



HORIZON CITY

Incorporated 1988

**AGENDA
PUBLIC MEETING
REGULAR CITY COUNCIL MEETING
THE TOWN OF HORIZON CITY, TEXAS
Tuesday, May 9, 2023, 6:00 PM**

Notice is hereby given that a Regular City Council Meeting of the Town of Horizon City, Texas will be held on **Tuesday, May 9, 2023 at 6:00 PM** at City Council Chambers Room, 15001 Darrington Road, Horizon City, TX 79928, at which time the following will be discussed and considered:

Meeting Video:

<https://fb.watch/ksQkPmoYXM/?mibextid=Nif5oz>

- 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:** **4**
4/25/23 Special City Council Mtg.
- 4. **Discussion and Action:** **7**
Mayor/Planning Director
On a Resolution ratifying the Mayor's submittal of a letter of support for the City of El Paso's FY2023 Climate Pollution Reduction Program Notice of Intent to Participate as the Lead Organization for the El Paso, TX Metro Area.
- 5. **Request to Excuse Absent Council Members:**
- 6. **Approval of Consent Agenda Items:**
- REGULAR AGENDA**
- 7. **Discussion and Action:**
Mayor/Chief Vargas
On a Proclamation declaring May 14 - May 20, 2023 as Police Week. **9**
- 8. **Discussion and Action:** **9**
Mayor/Chief Vargas
On a recommendation, the City Council authorize the Mayor to sign the 2023 Rifle Resistant Ballistic Plate Program resolution for Grant No. 4833601.
- 9. **Discussion and Action:** **11**
Mayor/Communications Manager
On a recommendation the City Council authorize the Mayor to sign the 2024 State Homeland Security Program (SHSP) resolution for Grant No. 4805201.
- 10. **Discussion and Action:** **13**
Mayor/Chief Vargas

Regarding the expansion of the school resource officer program to Pete Duarte Head Start and IDEA School and authorizing the Mayor to sign a grant application for partial funding from FY 23 Cops Hiring Program Funding Opportunity Number O-COPS-2023-171633.

11. Discussion and Action: 15

Mayor/CIP Manager

On an update on the Capital Improvement Program.

12. Discussion and Action: 27

Mayor/CIP Manager/Financial Advisor

Regarding the Financing Analysis of Certificates of Obligation, Series 2023 presented by Maria Fernanda Urbina, Hilltop Securities, Inc. Managing Director/Investment Banker.

13. PUBLIC HEARING:

Mayor/Planner

On the Replat application for Horizon Country Club Estates Unit Two Replat "B" (#RP-002522-2023), legally described as Horizon Country Club Estates Unit Two Replat "A", Town of Horizon City, El Paso County, Texas. Containing 2.4112 acres +/- . Application submitted by Conde, Inc.

14. Discussion and Action: 37

Mayor/Planner

On the Replat application for Horizon Country Club Estates Unit Two Replat "B" (#RP-002522-2023), legally described as Horizon Country Club Estates Unit Two Replat "A", Town of Horizon City, El Paso County, Texas. Containing 2.4112 acres +/- . Application submitted by Conde, Inc.

15. PUBLIC HEARING:

Mayor/Planner

2nd Reading of Ordinance No. _____, An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning one parcel from A-1 (Apartments) to R-2 (Single-Family Dwelling); containing approximately 13.27 acres; being a portion of Section 32, Block 78, Township 3, Texas and Pacific Railroad Surveys, Horizon City, El Paso County, Texas; located North of Horizon Blvd. and east of Rifton Rd.; and authorizing the notation of the change on the official zoning map of the City; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

16. Discussion and Action: 46

Mayor/Planner

2nd Reading of Ordinance No. _____, An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning one parcel from A-1 (Apartments) to R-2 (Single-Family Dwelling); containing approximately 13.27 acres; being a portion of Section 32, Block 78, Township 3, Texas and Pacific Railroad Surveys, Horizon City, El Paso County, Texas; located North of Horizon Blvd. and east of Rifton Rd.; and authorizing the notation of the change on the official zoning map of the City; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

17. PUBLIC HEARING:

Mayor/Planning Director

2nd Reading of Ordinance _____, An Ordinance of the Town of Horizon City establishing speed limits during construction on portions of FM 1281 (Horizon Boulevard) within the city limits of Horizon City; and providing for the following: findings of fact, repealer, and severability; the penalty being as provided in Article I, Section 3 of the Ordinance, creating a misdemeanor punishable by a fine of not more than \$400.00.

