this Agreement.

**2. EDC Disbursement of Economic Incentives Funds.**

For the period beginning on the execution date of this Agreement and extending until the sooner to occur of (i) the disbursement of funds is made for twenty-four (24) months; or (ii) the receipt by Company of the principal amount of One Hundred Forty Thousand and No/100ths Dollars (\$140,000.00.00), the EDC shall disburse to Company as Economic Incentives, as follows:

\$ 46,667 Six (6) months after Execution Date

\$ 46,667 Eighteen (18) months after Execution Date

\$ 46,666 Upon completion of Showroom, no later than twenty (20) months after Execution Date

The EDC's obligation to pay any portion of the Economic Incentives to Company will

terminate in the event that the Company does not enter into an incentives agreement with El Paso County no later than sixty (60) days after the full execution of this Agreement, or if this Agreement is subsequently terminated because of a default by Company, provided however, that, notwithstanding the above, the EDC Board may determine to proceed with this Agreement.

**3. Criteria to Qualify for Incentives** The following conditions must be satisfied for the entire term of the Agreement in order for a Project to qualify for the Economic Incentives:

A. The Company shall, prior to the disbursement of the Economic Incentives, deliver to the EDC financial statements of the Company for the most recent fiscal year end as well as any all documentation establishing a net worth and financial stability capable of supporting the Project. The obligation of the EDC under this Agreement shall be subject to the approval by the EDC of such financial statements. Future financial statements shall be provided to the EDC by the Company as required herein.

B. Company shall provide to EDC a certificate from an authorized officer of Company and such documentation reasonably required by EDC verifying the cost and detail of the Project.

C. At the time of disbursement of any portion of the Economic Incentives, Company shall not be delinquent in the payment of any ad valorem taxes then owed by Company on the Project (provided, however, Company retains the right to timely and properly protest and contest any such taxes or fees).

D. Within thirty (30) days of the Completion Deadline, Company has certified that the capital investment and related capital improvements and the jobs created for the Project have met the minimums set forth in **Exhibit "C"** (the "Schedule of Capital Investment and Jobs").

**4. Term of the Agreement.**

For purposes of this Agreement, a year shall consist of a period of four (4) calendar months ending on the last day of the month in each December, March, June and September. The term of the Agreement shall be from the date upon which both the EDC and Company have executed this Agreement until the date that is twenty-four (24) months from the Execution Date, unless sooner terminated as herein set forth (the "Term").

**5. Amounts Payable and Forgiveness Options**

The Company hereby agrees to pay the Note and repay the loan making the following payments:

A. The Company shall pay or cause to be paid amounts owing under the Note as directed by the EDC in immediately available funds for the account of the EDC by any date that any payment of principal of, interest and any other amount on the Note shall have been fully paid or provision for the payment thereof shall have been made.

B. In the event that the Company shall fail to make any of the payments required under this Agreement or the Note, the item or installment so in default shall bear interest and continue as an obligation of the Company until the amount in default shall have been fully paid.

C. The Note shall be payable in three (3) installments of principal, plus accrued interest at the applicable rate, as follows:

- 1) \$46,667.00 plus accrued interest on or before Twelve(12) months from the Execution Date
- 2) \$46,667.00 plus accrued interest on or before Twenty-Four (24) months from the Execution Date
- 3) \$46,666.00 plus accrued interest on or before Twenty-Four (24) months from the disbursement date for the Showroom

***D. Notwithstanding the above, in the event the Company meets or exceeds the performance measures set forth in Exhibit C, Schedule of Capital Investment and Jobs, and provided Company meets the qualifications set forth in Paragraph 3 above each year, the applicable annual installment of principal and interest owing on the Note shall be FORGIVEN and the Company shall receive a credit on the Note for such amount.***

E. All documentation required to establish the Company's eligibility for forgiveness or credit shall be submitted to the EDC on or before thirty (30) days prior to the applicable repayment date. The Company shall not be entitled to forgiveness or credit on any installment due on the Note unless and until it receives written confirmation from the EDC that it has established its eligibility for the forgiveness and credit for that year. Upon failure of the Company to establish its eligibility for the forgiveness or credit on or before ten (10) calendar days prior to the applicable Repayment Date, the Company shall be liable for the principal and interest payment due on that date and any failure to pay the same shall constitute a default under the terms of the Note.

F. In the event the Company fails to qualify for the forgiveness of the principal and interest in any year, and is thus required to pay the installment due on the Note for that year, the Company shall be entitled to meet the requirements for succeeding years and receive the applicable credit on the Note for that year.

## **6. Confidentiality.**

To the extent permitted by law, and subject to the requirements of the Texas Public Information Act, the EDC shall maintain the confidentiality of the information contained any submittals required by this Agreement (collectively, the "Company Information"), but shall be permitted to disclose the Company Information to such EDC officers, employees and consultants as the EDC, in its reasonable discretion, deems appropriate in furtherance of the purposes herein set forth.

(the “Act”) exempts certain financial information from disclosure, provided that the EDC and the Company submit its arguments to the Attorney General as provided by law. The EDC will notify the Company about any request for information relating to this Agreement, as required by the Act.

**7. Default**

A. The following shall constitute an “Event of Default” under this Agreement:

- (1) Upon the expiration of the notice and cure period set forth in the first sentence of Paragraph 7(b) below, the EDC’s failure to process any portion of the payments owing to Company in accordance with this Agreement
- (2) Upon the expiration of the notice and cure period set forth in the first sentence of Paragraph 7(b) below, a failure of Completion of Construction to occur on or before the Completion Deadline (as the same may have been extended by Force Majeure).
- (3) Upon the expiration of the notice and cure period set forth in the first sentence of Paragraph 7(b) below, Company’s failure to pay any real or personal ad valorem taxes or other material fees or charges owed by Company to the City prior to delinquency (provided, however, Company retains the right to timely and properly protest and contest any such taxes or fees and so long as Company is timely and properly protesting or contesting the same it shall not constitute an Event of Default).
- (4) Upon the failure of the Company to occupy and operate the business that is the recipient of the funding in Horizon City for a period of three (3) years from the Execution Date.
- (5) A breach of a representation under this Agreement by Company or the EDC.

B. In the event of the occurrence of a default described under Paragraph 7(A) above, the non-defaulting party may give written notice to the other party of such default, and the defaulting party shall have (i) thirty (30) days thereafter to cure said default or (ii) if the defaulting party is diligently pursuing the cure of such default but such default is not reasonably curable within thirty (30) calendar days, then the defaulting party shall have such additional amount of time as is reasonably necessary to cure such default. Should said default remain uncured after such cure period and the non-defaulting party is not otherwise in default hereunder, then the non-defaulting party shall have the right to give the defaulting party a notice (the “Second Notice”) that this Agreement shall immediately terminate if such default is not cured within fifteen (15) days after the Second Notice is given and, if such default is not cured within such additional 15-day period, regardless of the amount of time reasonably necessary to cure, then this Agreement shall terminate without further action by either party. In addition and without terminating this Agreement, Company shall further have the power to enforce specific performance or bring an action to collect amounts owing

upon an Event of Default by the EDC. Company shall further have the right to seek a judicial declaration of the appropriate amount of Grant payments owing by the EDC. No action shall lie for damages by either party (beyond the foregoing amounts owed by the EDC upon an Event of Default by the EDC), including punitive damages, and no special or consequential damages shall be recovered by any party.

C. This Agreement shall terminate upon the occurrence of any one of the following:

- (1) the execution by both parties of a written agreement terminating this Agreement;
- (2) the expiration of the term of this Agreement;
- (3) at the option of the non-defaulting party (subject to the notice and cure and other provisions of Paragraph 7(b) above), after an Event of Default.

D. The prevailing party in any action to enforce this Agreement shall be entitled to receive reasonable attorneys' fees from the non-prevailing party.

E. The EDC's sole and exclusive remedies for a breach by Company under this Agreement shall be those expressly provided for in this Paragraph 7 and elsewhere in this Agreement and the EDC hereby waives any other remedies under law or in equity.

F. TO THE EXTENT PERMITTED BY APPLICABLE LAWS, THE EDC VOLUNTARILY WAIVES ITS RIGHT TO ASSERT SOVEREIGN IMMUNITY FROM SUIT OR LIABILITY IN RESPONSE TO AN ACTION BY COMPANY SEEKING ONLY THE REMEDIES SPECIFIED IN THIS AGREEMENT.

THE EDC DOES NOT OTHERWISE WAIVE IMMUNITIES EXISTING UNDER APPLICABLE LAWS, AND IT IS EXPRESSLY UNDERSTOOD THAT THE WAIVER HERE GRANTED IS A LIMITED AND NOT A GENERAL WAIVER, AND THAT ITS EFFECT IS LIMITED TO SPECIFIC CLAIMS UNDER THIS AGREEMENT.

## **8. Force Majeure**

For purposes of this Agreement, the term "Force Majeure" shall mean and refer to (a) labor disputes, strikes, lockouts, action of labor unions; (b) inability after expending reasonable efforts to procure or general shortage of labor, equipment, facilities, materials or supplies in the ordinary course on the open market; (c) fire, earthquake, floods, explosion, actions of the elements, severe and adverse weather conditions, act of God; (d) war, invasion, riots, insurrections, civil commotion, mob violence, sabotage, act of the public enemy, terrorist acts; (e) condemnation, requisition, moratorium, unusual delay in transportation, unforeseeable acts, delays or failures to act by any governmental entity or their respective agents or employees, unforeseeable governmental restrictions, regulations or controls; or (f) other causes beyond the reasonable control of Company after the exercise of due diligence. Force Majeure shall not include delays caused by Company's lack of, or inability to obtain, funds.

**9. Assignment**

A. Except as hereinafter provided, this Agreement may not be assigned by any party without the written consent of the other parties.

B. Any attempted transfer or assignment of this Agreement by Company in violation of the terms set forth in this Paragraph 9 shall be void ab initio, and shall entitle the EDC to terminate this Agreement by written notice to Company; provided, however, that such termination shall not be effective if, within ten (10) days after its receipt of the EDC's termination notice. Company shall notify the EDC that Company has rescinded such attempted transfer or assignment.

C. Nothing in this Agreement shall prohibit Company from conveying or leasing any interest in the Property; provided however that if Company conveys or leases all of its interest in the Property or the Project to any party other than an Affiliate as permitted in Paragraph 9(b) above, then, unless an assignment of this Agreement executed by the Company has been recorded in the real property records where the Property is located at the time of such conveyance or lease, this Agreement shall terminate automatically and immediately without any further action required on the part of either party. To memorialize such termination, Company shall execute a confirmation of such termination which shall be recorded in the real property records where the Properties are located.

**10. Miscellaneous**

A. This Agreement shall be construed according to the laws of the State of Texas and is subject to all provisions of the Act, which are incorporated herein by reference for all purposes. In the event any provision of the Agreement is in conflict with the Act, the Act shall prevail.

B. This Agreement shall be governed by the laws of the State of Texas and is specifically performable in El Paso County, Texas.

C. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their permitted successors and assigns.

D. Any notice required or permitted to be given under this Agreement shall be deemed delivered by hand delivery or depositing the same in the United States mail, certified with return receipt requested, postage prepaid, addressed to the appropriate party at the following addresses, or at such other address as any party hereto might specify in writing:

EDC:                    Horizon City Economic Development Corporation  
                              Attn: President  
                              14999 Darrington Rd.  
                              Horizon City, Texas 79928

With a Copy to: Horizon City Economic Development Corporation  
Attn: Executive Director  
14999 Darrington Rd.  
Horizon City, Texas 79928

COMPANY: PSC Custom, LLC  
Attn: President/CEO  
1145 Congress Parkway N.  
Athens, TN 37303

E. This Agreement contains the entire agreement of the parties regarding the subject matter and may only be amended or revoked by the written agreement executed by all of the parties hereto.

F. If requested by either party, the other party agrees to deliver within twenty (20) days of the requesting party's request, an estoppel certificate confirming to the other party that the following, to the extent truthful or detailing the inaccuracies to the extent not truthful: (1) an attached copy of this Agreement is true and complete, is in full force and effect and has not been supplemented, amended or modified (or referencing and attaching copies of any such supplement, amendment or modification); (2) to the actual knowledge of the non-requesting party, no default of the requesting party exists hereunder, (3) there are no existing or intended documents related to the Economic Incentives other than this Agreement and the Development Agreement with the Company; and (4) the requesting party is and shall be entitled to rely upon the estoppel certificate.

G. This Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes, but all of which shall constitute one instrument. Execution copies of this Agreement may be delivered by facsimile or email, and the parties hereto agree to accept and be bound by facsimile signatures or scanned signatures transmitted via email hereto, which signatures shall be considered as original signatures with the transmitted Agreement having the same binding effect as an original signature on an original Agreement.

H. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision thereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

I. Each signatory represents this Agreement has been read by the party for which this Agreement is executed and that such party has had an opportunity to confer with its counsel.

J. Time is of the essence in this Agreement.

K. The parties agree this Agreement has been drafted jointly by the parties and their legal representatives.

**BY THE EXECUTION HEREOF**, each signatory hereto represents and affirms that he is acting on behalf of the party indicated, that such party has taken all action necessary to authorize the execution and delivery of the Agreement and that the same is a binding obligation on such party.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**EDC:**

**HORIZON CITY ECONOMIC  
DEVELOPMENT CORPORATION**

By: \_\_\_\_\_  
Walter Miller, President

**COMPANY:**

PSC CUSTOM, LLC  
a Texas limited liability company

By: \_\_\_\_\_  
Jerry Cignarella, President

Exhibits:

- Exhibit A - Promissory Note
- Exhibit B - Employment Certification
- Exhibit C - Schedule of Capital Investment  
and Jobs

**EXHIBIT A**

**EXHIBIT B**

**CERTIFICATION REGARDING EMPLOYMENT OF  
UNDOCUMENTED ALIENS**

**PSC CUSTOM, LLC**, a Texas limited liability company (“Company”) hereby certifies that Company, and any branches, divisions, or departments, does not and will not knowingly employ an undocumented worker, as that term is defined by Section 2264.001(4) of the Texas Government Code. In the event that, Company or any branch, division, or department of Company, is convicted of a violation under 8 U.S.C. Section 1324a(f) (relating to federal criminal penalties and injunctions for a pattern or practice of employing unauthorized aliens), subject to any appellate rights that may lawfully be available to and exercised by Company, must repay, within one hundred twenty (120) calendar days following receipt of written demand from the EDC, the aggregate amount of any economic development grants received by Company from the EDC, if any, plus Simple Interest at a rate of two percent (2%) per annum.

For the purposes of this Certification, “Simple Interest” is defined as a rate of interest applied only to an original amount of a grant payment made to Company by the City. This rate of interest can be applied each year or prorated as to partial years, but will only apply to the amount of grants received hereunder and is not applied to interest calculated. For example, if a grant payment received by Company is \$10,000 and it is required to be paid back with two percent (2%) interest five years later, the total amount would be  $\$10,000 + [5 \times (\$10,000 \times 0.02)]$ , which is \$11,000. This repayment obligation shall not apply to convictions of any Affiliate of Company, any franchisees of Company, or any person or entity with whom Company contracts.

**PSC CUSTOM, LLC**  
a Texas limited liability company

By: \_\_\_\_\_  
Jerry Cignarella, President

**Exhibit C**

**SCHEDULE OF CAPITAL INVESTMENT AND JOBS FOR FACILITY TO QUALIFY FOR DISBURSEMENT OF PAYMENTS**

<b>PERFORMANCE METRICS</b>	<b>NUMBER/PERCENT/ACTIVITY</b>	<b>DEADLINE – FROM EXECUTION DATE</b>
<i>Minimum Number of Employment Positions and Site Improvements</i>	<p style="text-align: center;">18 Full Time Jobs \$1 million investment in site development</p> <p style="text-align: center;">18 Full Time Jobs (Baseline: 36 Full Time Jobs)</p>	<p style="text-align: center;">Twelve (12) months from Execution Date</p> <p style="text-align: center;">Twenty-four (24) months from Execution Date</p>
<i>Period to Purchase of Equipment</i>	<p style="text-align: center;">\$1 million of total investment in site development</p> <p style="text-align: center;">Additional \$700,000 (or 100%) of total investment, (site development, improvements, furniture, equipment, and tools)</p>	<p style="text-align: center;">Twelve (12) months from Execution Date</p> <p style="text-align: center;">Twenty-Four (24) months from Execution Date</p>
<i>Completion of Showroom</i>	<p style="text-align: center;">Obtain Certificate of Occupancy</p> <p style="text-align: center;">Proof of Two Months Sales Tax Collected and Remitted to State</p>	<p style="text-align: center;">Twenty (20) months from Execution Date</p>

**TOWN OF HORIZON CITY  
ECONOMIC DEVELOPMENT CORPORATION  
BUDGET 2020-2021**

Fund	Dept	Acct	Description	Revised		FY2021 Budget	Increase/ (Decrease)	Percentage
				FY2019 Actuals	FY2020 Budget			
<b>Revenues</b>								
07	400	4050	Economic Development Fund SalesTaxes	384,504	393,262	466,036	72,773	
07	400	4420	Interest Income	21,641	-	-	-	
07	400	4600	Prior Year Fund Surplus		-	18,481	18,481	
<b>Revenue Total:</b>				<b>406,145</b>	<b>393,262</b>	<b>484,517</b>	<b>91,254</b>	<b>23.20%</b>
<b>Expenditures</b>								
07	501	5010	Salaries	87,514	105,275	123,941	18,665	
07	501	5030	Payroll Taxes	6,741	8,054	9,527	1,474	
07	501	5040	Retirement Benefits	5,225	6,327	7,329	1,002	
07	501	5050	Group Health	5,856	11,179	11,069	(109)	
07	501	5070	Training	2,945	3,800	3,980	180	
07	501	5080	Travel	9,787	13,500	13,466	(34)	
07	501	5090	Unemployment Taxes - Texas	243	65	56	(9)	
07	501	5200	City Attorney	13,358	16,042	16,363	321	
07	501	5210	Janitorial Supplies	604	1,000	1,050	50	
07	501	5220	Materials & Supplies	190	1,000	1,300	300	
07	501	5240	Postage		200	200	-	
07	501	5250	Office Supplies	765	1,000	1,100	100	
07	501	5260	Furniture & Equipment < \$2,500	192	7,500	7,700	200	
07	501	5270	Employee Candidate Testing	-	158	-	(158)	
07	501	5320	Dues	1,100	2,000	2,450	450	
07	501	5330	Publications & Subscriptions	-	234	260	26	
07	501	5350	Insurance - Workmen's Comp	213	370	376	7	
07	501	5360	Insurance - Liability	339	346	-	(346)	
07	501	5410	Contract Labor	24,213	25,676	44,650	18,974	
07	501	5510	Electricity	295	1,200	1,250	50	
07	501	5520	Gas - Natural	-	1,050	1,075	25	
07	501	5530	Gasoline, Oil	-	-	300	300	
07	501	5540	Maintenance - Bldg	360	2,000	2,500	500	
07	501	5550	Maintenance - Equipment	-	500	550	50	
07	501	5590	Telephone & Communications	600	6,450	7,050	600	
07	501	5620	Rents - Building	7,001	14,000	14,400	400	
07	501	5630	Storage Rental	3,040	3,832	3,800	(32)	
07	501	5640	Software Licensing & Maintenance Fees	1,513	2,325	2,926	601	
07	501	5700	Bank Charges	104	-	-	-	
07	501	5710	Miscellaneous Expense	36	600	650	50	
07	501	5720	Public Relations	7,546	10,000	15,200	5,200	
07	501	5735	Investor Relations	639	3,000	3,000	-	
			Subtotal Operating Expenditures	180,419	248,681	297,517	48,836	
07	507	7010	Projects - EDC					
			Accelerator	14,898	50,000	28,800	(21,200)	
			Summit Plastic Molding		25,000	-	(25,000)	
			Transit Oriented Development	8,000	-	55,000	55,000	
			Alliance for Regional Military Support			10,000	10,000	
			Polar Services			46,667	46,667	
			Additional Projects		69,581	46,533	(23,048)	
			Subtotal Project Expenditures	22,898	144,581	187,000	42,419	
<b>Expenditure Total:</b>				<b>203,316</b>	<b>393,262</b>	<b>484,517</b>	<b>91,254</b>	<b>23.20%</b>
<b>Excess Revenue</b>				<b>202,828</b>	<b>-</b>	<b>-</b>	<b>-</b>	