18. Discussion and Action: 65

Mayor/Planning Director

2nd Reading of Ordinance _____, An Ordinance of the Town of Horizon City establishing speed limits during construction on portions of FM 1281 (Horizon Boulevard) within the city limits of Horizon City; and providing for the following: findings of fact, repealer, and severability; the penalty being as provided in Article I, Section 3 of the Ordinance, creating a misdemeanor punishable by a fine of not more than \$400.00.

19. Discussion and Action: 68

Mayor/Planning Director

On a Resolution authorizing the Mayor to sign an Interlocal Agreement between the Town of Horizon City, Texas and the Town of Clint, Texas for the Town of Horizon City, Texas to provide vector control services to the Town of Clint, Texas during the 2023 calendar year.

20. Discussion and Action: **78**

Mayor/Planning Director

On a Resolution authorizing the Mayor to sign a Second Amendment to the Parks and Grounds Maintenance Contract between the Town of Horizon City, Texas and Abescape Landscaping, LLC for additional services.

21. Discussion and Action: **85**

Mayor/Asst. City Atty

Regarding a Resolution to suspend the proposed Interim Rate Adjustment application filed by Texas Gas Service Company, a Division of ONE Gas, Inc., with the Railroad Commission of Texas and municipal regulatory authorities on March 10, 2023. The proposed Interim Rate Adjustment applies to the West North Service Area which includes the Town of Horizon City Texas, Texas.

22. Executive Session

The City Council of the Town of Horizon City reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices,) and 551.086 (Economic Development).

A. .

Right of way and drainage facility acquisition for the N. Darrington Reconstruction Project and possible use of eminent domain proceedings - Government Code Section 551.071 Consultation with Attorney and 551.072 deliberations about real property.

Adjournment:

Motion to Adjournment: _____ 2nd _____

Dated this Friday, 5/5/2023

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 Friday, 5/5/2023 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
Tuesday, April 25, 2023, 5:30 PM**

Notice is hereby given that a Special City Council Meeting of the Town of Horizon City, Texas was held on **Tuesday, April 25, 2023 at 5:30 PM**, at City Council Chambers Room, 15001 Darrington Road, Horizon City, TX 79928, at which time the following was discussed and considered:

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

Meeting called to order at 6:00 pm. Alderman Quiroz was absent. Asst. City Atty, Sylvia Firth joined meeting via TEAMS. Quorum Established.

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:

Mayor/City Clerk
April 11, 2023 Regular City Council Meeting.

4. Discussion and Action:

Mayor/Planning Director
On the final and recording plat applications and authorizing the Mayor to sign the recording plat and subdivision construction agreement for Kenazo Estates Unit One subdivision (SUB0022504-2022), legally described as being a portion of Section 31, Block 78, Township 3, Texas and Pacific Railroad Surveys, Town of Horizon City, Texas; containing 4.944± acres.

5. Discussion and Action:

Mayor/Planning Director
On the final and recording plat applications and authorizing the Mayor to sign the recording plat and subdivision construction agreement for Kenazo Estates Unit Two subdivision (SUB0022506-2022), legally described as being a portion of Section 31, Block 78, Township 3, Texas and Pacific Railroad Surveys, Town of Horizon City, Texas; containing 8.695± acres.

6. Request to Excuse Absent Council Members:

7. Approval of Consent Agenda Items:

A motion was made by Alderman Padilla and seconded by Alderman Renteria to excuse Alderman Quiroz' absence and approve the remainder of the consent agenda. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Absent; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

REGULAR AGENDA

8. Discussion and Action:

Mayor/EDC Executive Director

Regarding a Resolution of Town of Horizon City supporting the application to the U.S. Department of Commerce to allow for the expansion of Foreign Trade Zone #68 to include property located within the industrial park located on Horizon City and authorizing the Mayor to submit a letter on behalf of the Town of Horizon City.

EDC Executive Director, Eddie Garcia spoke regarding this item.

A motion was made by Alderman Duran and seconded by Alderwoman Corral to approve the Resolution of Town of Horizon City supporting the application to the U.S. Department of Commerce to allow for the expansion of Foreign Trade Zone #68 to include property located within the industrial park located on Horizon City and authorizing the Mayor to submit a letter on behalf of the Town of Horizon City. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Absent; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

9. Discussion and Action:

Mayor/Finance Director

This item was deleted at the 4/11/23 Regular City Council Mtg.