# Budget Forecast by Department (CC)

Division Economic Development Corporation

	2020	2021		
	Budget	Budget	Change	% Change
<b>Expenses</b>				
07-501EDC - Administration-EDC	248,681	297,402	48,721	19.59%
5010-Salaries	105,275	123,941	18,665	17.73%
5030-Payroll Taxes	8,054	9,583	1,530	18.99%
5040-Retirement Benefits	6,327	7,329	1,002	15.83%
5050-Group Health	11,179	11,069	(109)	-0.98%
5070-Training	3,800	3,980	180	4.74%
5080-Travel	13,500	13,466	(34)	-0.25%
5090-Unemployment Taxes-Texas	65	0	(65)	-100.00%
5200-City Attorney	16,042	16,363	321	2.00%
5210-Janitorial Supplies	1,000	1,050	50	5.00%
5220-Materials & Supplies	1,000	1,300	300	30.00%
5240-Postage	200	200	0	0.00%
5250-Office Supplies	1,000	1,100	100	10.00%
5260-Furniture & Equipment < \$2,500	7,500	7,700	200	2.67%
5270-Employee Candidate Testing	158	0	(158)	-100.00%
5320-Dues	2,000	2,450	450	22.50%
5330-Publications & Subscriptions	234	260	26	10.90%
5350-Insurance - Workmen's Comp	370	262	(108)	-29.22%
5360-Insurance - Liability	346	0	(346)	-100.00%
5410-Contract Labor	25,676	44,650	18,974	73.90%
5510-Electricity	1,200	1,250	50	4.17%
5520-Gas - Natural	1,050	1,075	25	2.38%
5530-Gasoline, Oil	0	300	300	100.00%
5540-Maintenance - Bldg	2,000	2,500	500	25.00%
5550-Maintenance - Equipment	500	550	50	10.00%
5590-Telephone & Communications	6,450	7,050	600	9.30%
5620-Rents - Building	14,000	14,400	400	2.86%
5630-Storage Rental	3,832	3,800	(32)	-0.84%
5640-Software Licensing & Maintenance Fees	2,325	2,926	601	25.83%
5700-Bank Charges	0	0	0	0.00%
5710-Miscellaneous Expense	600	650	50	8.33%
5720-Public Relations	10,000	15,200	5,200	52.00%
5735-Investor Relations	3,000	3,000	0	0.00%
7010-Projects - EDC	0	0	0	0.00%
Total 07-501EDC - Administration-EDC	248,681	297,402	48,721	19.59%
07-507EDC - Capital Costs-EDC				
7010-Projects - EDC	144,581	187,000	42,419	29.34%
Total 07-507EDC - Capital Costs-EDC	144,581	187,000	42,419	29.34%
Total Expenses	393,262	484,402	91,140	23.18%
<b>Revenues</b>				
07-400EDC - Revenues - EDC				
4050-Economic Development Fund Taxes	393,262	466,036	72,773	18.50%
4600-Prior Year Fund Surplus	0	18,367	18,367	100.00%
Total 07-400EDC - Revenues - EDC	393,262	484,402	91,140	23.18%
Total Revenues	393,262	484,402	91,140	23.18%
<b>Net Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>23.18%</b>

# Department (CC) Summary

07-400EDC - Revenues - EDC

<b>Previous Department (CC)</b>	07-400EDC - Revenues - EDC	<b>Budget Year</b>	2021
<b>Division</b>	Economic Development Corporation	<b>Accounting Reference</b>	07-400EDC
<b>Department</b>	400EDC - Revenues - Economic Development	<b>Approved</b>	No
<b>Stage</b>	Council Review	<b>Manager</b>	Pat Randleel (prandleel)

## Comments

### Description

Revenues for the Economic Development Corporation come from a 0.25% sales tax. This was determined by a voter referendum in 2011

### Justification

Sales taxes have continued to be strong and are therefore being increased annually by 4%

## Budget Prior Year Comparison

Object	Changes	Percent Change	2020 Amount	2021 Amount
<b>Revenues</b>				
4050-Economic Development Fund Taxes	Increased	18.50 %	393,262	466,036
4600-Prior Year Fund Surplus	New this year		-	18,366
<b>Total Revenues</b>		23.18 %	<b>393,262</b>	<b>484,402</b>

## Budget 5 Year Forecast

	2021	2022	2023	2024	2025
<b>Revenues</b>					
4050-Economic Development Fund Taxes	466,036	484,677	504,064	524,227	545,196
4600-Prior Year Fund Surplus	18,366	-	-	-	-
<b>Total Revenues</b>	484,402	484,677	504,064	524,227	545,196
<b>% Increase</b>		0.06%	4.00%	4.00%	4.00%
<b>Net Total</b>	<b>484,402</b>	<b>484,677</b>	<b>504,064</b>	<b>524,227</b>	<b>545,196</b>

## 2021 Budget Details

# Department (CC) Summary

07-501EDC - Administration-EDC

<b>Previous Department (CC)</b>	07-501EDC - Administration-EDC	<b>Budget Year</b>	2021
<b>Division</b>	Economic Development Corporation	<b>Accounting Reference</b>	07-501EDC
<b>Department</b>	501EDC - Administration-EDC	<b>Approved</b>	No
<b>Stage</b>	Council Review	<b>Manager</b>	Michael Hernandez

## Comments

The EDC has two employees; an executive director and an executive assistant.

## Description

The nonprofit organization that is part of the Town of Horizon City and tasked with economic development activities.

## Justification

### Budget Prior Year Comparison

<b>Object</b>	<b>Changes</b>	<b>Percent Change</b>	<b>2020 Amount</b>	<b>2021 Amount</b>
<b>Expenses</b>				
5010-Salaries	Increased	17.73 %	105,275	123,941
5030-Payroll Taxes	Increased	18.99 %	8,054	9,583
5040-Retirement Benefits	Increased	15.83 %	6,327	7,329
5050-Group Health	Decreased	0.98 %	11,179	11,069
5070-Training	Increased	4.74 %	3,800	3,980
5080-Travel	Decreased	0.25 %	13,500	13,466
5090-Unemployment Taxes-Texas	Not used this year		65	-
5200-City Attorney	Increased	2.00 %	16,042	16,363
5210-Janitorial Supplies	Increased	5.00 %	1,000	1,050
5220-Materials & Supplies	Increased	30.00 %	1,000	1,300
5240-Postage	Unchanged	0.00 %	200	200
5250-Office Supplies	Increased	10.00 %	1,000	1,100
5260-Furniture & Equipment < \$2,500	Increased	2.67 %	7,500	7,700
5270-Employee Candidate Testing	Not used this year		158	-
5320-Dues	Increased	22.50 %	2,000	2,450
5330-Publications & Subscriptions	Increased	10.90 %	234	260
5350-Insurance - Workmen's Comp	Decreased	29.22 %	370	262
5360-Insurance - Liability	Not used this year		346	-
5410-Contract Labor	Increased	73.90 %	25,676	44,650
5510-Electricity	Increased	4.17 %	1,200	1,250
5520-Gas - Natural	Increased	2.38 %	1,050	1,075
5530-Gasoline, Oil	New this year		-	300
5540-Maintenance - Bldg	Increased	25.00 %	2,000	2,500
5550-Maintenance - Equipment	Increased	10.00 %	500	550
5590-Telephone & Communications	Increased	9.30 %	6,450	7,050
5620-Rents - Building	Increased	2.86 %	14,000	14,400
5630-Storage Rental	Decreased	0.84 %	3,832	3,800
5640-Software Licensing & Maintenance Fees	Increased	25.83 %	2,325	2,926
5710-Miscellaneous Expense	Increased	8.33 %	600	650
5720-Public Relations	Increased	52.00 %	10,000	15,200
5735-Investor Relations	Unchanged	0.00 %	3,000	3,000
<b>Total Expenses</b>		<b>19.59 %</b>	<b>248,681</b>	<b>297,402</b>

# Department (CC) Summary

07-501EDC - Administration-EDC

## Budget 5 Year Forecast

	2021	2022	2023	2024	2025
<b>Expenses</b>					
5010-Salaries	123,941	124,013	124,085	124,157	124,229
5030-Payroll Taxes	9,583	9,589	9,594	9,600	9,605
5040-Retirement Benefits	7,329	7,277	7,282	7,286	7,290
5050-Group Health	11,069	11,069	11,069	11,069	11,069
5070-Training	3,980	4,060	4,141	4,224	4,308
5080-Travel	13,466	13,735	14,010	14,290	14,576
5200-City Attorney	16,363	16,690	17,024	17,364	17,712
5210-Janitorial Supplies	1,050	1,071	1,092	1,114	1,137
5220-Materials & Supplies	1,300	1,326	1,353	1,380	1,407
5240-Postage	200	204	208	212	216
5250-Office Supplies	1,100	1,122	1,144	1,167	1,191
5260-Furniture & Equipment < \$2,500	7,700	7,854	8,011	8,171	8,335
5320-Dues	2,450	2,450	2,450	2,450	2,450
5330-Publications & Subscriptions	260	264	268	273	277
5350-Insurance - Workmen's Comp	262	262	262	262	262
5410-Contract Labor	44,650	45,104	45,659	46,225	46,802
5510-Electricity	1,250	1,275	1,301	1,327	1,353
5520-Gas - Natural	1,075	1,097	1,118	1,141	1,164
5530-Gasoline, Oil	300	300	306	312	318
5540-Maintenance - Bldg	2,500	2,550	2,601	2,653	2,706
5550-Maintenance - Equipment	550	561	572	584	595
5590-Telephone & Communications	7,050	7,179	7,311	7,445	7,582
5620-Rents - Building	14,400	14,800	14,800	14,800	14,800
5630-Storage Rental	3,800	3,876	3,954	4,033	4,113
5640-Software Licensing &	2,926	2,974	3,022	3,071	3,121
5710-Miscellaneous Expense	650	663	676	690	704
5720-Public Relations	15,200	15,404	15,612	15,824	16,041
5735-Investor Relations	3,000	3,060	3,121	3,184	3,247
<b>Total Expenses</b>	<b>297,402</b>	<b>299,828</b>	<b>302,045</b>	<b>304,306</b>	<b>306,609</b>
<b>% Increase</b>		0.82%	0.74%	0.75%	0.76%
<b>Net Total</b>	<b>(297,402)</b>	<b>(299,828)</b>	<b>(302,045)</b>	<b>(304,306)</b>	<b>(306,609)</b>

# Department (CC) Summary

07-507EDC - Capital Costs-EDC

<b>Previous Department (CC)</b>	07-507EDC - Capital Costs-EDC	<b>Budget Year</b>	2021
<b>Division</b>	Economic Development Corporation	<b>Accounting Reference</b>	07-507EDC
<b>Department</b>	507EDC - Capital Costs-EDC	<b>Approved</b>	No
<b>Stage</b>	Council Review	<b>Manager</b>	

**Comments**

**Description**

**Justification**

**Budget Prior Year Comparison**

<b>Object</b>	<b>Changes</b>	<b>Percent Change</b>	<b>2020 Amount</b>	<b>2021 Amount</b>
<b>Expenses</b>				
7010-Projects - EDC	Increased	29.34 %	144,581	187,000
<b>Total Expenses</b>		29.34 %	<b>144,581</b>	<b>187,000</b>

**Budget 5 Year Forecast**

	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
<b>Expenses</b>					
7010-Projects - EDC	187,000	175,000	175,000	175,000	175,000
<b>Total Expenses</b>	187,000	175,000	175,000	175,000	175,000
<b>% Increase</b>		(6.42%)	0.00%	0.00%	0.00%
<b>Net Total</b>	<b>(187,000)</b>	<b>(175,000)</b>	<b>(175,000)</b>	<b>(175,000)</b>	<b>(175,000)</b>

**2021 Budget Details**

<b>Objects</b>	<b>Comments</b>	<b>Object Subtotals</b>	<b>2021 Budget</b>
<b>Expenses</b>			
<b>70 - Special Projects</b>			
7010-Projects - EDC	ARMS Group (Alliance for Regional Military Support	10,000	
7010-Projects - EDC	HTAP Office Space Rent	28,800	
7010-Projects - EDC	Other Projects	46,533	
7010-Projects - EDC	Polar Services/Entrans	46,667	
7010-Projects - EDC	TOD Activation and Acquisition	55,000	
			187,000
<b>Total</b>			<b>187,000</b>
<b>Total Expenses</b>			<b>187,000</b>
<b>Net Total</b>			<b>(187,000)</b>

## MEMORANDUM



**TO:** Mayor Mendoza and City Council Members

**FROM:** Police Chief Michael McConnell

**DATE:** August 6, 2020, 2020

**RE:** Request to Re-designate Funds – Replacement of Voice Logging Recorder

---

As we draw closer to the conclusion of the Fiscal Year 19/20 budget, the police department has remaining funds resulting from unfilled positions through attrition.

We request City Council to allow the police department to purchase a replacement 40 channel Eventide voice logging recorder for our dispatch center. We currently utilize an Eventide voice logging recorder that is five years old and is reaching end-of-life. The recommendation is to replace it. We will need this piece of equipment for the new building, and by purchasing it from this year's budget, we can better manage the costs that would have to come out of next year's budget or budget from the building itself.

The voice logging recorder will be purchased and installed immediately. When it is time to move the equipment to the new building, it will be a relatively simple procedure.

This purchase does not require a budget amendment or additional funds as the dollars are currently in the police department's operational budget. Vistacom is the sole provider for this device in Texas, and they have supplied us with an HGAC Buy Board quote #HOU003661 for \$24,663.

Discussion and action: On a request to purchase an Eventide NexLog 740 DX-Series 40 channel voice logging recorder from Vistacom utilizing the HGAC Buy Board quote # HOU003661 for \$24,663. (Mayor Mendoza and Chief McConnell)



Houston, TX  
9824 Whithorn Drive  
Houston, Texas 77095  
P: (800) 708-6423  
[www.vistacomtx.com](http://www.vistacomtx.com)

Remit, Sales and Support

Oklahoma City, OK  
4200 Perimeter Center Drive, Suite 140  
Oklahoma City, OK 73112  
P: (800) 708-6423  
[www.vistacomtx.com](http://www.vistacomtx.com)

Sales and Support

We have prepared a quote for you

Town of Horizon City | Eventide Nexlog DX Recorder  
Upgrade Quote

Quote # HOU003661

Version 1

Wednesday, July 08, 2020

Town of Horizon City  
Michael McConnell  
14999 Darrington  
Horizon City, TX 79928  
chief@horizoncity.org

Dear Michael,

Thank you for allowing Vista Com to prepare a quotation for you recording solution. Vista Com has over a 25 year history of providing public safety recording solutions throughout the region. We partner with the best OEM's in the industry to delivery the latest technology to you and we back the solution with local support and factory engineering.

Within this quotation you will find three key areas that describe the solution.

- Hardware - this is the physical components to be installed at your site.
- Software - each solution requires software that is licensed to you for your recorder.
- Services - items that are one time charges and represent labor and support for your solution.

The link details all areas of your quotation that we have designed for you. This quotation is based upon given facts and knowledge of your requirements passed to us by you and your organization. As such if we determine that the environment is different than what we have designed we will promptly edit the proposal for your presentation.

Important Note - the point at which the recorder equipment connects to the customer equipment is referred to as the demarcation point. The customer and/or its vendors are responsible for any required connections to this demarcation point such as cabling, equipment programming, or equipment relocation.

If you approve of this quotation please indicate so within the link. By accepting this quotation you represent your authorization of your entity and legally bind your agency to the terms of this sales contract.

Kind Regards,

*Robin Clevenger*

Robin Clevenger  
Regional Sales Manager  
Vista Com

## Disclosures

All order cancellations are subject to a 35% restocking charge once order has been placed. Your solution is custom built for your environment. Vista Com will make every attempt to modify changes once purchase has been placed however the customer is ultimately responsible for any financial implications for order changes after the order is placed.

Solution Design - we make every attempt to ensure the attached quote is exact and matches your requirements. Please pay special attention to our description of goods and services to ensure it matches your requests. If Vista Com inspects your site location and determines that our solution does not match your communicated requirement, we will promptly revise this quote.

Customer Demarcations - The point at which the recording equipment is connected to the customer equipment is termed "demarcation point". The demarcation point can be a physical cable connection to a demarcation block or it can be a network cable connected to a customer network switch. Due to vendor and customer liabilities it is accepted that Vista Com is responsible for cabling and recorder connection from the demarcation point and the customer is responsible for all cabling, configuration, and coordination for recorded devices to the demarcation block.

Install Guide - Vista Com requires information about your network and user environment before installation of the recording solution. This information includes necessary information proprietary to the customer such as network addresses, user names/passwords, channel assignments and user rights. It is understood that the customer will answer this proprietary information to Vista Com prior to installation in order for the services to be conducted quickly and efficiently.

By acceptance of this offer you accept the disclosures above as part of this agreement.

## Town of Horizon City | Eventide Nexlog DX Recorder Upgrade Quote



**Prepared by:**

Vista Com  
 Robin Clevenger  
 281-516-9800 ext 201  
 Fax (281) 518-7056  
 robin@vistacomtx.com

*Robin Clevenger*

**Prepared for:**

Town of Horizon City  
 14999 Darrington  
 Horizon City, TX 79928  
 Michael McConnell  
 chief@horizoncity.org  
 (915) 852-1047

**Quote Information:**

Quote #: HOU003661  
 Version: 1  
 Delivery Date: 07/08/2020  
 Expiration Date: 10/30/2020

Part Number	Hardware	Qty	List Price (Each)	List Price (Extended)	Discounted Price (Each)	Discounted Price (Extended)
Vista Com is proposing to the Town of Horizon City to replace/upgrade the 5 yr old Eventide recorder to the new Eventide Nexlog DX recorder equipped with recording the following: (24) analog, (16) IP, (8) Media Works and (8) Media Works Mobile licenses. The proposal reflects HGAC state contract.						
NexLog 740DX Hardware Bundle	NexLog 740DX Hardware Bundle NexLog 740DX Base Hardware Configuration	1	\$12,190.00	\$12,190.00	\$10,208.00	\$10,208.00
	NexLog 740 DX-Series Base System NexLog 740 DX-Series base system: 3U rack-mountable, Core i5 CPU, 16GB DDR4 RAM, 2 x1TB fixed-Mount HDDs (RAID 1), 1 Blu-ray Multi-Drive, 2 Network Ports (100/1000), Embedded Linux, NexLog DX-Series software, web-based configuration manager, dual hot- swap 120-240VAC 50/60Hz power supplies. Requires ongoing Eventide DX Software Update Subscription (DXSUS) for access to critical DX-Series Software & Security Updates.	1				
	Integrated 7" Color LCD Touch Screen Display for NexLog 740 Integrated 7" Color LCD Touch Screen Display for NexLog 740 DX-Series	1				



Oklahoma City, OK  
 4200 Perimeter Center Drive, Suite 140  
 Oklahoma City, OK 73112  
 P: (800) 708-6423  
 www.vistacomtx.com

Houston, TX  
 9824 Whithorn Drive  
 Houston, Texas 77095  
 P: (800) 708-6423  
 www.vistacomtx.com

Sales and Support

Remit, Sales and Support

Part Number	Software	Qty	List Price (Each)	List Price (Extended)	Discounted Price (Each)	Discounted Price (Extended)
NexLog 740DX Software Bundle	NexLog 740DX Software Bundle Eventide User Software Bundle and Licensing	1	\$1,490.00	\$1,490.00	\$745.00	\$745.00
	MediaWorks Plus Licenses MediaWorks Plus (Web) Concurrent Access for 8 Users	1				
	License, Speech to Text Speech to Text Licensing (Experimental) Quality Assurance "Word Factor" option (May Help to Identify Candidate Calls for Evaluation; US English only, Experimental/Free)	1				
	MediaWorks MOBILE 8 License Pack MediaWorks MOBILE 8 License Pack	1				

Part Number	Services	Qty	List Price (Each)	List Price (Extended)	Discounted Price (Each)	Discounted Price (Extended)
Prof Serv Install Bundle	Prof Service Installations Bundle Recorder Solutions Installation Services Includes Site Installation Guides, Project Management, Pre-Configuration, Onsite Installation, System Integrations, and De-trash	1	\$2,263.00	\$2,263.00	\$2,263.00	\$2,263.00
Prof Support Bundle	Support Product and Configuration Bundle Support For Recording Solution During Period of OEM Materials Warranty. Includes Software Support, Configuration Support, Time and Materials, and all On-Site Maintenance	1	\$1,548.00	\$1,548.00	\$1,548.00	\$1,548.00
	First Year Support Support for Recording Solution Including Software, User Support, Configuration Support, and Installed Services First Year	1				



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 9824 Whithorn Drive  
 Houston, Texas 77095  
 P: (800) 708-6423  
 www.vistacomtx.com

Sales and Support

Remit, Sales and Support

Prof Service Training Bundle	Prof Service Training Bundle Professional Services, Training Programs Designed To Your Solution. Includes Materials, Training Class, and Follow Up Support	1	\$1,900.00	\$1,900.00	\$1,900.00	\$1,900.00
				\$7,259.00		\$7,259.00