On the acceptance of findings of Town of Horizon City audit prepared by SBNG, PC for FY 2022.

SBNG Audit Supervisor, Abigail Telles spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderwoman Corral to accept the findings of Town of Horizon City audit prepared by SBNG, PC for FY 2022. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Absent; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

10. Discussion and Action:

Mayor/CIP Manager

On the award of solicitation 2022-101 for the construction of street and drainage improvements on Oxbow, Pawling and Breaux to Allied Paving Company for \$1,810,959.95.

CIP Manager, Terry Quezada spoke regarding this item.

A motion was made by Alderman Miller and seconded by Alderman Duran to approve the award of solicitation 2022-101 for the construction of street and drainage improvements on Oxbow, Pawling and Breaux to Allied Paving Company for \$1,810,959.95. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Absent; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

11. Discussion and Action:

Mayor/CIP Manager

Authorizing the Mayor or his designee to negotiate and execute an encroachment agreement with Texas Gas Service for the N. Darrington Reconstruction Project.

CIP Manager, Terry Quezada spoke regarding this item.

A motion was made by Alderman Duran and seconded by Alderwoman Corral to authorize the Mayor or his designee to negotiate and execute an encroachment agreement with Texas Gas Service for the N. Darrington Reconstruction Project. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Absent; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

12. **Discussion:**

Mayor/Planning Director

1st Reading of Ordinance _____, An Ordinance of the Town of Horizon City establishing speed limits during construction on portions of FM 1281 (Horizon Boulevard) within the city limits of Horizon City; and providing for the following: findings of fact, repealer, and severability; the penalty being as provided in Article I, Section 3 of the Ordinance, creating a misdemeanor punishable by a fine of not more than \$400.00.

Planning Director, Michelle Garcia spoke regarding this item.

13. **Executive Session**

The City Council of the Town of Horizon City reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices,) and 551.086 (Economic Development).

ADJOURNMENT

A motion was made by Alderman Duran and seconded by Alderman Miller to adjourn at 6:18 PM.

Approved this _____ day of _____, 20__.

Attest:

Elvia Schuller, City Clerk

Ruben Mendoza, Mayor

TOWN OF HORIZON CITY
RESOLUTION

WHEREAS, the City of El Paso, Texas is applying for the FY 2023 Climate Pollution Reduction Grant (CPRG) Notice of Intent to Participate (NOIP) as the Lead Organization for the El Paso, TX Metro Area;

WHEREAS, if awarded the grant the City of El Paso will receive \$1 million in non-competitive grant funds to develop a Metropolitan Statistical Area (MSA)-wide climate pollution reduction plan;

WHEREAS, as part of the El Paso area MSA the Town of Horizon City will work with the City of El Paso to develop, secure funding for, and implement strategies included in the plan if the grant is received and the Town of Horizon City and its citizens would benefit from the implementation of the plan.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY AS FOLLOWS:

1. That the Mayor be authorized to sign and deliver a letter in support of the City of El Paso’s grant application.
2. That the following staff is assigned to the initiative:

Name: Michelle Garcia

Title: Planning Director

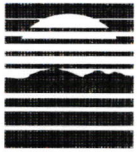
PASSED AND APPROVED by the Town of Horizon City Council the ___ day of May 2023.

TOWN OF HORIZON CITY

By: _____
Ruben Mendoza, Mayor

ATTEST

By: _____
Elvia Schuller, TRMC
City Clerk



HORIZON CITY

Incorporated 1988

April 25, 2023

The Honorable Michael S. Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Subject: Support for City of El Paso Climate Pollution Reduction Grant (CPRG) Program

Dear Administrator Regan:

On behalf of the Town of Horizon City, I am excited to submit this letter of support for the City of El Paso's FY 2023 Climate Pollution Reduction Grant (CPRG) Notice of Intent to Participate (NOIP) as the Lead Organization for the El Paso, TX Metro Area.