Part Number	Discount	Qty	List Price (Each)	List Price (Extended)	Discounted Price (Each)	Discounted Price (Extended)
Vista Com Discount	Customer Discount Customer Discount	1	(\$350.00)	(\$350.00)	(\$350.00)	(\$350.00)
				(\$350.00)		(\$350.00)

Quote Summary	Amount
Hardware	\$18,557.00
Software	\$745.00
Services	\$5,711.00
Discount	(\$350.00)
Total	\$24,663.00

Payment Terms	No. of Payments		Amount
Net 30	1	None	\$24,663.00

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

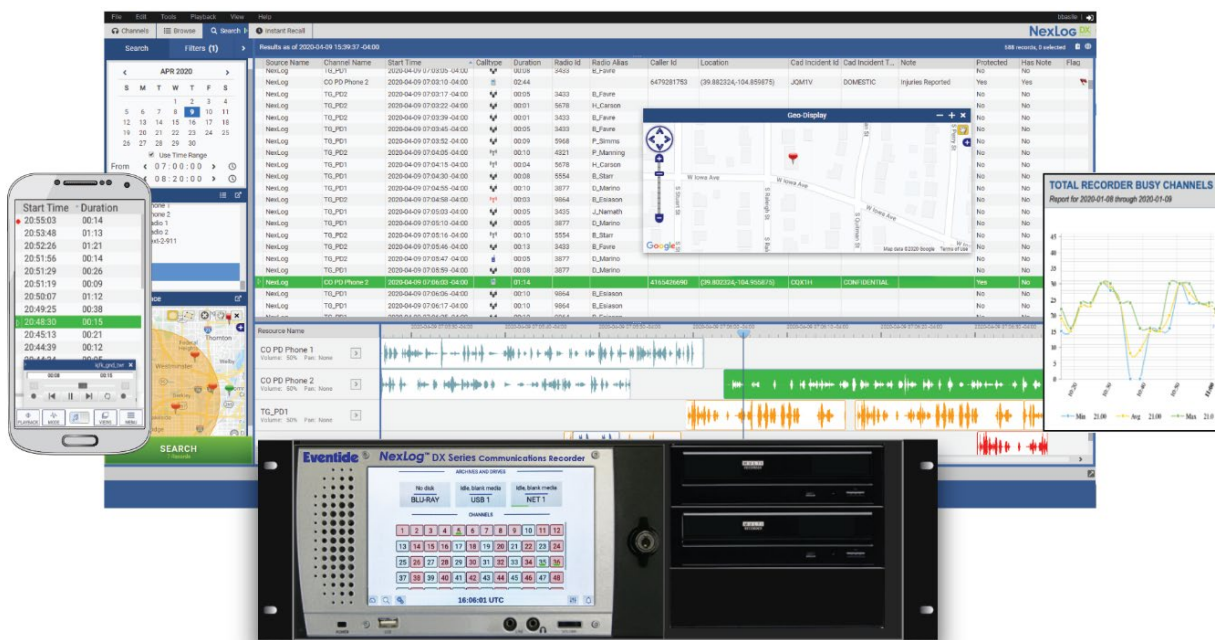
Signature \_\_\_\_\_

Date \_\_\_\_\_

# NexLOG™



## Advanced Recording Solutions for Mission-Critical Communications



Recording Systems • Software Solutions • Edge Capture Devices

NG9-1-1 • P25 Radio • DMR • IP Dispatch • ATC/ATM  
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*Eventide's mission-critical recording solutions are trusted  
by organizations worldwide to capture, secure  
and reconstruct their most important interactions.*

## MEMORANDUM



**TO:** Mayor Mendoza and City Council Members

**FROM:** Police Chief Michael McConnell

**DATE:** July 15, 2020

**RE:** Request to Re-designate Capital Equipment Funds

---

In the FY19/20 budget, the police department budgeted \$57,193 for capital equipment expenses. Because we were able to procure one item from the previous year's budget along with other current operational changes, we have \$22,492 undesignated capital equipment funds. We want to use some of those funds to purchase software for the police officers to allow them to be more productive, efficient, and accurate in their report writing skills. I have included additional information with this request describing the benefits of such software.

Our request is to authorize the purchase of Nuance - Dragon Law Enforcement Dictation software with a cost of \$13,556.60. This purchase will include 18 seats of the Dragon Law Enforcement Dictation software. The acquisition is a one-time cost, and the town will own the software. We will, however, need to purchase the annual support and management software (\$1,800), which I have placed in the future year budgets.

This purchase does not require a budget amendment or additional funds as the dollars are currently in the police department's capital equipment budget, and this purchase is considered capital equipment. Carahsoft is the software retailer for Nuance in Texas, and the company has a Texas DIR contract number - DIR-TSO-4288.

**Discussion and Action:** On a recommendation to purchase Dragon Law Enforcement 15.0 Dictation software, first-year annual maintenance, user management software, 10 microphones, and training at a total cost \$13,556.60, from the capital equipment fund using Texas DIR contract number - DIR-TSO-4288. (Mayor Mendoza/Chief McConnell)

# GOVERNMENT - PRICE QUOTATION



CARAHSOFT TECHNOLOGY CORP.



11493 SUNSET HILLS ROAD | SUITE 100 | RESTON, VIRGINIA 20190  
 PHONE (703) 871-8500 | FAX (703) 871-8505 | TOLL FREE (888) 66CARAH  
 WWW.CARAHSOFT.COM | SALES@CARAHSOFT.COM

**TO:** Michael McConnell  
 Police Chief, CPM, PhD  
 Horizon Police Department  
 14999 Darrington Road  
 Horizon City, TX 79928 USA

**FROM:** Kristen Thompson  
 Carahsoft Technology Corp.  
 11493 Sunset Hills Road  
 Suite 100  
 Reston, Virginia 20190

**EMAIL:** mmcconnell@horizoncity.org

**EMAIL:** Kristen.Thompson@carahsoft.com

**PHONE:** (915) 852-1047

**PHONE:** (703) 581-6665

**FAX:** (703) 871-8505

**TERMS:** DIR Contract No. DIR-TSO-4288  
 Expiration Date: February 21, 2025  
 FTIN: 52-2189693  
 Shipping Point: FOB Destination  
 Credit Cards: VISA/MasterCard/AMEX  
 Remit To: Same as Above  
 Payment Terms: Net 30 (On Approved Credit)  
 Texas VID#: 1522189693700  
 Sales Tax May Apply

**QUOTE NO:** 22873040  
**QUOTE DATE:** 07/06/2020  
**QUOTE EXPIRES:** 08/05/2020  
**RFQ NO:**  
**SHIPPING:** GROUND  
**TOTAL PRICE:** \$13,556.60

**TOTAL QUOTE:** \$13,556.60

LINE NO.	PART NO.	DESCRIPTION	-	QUOTE PRICE	QTY	EXTENDED PRICE
1	LIC-K909A-S00-15.0	Dragon Law Enforcement 15.0 (State and Local Government) OLP Level A Nuance Communications, Inc - LIC-K909A-S00-15.0	\$405.00	OM	18	\$7,290.00
2	MNT-K909A-S00-15.0	Dragon Law Enforcement 15.0 1-yr Maintenance & Support (State and Local Government) OLP Level A Nuance Communications, Inc - MNT-K909A-S00-15.0	\$60.75	OM	18	\$1,093.50
3	15380	Nuance User Management Center Subscription - OLP Level A Yearly Cost Nuance Communications, Inc - 15380	\$22.95	OM	18	\$413.10
4	DP-0POWM3C-DG-D-2	PowerMic III - NON Scanner for Dragon (Non-Healthcare), Coiled Cord (50+) Nuance Communications, Inc - DP-0POWM3C-DG-D	\$296.00	OM	10	\$2,960.00
5	TRN-DRAG-2	Dragon On Site Training - 1 Day (8 hours) / 1 Trainer 0 Nuance Communications, Inc - TRN-DRAG	\$1,800.00	OM	1	\$1,800.00
<b>SUBTOTAL:</b>						<b>\$13,556.60</b>
<b>TOTAL PRICE:</b>						<b>\$13,556.60</b>
<b>TOTAL QUOTE:</b>						<b>\$13,556.60</b>

**NO RETURNS WILL BE ACCEPTED, ALL SALES FINAL**

# Make incident reporting faster, safer and more efficient.

Provide patrol officers, agents, and other law enforcement professionals with a faster, safer and more efficient way to create incident reports and perform other essential tasks—all by voice—with the Nuance® Dragon® Law Enforcement speech recognition solution.

Heavy documentation demands can impact timely report filing, limit the time officers spend in the community and even put their safety at risk. Dragon Law Enforcement empowers law enforcement professionals with a fast and accurate way to create incident reports—at the station or on patrol—all by voice. Speed data entry into records management systems (RMS) or other applications. Conduct license plate and other common lookup tasks by voice and stay heads up and more situational aware. Or eliminate transcription time and costs and reduce reliance on support staff. With a next-generation speech engine leveraging Nuance Deep Learning technology, Dragon achieves high recognition accuracy while dictating, even for users with accents or those working in open office or mobile environments. Easily deploy and centrally manage Dragon through the Nuance Management Center.

## Spend less time on paperwork, more time protecting and serving.

### Ensure timely filing of incident reports.

Eliminate the need to decipher handwritten notes or try to recall details from hours before. Using Dragon, officers simply speak to create incident reports 3 times faster than typing, with up to 99% recognition accuracy in real-time. The result: more detailed reports, time for supervisor review and timely filing.

### Improve accuracy with custom vocabularies.

Dragon Law Enforcement was built with data to include words and phrases used by law enforcement, such as car and truck makes and models and other unique terms. To further increase accuracy, custom words or word lists can be added. For instance, if a department uses particular names or terminology with a high degree of frequency, add and share these customizations with other Dragon users for improved dictation accuracy and document turnaround.

---

### Benefits at-a-glance

- Immediate productivity gains right out of the gate
- Streamlined report creation for more timely filing
- Improved report detail and accuracy
- Enhanced officer productivity on patrol—without compromising safety
- Elimination of transcription time and costs
- Reduced reliance on support staff
- More time spent by officers out in the community protecting and serving the public
- Built for teams. Built for the enterprise.

### Built for teams. Built for the enterprise.

Nuance offers flexible volume licensing programs—with no seat counts or auditing—designed to help organizations realize improved productivity at an affordable price.

---

**Keep officers more situationally aware.**

Dragon's fast, accurate dictation with robust voice command capabilities improves in-car documentation productivity and safety for officers while stationary in their patrol cars. For example, officers can look up license plates simply by saying "look up license plate Alpha Bravo Charlie 123," or write reports and respond to calls—all while keeping their heads up and eyes on their surroundings.