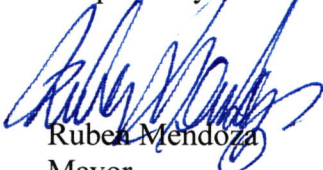
The City of El Paso will receive \$1 million in non-competitive grant funds to develop a Metropolitan Statistical Area (MSA)-wide climate pollution reduction plan. These funds were designed to help MSAs take advantage of more than \$4.6 billion in competitive implementation grants expected in 2023. As part of this planning effort, the Town of Horizon City will work with the City of El Paso to develop, secure funding for, and implement strategies included in the plan.

The following Town of Horizon City staff are assigned to this initiative:

Michelle Garcia
Planning Director
mgarcia@horizoncity.org
915-852-1046 ext. 105

We sincerely thank you for your support of this request. Please feel free to reach me at mayor@horizoncity.org or (915) 852-1046, if you have any questions.

Respectfully submitted,


Ruben Mendoza
Mayor



MEMO



TO: Mayor Ruben Mendoza and City Council
CC: Marco Vargas Chief of Police
FROM: Kaycee Valdez Patrol Lieutenant
RE: FY 2023 Rifle Resistant Ballistic Plate Program Grant Resolution
DATE: May 4, 2023

Background

With the growing great of local and border crime, our officers face the threat of being out gunned on the streets by criminals with high power firearms. This grant allows for the purchase of rifle resistant ballistic plates to be used in conjunction with the existing protective body armor currently issued to our officers.

Request

We present this request for the City Council to approve the 2023 Rifle Resistant Ballistic Plate Program resolution. For this grant, there are no matching funds required. If we are allowed to participate, we have applied to receive up to \$30,000.00 in funding reimbursements.

Recommendation

Discussion and Action: On a recommendation the City Council authorize the Mayor to sign the 2023 Rifle Resistant Ballistic Plate Program resolution **4833601**. (Mayor/Lieutenant Kaycee Valdez)

**RESOLUTION
OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE GRANTS
DIVISION RIFLE-RESISTANT BALLISTIC PLATES FY23**

WHEREAS, The Town of Horizon City finds it in the best interest of the citizens of Horizon City, to provide resilience against elevated firepower to the police officers who serve the community; and

WHEREAS, The Town of Horizon City acknowledges that the Office of the Governor, Criminal Justice Grants Division does NOT require matching funds or an in-kind match; and

WHEREAS, The Town of Horizon City agrees that in the event of loss or misuse of the Office of the Governor funds, the Town of Horizon City assures that the funds will be returned to the Office of the Governor in full; and

WHEREAS, The Town of Horizon City agrees that the existence of an award will not be used to offset or decrease total salaries, expenses and allowances that the city receives or provides to its Police Department at or after the grant is awarded; and

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

Commented [PC1]: If you designate a name, you will always need to submit a new resolution if the authorized official changes.

NOW THEREFORE, BE IT RESOLVED that The Town of Horizon City approves submission of the grant application for the Rifle Resistant Ballistic Plates to the Office of the Governor.

Signed by:

Passed and approved this _____ of _____, _____

Mayor, Horizon City, Texas

ATTEST:

Elvia Schuler, City Clerk Horizon City, Texas

Grant Number: 4833601

Commented [am2]: The Grant Number (ex: 1650304) can be found in eGrants after you create a new or continuation funding solicitation.



MEMO



TO: Mayor Ruben Mendoza and City Council
CC: Marco Vargas Chief of Police
FROM: Elva Ramos Communications Manager
Irlanda Huerta Assistant
RE: FY 2024 State Homeland Security Program (SHSP)
DATE: May 9, 2023

Background

The State Homeland Security Program (SHSP) supports state and local efforts to prevent terrorism and targeted violence and prepare for the threats and hazards that pose the greatest risk to the security of Texas citizens. The Office of the Governor (OOG), Public Safety Office (PSO) provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving a secure and resilient state.

Request

We present this request for the City Council to approve the 2024 State Homeland Security Program (SHSP) resolution. For this grant, there are no matching funds required. If we are allowed to participate, we have applied to receive up to \$103,308.84 in reimbursements.

Recommendation

Discussion and Action: On a recommendation the City Council authorize the Mayor to sign the 2024 State Homeland Security Program (SHSP) resolution **4805201**. (Mayor/Communications Manager Elva Ramos and Assistant Irlanda Huerta)

RESOLUTION

**OFFICE OF THE GOVERNOR, STATE HOMELAND SECURITY PROGRAM (SHSP) 2024
(GRANT 4805201)**

WHEREAS, The Horizon City Police Department finds it in the best interest of the citizens of Horizon City, that the Portable Radio Enhancement Project be operated for the 2024; and

WHEREAS, The Horizon City Police Department agrees that in the event of loss or misuse of the Office of the Governor funds, The Horizon City Police Department assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The Horizon City Police Department designates the Mayor of Horizon City as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The Horizon City Police Department approves submission of the grant application for the Portable Radio Enhancement Project to the Office of the Governor.