**Increase officer omnipresence in the community.**

With Dragon as part of your incident report workflow, keep officers on the street and more visible within the community. Law enforcement professionals can dictate reports and other paperwork in a fraction of the time it would typically take typing by hand. This means they spend less time back at the station tethered to a computer, and more time on patrol.

**Empower officers with a Nuance PowerMic option.**

This high-quality, handheld microphone makes it easy to switch back and forth between dictation and other duties, while not being tethered to the computer or in-car applications. Officers can dictate, edit, navigate and review documents, or switch dictation on and off using a toggle button if they need to quickly exit the vehicle. Buttons can also be programmed to automate steps such as advancing sequentially through form fields of an incident report.

**Eliminate or reduce transcription time and costs.**

Reduce dependencies on outsourced transcription services or costs. Using Dragon, support staff can transcribe recorded notes or voice files of another single speaker into text quickly and easily back at the PC. Dragon's Auto Transcribe Folder Agent (ATFA) also makes it easy to transcribe batch files of audio recordings for additional time and cost savings.

To learn more about Dragon Law Enforcement, call 1-866-748-9536 or visit: [www.nuance.com/dragon](http://www.nuance.com/dragon).

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**Easy deployment, customization and management**

Use the Nuance Management Center for centralized administration, including usage tracking and license management, across multiple users to save time and reduce support costs.

**Citrix® virtualized environments**

Deploy on Citrix XenApp® or Citrix XenDesktop® servers where the target application resides, enabling users to dictate from workstations that do not have Dragon installed on them.

**Accessibility and reporting compliance**

With all its shared customization capabilities, Dragon can be easily adapted as needed to meet stringent compliance requirements for accessibility or reporting.

**System requirements**

- Windows 7, 8.1, 10 (32- and 64-bit), Windows Server 2008 R2, Server 2012 R2, and Server 2016 (64-bit)
  - RAM: Minimum 4GB
- 

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**About Nuance Communications, Inc.**

Nuance Communications is reinventing the relationship between people and technology. Through its voice and language offerings, the company is creating a more human conversation with the many systems, devices, electronics, apps and services around us. Every day, millions of people and thousands of businesses experience Nuance through intelligent systems that can listen, understand, learn and adapt to your life and your work. For more information, please visit [nuance.com](http://nuance.com).

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 **NUANCE**

**Right now,  
hundreds of  
departments are  
doing one thing  
3x faster than yours**

Why not join them and create more complete, timely, and accurate incident reports – by voice

128

**Dragon® Law Enforcement**  
Speech Recognition Solution

# Dragon® Law Enforcement Speech Recognition Solution

Make incident reporting faster, safer, and more efficient – simply by speaking

- **Dictate incident reports** 3x faster than it takes typing by hand, with up to 99% accuracy
- **Capture report narrative** in real-time for improved detail and completeness
- **Ensure timely filling** of incident reports to move criminal proceedings along
- **Speed data entry** into RMS/CAD systems or other applications
- **Reduce or eliminate** transcription time and costs
- **Meet reporting mandates** and compliance

**Schedule a demo today**

1 (866) 748-9536

[www.nuance.com/go/dragonDLE](http://www.nuance.com/go/dragonDLE)



**Ask your Chief ...**

... to see the video mailer we sent.



1 Wayside Road  
Burlington, MA 01803

## MEMORANDUM



**TO:** Mayor Mendoza and City Council Members  
**FROM:** Police Chief Michael McConnell  
**DATE:** August 3, 2020  
**RE:** Positions Identified for Hazard Duty Pay

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### History

On July 27, 2020, City Council approved hazard duty pay to certain job classifications effective August 2, 2020, resulting from the hazards caused by the COVID-19 pandemic. Hazard duty pay is a temporary response to the risks incurred by some city employees while providing essential city services to residents. City Council directed city staff, through the Mayor, to identify the positions eligible for hazard duty pay, authorized the Mayor to approve hazard pay effective August 2, 2020, and report back to Council at the next regular meeting for Council ratification. The Mayor approved the following list of positions which were previously designated Essential Employees for COVID-19 emergency response as eligible for hazard pay.

### **Hazard Pay-COVID-19 List of Eligible Essential Employee Job Positions**

Job Positions	No. of Employees
Chief of Police	1
Assistant Chief of Police	1
Probationary Police Officer	4 (includes 2 vacant positions)
Probationary Police Officer ( <i>Proposed New Hire FY20/21</i> )	1
Police Officer	11
Police Detective	2
Police Sergeant	5
Lieutenant	2
<b>Subtotal Eligible Essential CBA Employees</b>	<b>27</b>
Building Inspector	2
Building Official	1
Compliance Inspector	1
Code Enforcement Officer	3
Custodian	1
Communications Shift Supervisor	3
Communications Specialist	13 (includes 1 vacant position)
Communications Specialist Manager	1
Evidence Crime Scene Technician	1
Information Technology Support Specialist	1
Parks and Recreation Manager	1
Public Works Director	1
Street Maintenance Worker	3
<b>Subtotal Eligible Essential Non-CBA Employees</b>	<b>32</b>
<b>Total Eligible Essential Employees</b>	<b>59</b>

### Hazard Pay-COVID-19 List of Non-essential Employee Job Positions

Job Positions	No. of Employees
Accountant	1
Archives and Records Coordinator	1
Building Plans Examiner <i>(Proposed New Hire FY20/21)</i>	1
Building Services Administrative Assistant	1
Building Services Administrative Assistant/Team Lead	1
City Clerk	1
Code Enforcement Administrative Assistant	1
Economic Development Corporation Executive Director	1
Economic Development Administrative Assistant	1
Finance Director	1
Finance Assistant-Receivable	1
Finance Assistant-Payable	1
Human Resources Coordinator	1
Juvenile Case Manager/Court Coordinator	1
Municipal Court Clerk/Team Lead	1
Municipal Court Deputy Clerk	3
Municipal Court Judge	1
Planning Director	1
Planning Specialist	1
Planner	1
Police Administrative Assistant	1
Purchasing Agent <i>(Proposed New Hire FY20/21)</i>	1
<b>Subtotal Non-essential Non-CBA Employees</b>	<b>24</b>

Total Town Horizon City Employees FY20/21

83

Recommendation

Discussion and Action: On a request to approve and ratify the list of eligible positions for hazard duty pay for regular hours worked effective August 2, 2020. (Mayor Mendoza/Chief McConnell)

**TOWN OF HORIZON CITY  
FEDERAL & STATE GRANT FUNDS  
BUDGET 2020-2021**

Fund	Dept	Acct	Description	Revised		Increase/ (Decrease)	Percentage		
				FY2019 Actuals	FY2020 Budget				FY2021 Budget
<b>Local</b>									
<b>Revenues</b>									
03	400	4510	Grant Income - CARES	-	216,062	864,248	648,186		
<b>Revenue Total:</b>				<b>-</b>	<b>216,062</b>	<b>864,248</b>	<b>648,186</b>	<b>300.00%</b>	132
<b>Expenditures</b>									
03	501	5010	Salaries	-	52,800	107,520	54,720		
03	501	5030	Payroll Taxes	-	4,039	8,225	4,186		
03	501	5040	Retirement Benefits	-	3,173	6,462	3,289		
03	501	5200	City Attorney	-	2,000	6,000	4,000		
03	501	5220	Materials & Suppliles	-	50,792	25,657	(25,135)		
03	501	5260	Furniture & Equipment		45,000	-	(45,000)		
03	501	5410	Contract Labor		56,112	76,457	20,345		
03	501	5620	Rents - Building		2,146	1,732	(414)		
03	501	6800	Contingency - Unprogrammed Funds		-	632,195	632,195		
<b>Expenditure Total:</b>				<b>-</b>	<b>216,062</b>	<b>864,248</b>	<b>648,186</b>	<b>300.00%</b>	
<b>Excess Revenue</b>				<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>		



# 4. Financial Focus

Robert Cortinas

# Coronavirus Relief Funds

- Original Federal Guidance:
  - Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19);
  - Were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
  - Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020



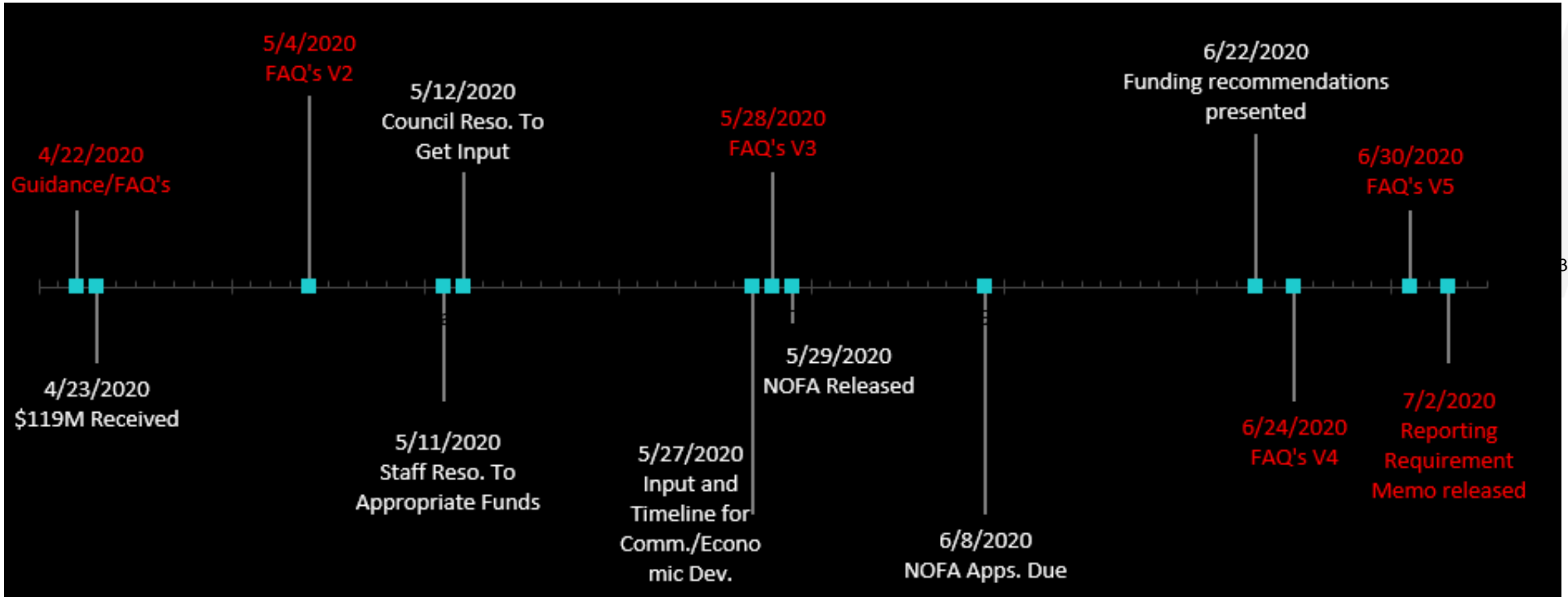
# Coronavirus Relief Funds

- Since April 22:
  - Several FAQ's have been provided
  - Additional Guidance has also been provided
  - Recently, Reporting and Record Retention requirements were provided