Grant Number: 4805201

Commented [am1]: The Grant Number (ex: 1650304) can be found in eGrants after you create a new or continuation funding solicitation.

Adopted on this 9th day of May 2023.

Ruben Mendoza
Mayor
Horizon City, Texas

ATTEST:

Elvia Schuler
City Clerk
Horizon City, Texas

FY23 COPS Hiring Program

Funding Opportunity Number O-COPS-2023-171633

Horizon City Police Department

History and Purpose

The Town of Horizon City is in the eastern part of El Paso County just east of the City of El Paso and north of Socorro, Texas. The town was incorporated in 1988 as a retirement community. Throughout the years, Horizon City has expanded its residential plat designation to open areas within the city limits increasing the population to 23,000 residents. Its city limits are encompassed in 8 square miles.

During its incorporation, the city charter created a public safety department which primarily is comprised of the police department. The Police Department operates 24 hours a day 7 days a week with its primary goals to preserve and protect life and property through the enforcement of state penal and municipal ordinances. The force is comprised of 30 total officers and 2 non-sworn administrative personnel.

The police department's patrol strategy is hybrid of a variety of policing theories. We strive to pro-actively patrol areas using intelligence-based approaches. We are strongly committed to community policing, which is evidenced by the number of community events sponsored by our department. We use de-escalation, problem solving and critical thinking skills to handle our interactions with the community to foster a more amiable relationship.

The Town of Horizon City has many new and upcoming businesses which has also contributed to the growth of the area. There are 9 schools located within its city limits. Although 7 schools belong to the Clint Independent School District, there are two other area schools which operate under a different set of governance. They are Pete Duarte Head Start and IDEA School.

Demographics

The Clint Independent School District has 7 campuses within the Town of Horizon City. It employs its own security force and further currently employs the El Paso County Sheriff's Office Deputies to serve as School Resource Officers. They only work Monday through Friday from 7:00 am to 4:00 pm. Any incidents occurring after those hours are the responsibility of the Horizon City Police Department.

The Pete Duarte Head Start is located at 500 S Darrington Road in Horizon City Texas. It is in the heart of Horizon City which also borders part of El Paso County. It is on a main travelled roadway which is easily accessed from all reference points in Horizon City. Pete Duarte Head Start Program has approximately 200 head start students. In its response history, there have been several reported instances in which direct threats have been made to the school either directly or indirectly. This head start program serves families with low or limited incomes. It also limits the resources for the school itself. There is no school resource officer currently assigned there.

Need

With the increasing need to ensure we provide a safe and sound learning environment for the children in our community, it is our strong belief the presence of a School Resource Officer will provide that. In addition to this ideal, the presence of a school resource officer is necessary to assist in the behavioral influence of the future members of our community. The foundation of the project is to ensure all area

schools are covered with a School Resource Officer. This will provide an officer presence to make the community feel safe. Furthermore, it will provide for an immediate response to emergencies that may arise in our schools.

Proposal

The proposal for this project is to secure funding to employ 1 full time Police Officers to serve as the School Resource Officers for Pete Duarte Head Start.

The breakdown of the funds if awarded is the following:

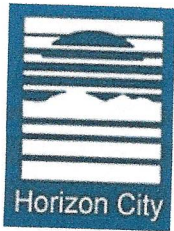
Fiscal Year Matching %	Salary and Benefits for 1 Officer (Max \$125,000 per Officer over 3 years)	Grant Funding	City Match
2023-2024 75%/25%	\$ 85,859.97	\$ 64,394.98	\$ 21,464.99
2024-2025 50%/50%	\$ 91,870.17	\$ 45,935.09	\$ 45,935.09
2025-2026 25%/75%	\$ 98,301.08	\$ 24,575.27	\$ 73,725.81
2026-2027 0%/100%	\$ 105,182.16	\$ -	\$ 105,182.16

Sustainability:

A city council resolution will be presented to consider applying for this grant. All information was submitted regarding the consideration for the city match for the grant and sustainability after 3 years. We have high confidence the resolution will be approved. This is based on prediction of steadily increasing amounts of sales and property taxes revenue. Based on the statistical data, the city will be able to absorb the salary and benefits for that position after 3 years. The continuation and permanent establishment of this program is the basis for the application of this grant.