# City Internal Control Processes

- Created specific grant manual for CRF
  - Deadlines
  - Internal reporting requirements
  - Audit and grant administration review
- Training for all City finance staff
- Established “Project Request Form” process

# Chronology of Events



# Office of Inspector General

## Reporting and Record Retention Requirements

- Treasury OIG is developing a reporting portal to be operational September 1, 2020
- Interim reporting for the period March 1 through June 30
  - Due no later than July 17, 2020
  - “Costs incurred” reported by broad categories
  - Information will be into portal once operational



# Interim Report (Mar 1 – Jun 30)

<u>Category of Spending</u>	<u>Amount</u>
Transferred to other governments	\$0.00
Payroll for public health and safety employees	\$46,269.87
Budgeted personnel and services diverted to a substantially different use	\$0.00
Improvements to telework capabilities of public employees	\$4,157.08
Medical expenses	\$35,622.55
Public health expenses	\$51,386.31
Distance learning	\$0.00
Economic support	\$0.00
Expenses associated with the issuance of tax anticipation notes	\$0.00
All items not listed above	<u>\$0.00</u>
<b>Total</b>	<b>\$137,435.81</b>

# Coronavirus Relief Funds

- Initial Guidance was very limited, every recipient proceeded with caution (six different FAQ's released since April)
- Implemented additional internal controls for compliance and monitoring
- Comprehensive input from stakeholders prior to application process
- Access to other Federal and State grants, including FEMA
- Some programs will require real estate acquisition
- Constant monitoring and communication involved with expending funds

# Internal Project Request Forms

- Internal control process established in May to:
  - Ensure expenditure eligibility
  - Provide documentation for reporting purposes (includes necessary information to be submitted Quarterly to Office of Inspector General)
- As of July 16:
  - 68 Projects processed and approved
  - \$103,889,606 processed and approved
- July 24 - Internal deadline to process and approve remaining project forms

# 5. Community Vulnerabilities + Human Services

Nicole Ferrini

# Community Vulnerabilities + Human Services

Our team is focused on supporting the most vulnerable El Pasoans as we navigate through the impacts of the COVID-19 crisis. This pandemic has exacerbated deep challenges that already existed in our community including **housing affordability, utility cost burden, access to food and the individual financial stability of El Pasoans.**

We are charged with equitably deploying relief programs and support to ensure **an inclusive and resilient recovery** that makes our community ultimately stronger and more prepared than ever before.



Community Partnerships



Social Services



Philanthropy





# Resources Focused on Community



Program / Subrecipient	In Progress	Executed
Rental Assistance: Under One Roof	X	
Rental Assistance: Project Bravo		X
Mortgage Assistance: GECU	X	
Utility Assistance: El Paso Water	X	
Utility Assistance: Project Amistad	X	
Rapid Rehousing: Opportunity Center	X	
Rapid Rehousing: Project VIDA	X	144
Food Security: El Pasoans Fighting Hunger	X	
Childcare: YWCA	X	
Domestic Violence + Abuse Prevention: CASFV		X
Domestic Violence + Abuse Prevention: CASA	X	
Domestic Violence + Abuse Prevention: EPCGC	X	
Community Assistance Fund: EP Comm. Foundation		X
Digital Access Expansion: EP Public Libraries	X	

# Food Security

- ❖ The EPFH Food Bank has been distributing 13million lbs of food per month
- ❖ The Food Bank and the emergency and mobile pantries are serving over 8,000 families per day
- ❖ EPFH has invested over \$13M in purchasing local foods during the pandemic
- ❖ National Guard assignment ended as of July, creating<sup>45</sup> an increased need for manpower
- ❖ Ongoing Financial Insecurity and uncertainty regarding ongoing benefits has caused additional strain and increased need
- ❖ EPFH expects current demand last 6-18 months
- ❖ EPFH currently has a one month of food inventory on hand
- ❖ Home delivery program has reached 1,200 deliveries/week



# Food Security Sustainability Team

## Purpose:

Identify immediate and long-term solutions to food access ensuring food security, funding and infrastructure across the El Paso Community.

## Mission:

Facilitate access to information, to maximize nutrition program access, and explore creative partnerships to maximize resources that lessen the burden that COVID 19 has posed on food access in our community. Additionally enhancing disaster preparedness by ensuring appropriate systems and infrastructure are in place to provide for the emergency needs of vulnerable El Pasoans during a crisis.

## Participating Partners

- ❖ EPFH Food Bank
- ❖ El Paso Community Foundation
- ❖ Paso del Norte Health Foundation
- ❖ Sun City Hunger relief Coalition
- ❖ Opportunity Center for the Homeless
- ❖ Salvation Army
- ❖ United Way
- ❖ Kelly Memorial
- ❖ Mission El Paso
- ❖ Workforce Solutions Borderplex
- ❖ UTEP
- ❖ UT Health
- ❖ YISD
- ❖ City of El Paso
- ❖ El Paso County

## Building a Recovery Strategy

- ❖ Establish a central repository of food system resources
- ❖ Identify systemic best practices from successful comparable cities
- ❖ Establish economic impacts of the food bank and the food system as a whole <sup>146</sup>
- ❖ Establish metrics to evaluate current investments in the food system
- ❖ Provide recommendations for future investment in the food system
- ❖ Identify potential funding sources to deploy strategies

# Homeless Solutions Team

## Purpose:

Provide recommendations for transition from the Delta Site emergency shelter while developing a **permanent community crisis response plan** for displaced populations.

## Mission:

Create systemic solutions for homelessness in our community that have been exacerbated by the pandemic. Leverage lessons learned and unprecedented collaborative effort to collectively identify resources needed to better prepare our community for emergency response as well as enhance capacity to move forward on identified community goals addressing homelessness.

## CFT Opportunity Statement

Develop a Navigation System to facilitate multiple services for El Paso's at-risk population and households experiencing homelessness focused around a centralized hub linked to multiple virtual and physical nodes.

## Key Customer Requirements

- ❖ Client, needs, service, client eligibility
- ❖ Effective referrals, wrap around services, safety
- ❖ List services that will be offered then we can define eligibility
- ❖ Surge capabilities for emergencies and unique cultural community situations

## Core Challenges

- ❖ Lack of Community Crisis Response Plan + Surge Capacity
- ❖ Capacity for Data Collection and Analysis
- ❖ Community wide referral system Capacity

## Guiding Principles

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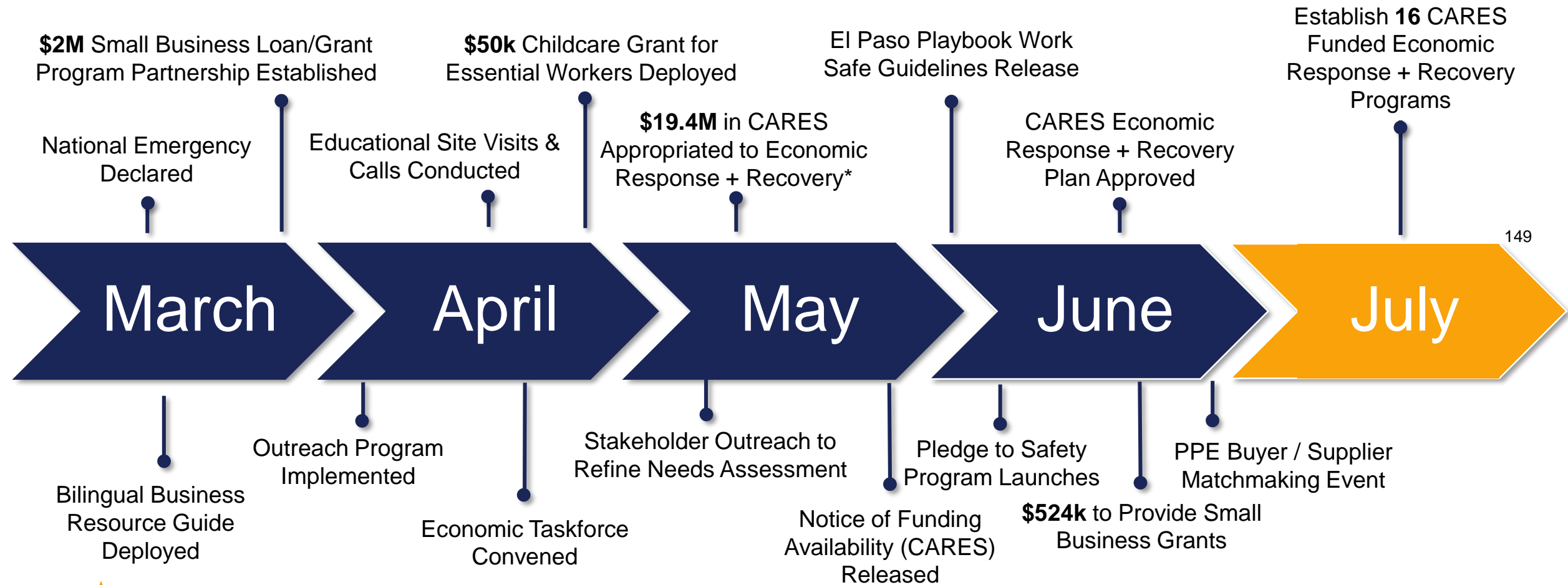
- ❖ Transparency + Inclusion
- ❖ Accreditation Standards
- ❖ Professional Grade Training
- ❖ Evidence Based Decision Making
- ❖ Resilience
- ❖ Collaboration, Engagement and Education

# 6. Economic Recovery

Jessica Herrera



# Actions for Rapid Response



\*\$1 million in CARES funding originally allocated to Community Response and Recovery Programs targeting independent contractors has now been grouped with Economic Response and Recovery.