Conclusion:

Based on the historical events that have happened in the State of Texas, there is an increased need to ensure our students and faculty have a safe place to teach and learn. Our community policing philosophy includes placing police officers in all our schools within our jurisdictional boundaries to further strengthen our relationships in our community. Seven of the nine campuses within the city limits already have School Resource Officers assigned. We have two remaining schools without a School Resource Officer. Your decision to grant us funding will then give us peace of mind there is immediate officer presence in cases when and where they are needed in all of our schools. We are committed to establishing this program and continuing it even after the grant period expires.



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: May 5, 2023
To: Honorable Mayor and Members of City Council
From: Teresa Quezada, CIP Manager *Teresa Quezada*
SUBJECT: On an update on the Capital Improvement Program *5/9/23*

Per the City Charter, staff will present an update on the three-year Capital Improvement Program (CIP) for Council's consideration. The CIP includes projects funded through the 2014 Certificates of Obligation, 2019 Certificates of Obligation (2018 CIP), proposed 2023 Certificates of Obligation (2023 CIP), federal funds distributed through the El Paso Metropolitan Organization (MPO), anticipated TRZ funds, ARPA funds, HUD Grant funds, and other potential funding sources that staff intends to pursue.

The CIP includes projects previously approved by the Council as well as infrastructure needs Council and staff have identified.

This mid-year report complies with the charter requirement for a 3-year program to be submitted to Council "at least three months prior to the final date for submission of the annual budget." For several years, staff has presented this report in May to comply with the charter's timing requirements and to preview the CIP that will be presented to Council. This year, the CIP will cover fiscal years 2024, 2025 and 2026.

Staff requests that the minutes for the May 9, 2023, meeting reflect an acknowledgement of the report.

**CIP
FY 2024 - 2026**

Updated May 7, 2023

Project Type	Project	Total	2023	2024	2025	2026	Future	Check Total	Funding Source	Notes
Drainage	Miscellaneous Drainage Improvements	\$ 1,000,000		\$ 1,000,000	\$ -	\$ -	\$ -	\$ 1,000,000	2014 C.O.s	Changed years of expenditures
Drainage	Upgrades to Ponds	\$ 83,998		\$ 83,998	\$ -	\$ -	\$ -	\$ 83,998	2014 C.O.s	Changed years of expenditures
Drainage Total		\$ 1,083,998	\$ -	\$ 1,083,998	\$ -	\$ -	\$ -	\$ 1,083,998		
Economic Dev	Transit Plaza at TOD	\$ 3,200,000	\$ 384,000	\$ 2,816,000	\$ -	\$ -	\$ -	\$ 3,200,000	TIRZ, HUD Grant & Federal Funds	
Economic Dev Total		\$ 3,200,000	\$ 384,000	\$ 2,816,000	\$ -	\$ -	\$ -	\$ 3,200,000		
Park Improvements	Golden Eagle Park Improvements	\$ 702,562	\$ 702,562	\$ -	\$ -	\$ -	\$ -	\$ 702,562	2019 C.O.s	
Park Improvements	New Regional Park	\$ 700,000	\$ 500,000	\$ 200,000	\$ -	\$ -	\$ -	\$ 700,000	2019 C.O.s	
Park Improvements	Benton/Ryderwood	\$ 782,191	\$ -	\$ 458,691	\$ 323,500	\$ -	\$ -	\$ 782,191	2019 C.O.s	Changed years of expenditures
Park Improvements	West Eastlake Estates Park Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	TBD	
Park Improvements	Park Upgrades - New Standards	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	TBD	
Park Improvements	Duaneburg to Carroll T. Welch Open Space Path	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	TBD	
Park Improvements	Regional Recreation Facility	\$ 22,000,000	\$ -	\$ 2,500,000	\$ 12,000,000	\$ 7,500,000	\$ -	\$ 22,000,000	2023 C.O.s and future funds	Added
Park Improvements Total		\$ 24,184,753	\$ 1,202,562	\$ 3,158,691	\$ 12,323,500	\$ 7,500,000	\$ -	\$ 24,184,753		
Street Improvements	Breaux Street Improvements	\$ 515,834	\$ 128,959	\$ 386,876	\$ -	\$ -	\$ -	\$ 515,834	Street Maintenance	Updated for new budget.
Street Improvements	2022 Street Maintenance Program	\$ 2,000	\$ 2,000	\$ -	\$ -	\$ -	\$ -	\$ 2,000	Street Maintenance	
Street Improvements	Oxbow and Pawling Street Improvements	\$ 1,928,962	\$ 482,240	\$ 1,446,721	\$ -	\$ -	\$ -	\$ 1,928,962	2014 C.O.s	Updated for new budget.
Street Improvements	Pavement Management System	\$ 69,689	\$ -	\$ 69,689	\$ -	\$ -	\$ -	\$ 69,689	2014 C.O.s	
Street Improvements	Horizon Blvd. Path Improvements	\$ 365,000	\$ -	\$ -	\$ -	\$ 65,000	\$ 300,000	\$ 365,000	2019 C.O.s	Changed years of expenditures
Street Improvements	Ensor Welch Path Improvements	\$ 250,000	\$ -	\$ 50,000	\$ 200,000	\$ -	\$ -	\$ 250,000	2019 C.O.s	Changed years of expenditures
Street Improvements	N. Darrington Reconstruction	\$ 20,500,000	\$ 2,500,000	\$ 9,000,000	\$ 9,000,000	\$ -	\$ -	\$ 20,500,000	2014 C.O.s, 2023 C.O.s, STP, CRRSA	Updated estimate
Street Improvements	N. Kenazo Safety Project - FY 2022	\$ 502,920	\$ 502,920	\$ -	\$ -	\$ -	\$ -	\$ 502,920	2014 C.O.s, Safety Project Funding	
Street Improvements	S. Darrington Safety Lighting Project	\$ 906,886	\$ 906,886	\$ -	\$ -	\$ -	\$ -	\$ 906,886	2014 C.O.s, Safety Project Funding	