# Resources Focused on Businesses

Over the last 3 months, our team has worked to deploy nearly **\$19.4 million** in assistance via **17 agreements** – an unprecedented task representing **double our annual volume** and a 20% increase to the number of agreements in our portfolio.

Outreach, engagement and alignment with other public entities, nonprofit business service providers and our community has been the priority.

**The result is targeted assistance to businesses that need it the most.**

Program / Subrecipient	Award	In Progress	Completed
Small Business Grants (Extension): LiftFund	523,800		X
Business Resource Clearinghouse: BBB	\$101,200	X	
Manufacturing Resource Clearinghouse: TMAC	55,000	X	
Small Business Grants (5 to < 20 FTEs): LiftFund	\$8,500,000	X	
Small Business Grants (1 to < 5 FTEs): Project Vida	\$2,500,000	X	
Small Business Grants (Independents): PeopleFund	\$2,500,000	X	
Small Business Consulting + Technical Assistance: Chamber	\$200,000	X	
Small Business Consulting + Technical Assistance: Hispanic Chamber	\$200,000	X	150
“Buy Local (Safely) Marketing Campaign: BBB	\$170,000	X	
E-Commerce Platform Development: BBB	\$225,000	X	
E-Commerce Platform Development: Workforce Solutions	\$225,000	X	
E-Commerce + Digital Platform Training: Project Vida	\$100,000	X	
Work Safe Training for Businesses: UTHealth	\$100,000	X	
Downtown Sanitation Program: DMD	\$100,000	X	
Increased PPE + Safety Product Supply + Access: BioEPJ	\$400,000	X	
Workplace Safety Alteration Assistance: Project Vida	\$3,390,000	X	
Workplace Safety Alteration Assistance: DMD	\$90,000	X	



✓ **APPROPRIATE PPE**

I pledge to provide the appropriate PPE to employees and available for customers.

✓ **HAND SANITIZER**

I pledge to provide hand sanitizer to employees and customers.

✓ **COMPLY WITH REQUIREMENTS**

I pledge to comply with all State and Local requirements.

✓ **SOCIAL DISTANCE**

I pledge to facilitate social distancing for employees and customers/clients.

✓ **CLEANING PROTOCOLS**

I pledge to follow CDC cleaning protocols and regularly disinfect frequently touched surfaces and objects.

✓ **EMPLOYEE TRAINING**

I pledge to provide general COVID-19 prevention training for all employees.

✓ **SYMPTOMS CHECK**

I pledge to screen and/or temperature check employees for COVID-19 symptoms.

✓ **TECHNOLOGY**

I pledge to utilize technology where possible to reduce the spread of COVID-19 (i.e. contactless payment, online menus, online shopping).

✓ **BE RESPONSIVE TO CUSTOMER FEEDBACK**

I pledge to encourage customers to contact the business with any concerns they have.



For more information and resources for your business visit [EPStrong.org](http://EPStrong.org)

# Pledge to Safety Program Overview

A **voluntary program** that asks El Paso-area businesses to commit to following nine safety protocols to prevent the spread of COVID-19 as our economy reopens.

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- ❖ Program launched **June 8<sup>th</sup>**
- ❖ To date, **140 area businesses** have taken the pledge, a **40% increase** over last week!







# 7. Operations Focus

Cary Westin

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# Human Resources Updates

- ❖ Departments continue developing safety protocols for their staff and began disseminating
- ❖ Hired staff to prepare facilities to safely return employees to work
- ❖ HR is staffing the Contact Tracing Unit
  - 60+ individuals have been assigned to the unit
  - Additional efforts are being made to recruit Spanish Speaking Contact Tracers
  - The goal is to hire 150 Additional Contact Tracers.

# Assessment of City Facilities for Return of Employees

**Facilities and departmental staff have been conducting assessments of City facilities seeking opportunities for physical modifications that can help protect employees and the public**

- ❖ Through these assessments action plans are devised for each respective work section that modifies and improves protection
- ❖ Common improvements are installation of plexiglass at reception areas, floor decals identifying separation requirements of maintaining social distancing, installing signage to limit the quantity of employees at elevators, copy machines, coffee stations and common areas, installation of hand sanitizer stands, window decals, etc.
- ❖ City Departments are developing their own respective employee safety plans relative to additional measures and processes for employees to adhere to that is unique to their services and operations





# Progress on Back to Work Preparations

## City 1

- ❖ Completed Installation of plexiglass in City Council Chambers at representatives' stations and reception and open seating office areas,
- ❖ Completed installation of signage limiting quantity of people allowed on elevators, copy machines and at coffee stations
- ❖ Installed additional hand sanitizers stands and dispensers – more to be added in Council Chambers
- ❖ Work in progress – Council Chambers - 70% complete pending all chair covers

## City 2, 3 & 4

- ❖ Completed installations of plexiglass in reception and open seating office areas, signage, floor markings, and additional sanitizer dispensers
- ❖ Work in progress - fabricating and finalizing additional user department requests for more plexiglass, signage, dividers, etc.

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## Facilities where Assessments are completed – work in progress on producing and acquiring materials and installations

- ❖ Libraries
- ❖ Museums
- ❖ Fire Training Academy
- ❖ Health Administration Building
- ❖ Municipal Service Center - East
- ❖ Fire Maintenance Facility on 131 Cotton

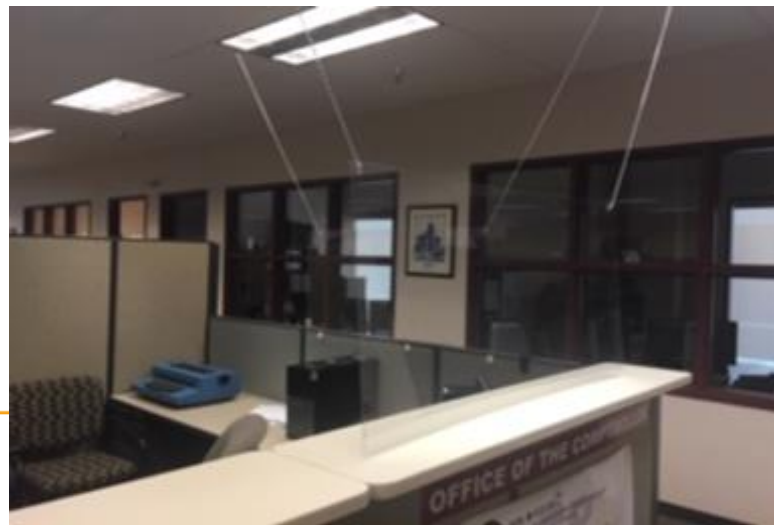
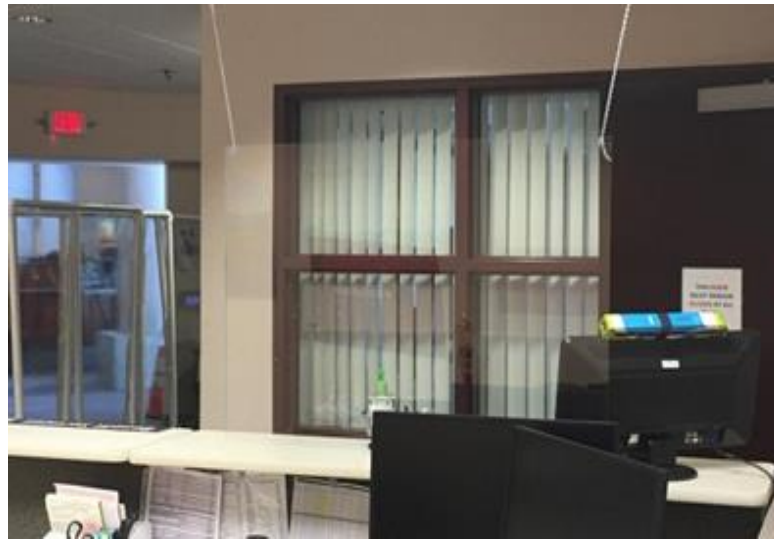
**Assessments and installations are ongoing until completion – prioritization based on amount of occupants and public traffic; the next locations are WIC Centers and Health Clinics and Parks facilities**

**Over 2,256 individual spray bottles have been disseminated among field and public safety workers for disinfecting vehicles and 295 new hand sanitizer stations installed Citywide**



# Physical Safety Modifications at City Facilities

Upon completion of assessments, materials are procured, and modifications are implemented





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# Fogging/Sanitizing at City Facilities

## Fogging and Sanitizing plans vary at different City facilities

- ❖ Some departments require fogging more than once daily and have been provided fogging equipment or have secured third party contractors; Police, Fire, and Municipal Court
- ❖ Facilities staff is fogging facilities daily at various locations; within the past week City 1, City 2, City 3, City 4, all MSC East buildings, MSC West, Delta Maintenance Facility (Streets and Park Maintenance), Main Library, Delta Parks, Westside Library, Doris Van Doren Library, Municipal Courts downtown and Northeast, and UPTT-MCAD, ESD-Pendale site have been fogged; Health Administration building is in queue for next few days
- ❖ As employees return to work the fogging plan will be more aggressive with City facilities categorized into two Tiers to address priorities; example City 4 is Tier 1 due to the One Stop Shop but some sites that see minimal public and employee traffic are at Tier 2

## Example of a Department Safety Plan to Protect Employees

### Street Maintenance Division Example

- ❖ Designated safety coordinators at each corral with a non-contact infrared thermometers for temperature checks as employees report to work
- ❖ Practice Social Distancing at common areas and when in line at the Kronos clocks.
- ❖ Assigning different reporting times to avoid congregating at time clocks and at common areas
- ❖ Swiping in/out – Designated areas have floor markings in six feet intervals designating where to stand
- ❖ Disinfecting of meeting rooms: tables, time clocks, computer work stations, and key boxes
- ❖ Disinfect of equipment: All equipment sprayed with disinfect at the end of work day
- ❖ Seating arrangement – Rearranged sitting with distancing and removing excess chairs
- ❖ Lunch Shifts – for some corrals divided crews into two shift: first shift 11:00 am – 12:00 pm and second shift 12:30 pm – 1:30 pm; breakroom areas are disinfected between shifts
- ❖ Hand sanitizers – Available on all equipment (4 oz. bottles), 2 dispenser available on meeting room and 1 dispenser on office (refills upon request)
- ❖ Face Masks required signage at meeting room entrances
- ❖ Constant reminder of social distance during morning muster at corrals



# Mission

Deliver exceptional services to support a high quality of life and place for our community

# Values

Integrity, **R**espect, **E**xcellence,  
**A**ccountability, **P**eople

# Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government



Thank you!