**CIP
FY 2024 - 2026**

Updated May 7, 2023

Project Type	Project	Total	2023	2024	2025	2026	Future	Check Total	Funding Source	Notes
Street Improvements	S. Darrington Repaving	\$ 13,450,000	\$ -	\$ -	\$ -	\$ -	\$ 13,450,000	\$ 13,450,000	TBD	Changed years of expenditures
Street Improvements	N. Kenazo Ave. Reconstruction	\$ 15,703,000	\$ -	\$ -	\$ -	\$ -	\$ 15,703,000	\$ 15,703,000	TBD	Changed years of expenditures
Street Improvements	S. Kenazo Ave. Reconstruction	\$ 9,530,000	\$ -	\$ -	\$ -	\$ -	\$ 9,530,000	\$ 9,530,000	TBD	Changed years of expenditures
Street Improvements	Kenazo Dr. Extension	\$ 6,177,000	\$ -	\$ -	\$ -	\$ -	\$ 6,177,000	\$ 6,177,000	TBD	Changed years of expenditures
Street Improvements	Alberton Ave./Antwerp Rd. Construction	\$ 16,519,000	\$ -	\$ -	\$ -	\$ -	\$ 16,519,000	\$ 16,519,000	TBD	Changed years of expenditures
Street Improvements	School Zone Upgrades	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	TBD	
Street Improvements	Darrington Illumination	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	TBD	
Street Improvements	Rifton Illumination	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	TBD	
Street Improvements	S. Kenazo Illumination	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	TBD	
Street Improvements	Sidewalk Construction on Arterials and Collectors	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	TBD	
Street Improvements	New Traffic Signals/Roundabouts	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	TBD	17
Street Improvements	McMahon Street Improvements	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	TBD	
Street Improvements	Texas Rainbow Extension to N. Kenazo	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	TBD	
Street Improvements	Duaneburg Street Improvements (from Horizon Blvd.)	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	TBD	
Street Improvements	Horizon Blvd. Median Improvements	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	TBD	
Street Improvements	Horizon Blvd. Intersection Improvements at Darrington	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	TBD	
Street Improvements	Update and Expand Hike and Bike Trails	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	TBD	
Street Improvements	ADA Transition Plan - Implementation	\$ 5,000,000	\$ 500,000	\$ 2,000,000	\$ 1,500,000	\$ 1,000,000		\$ 5,000,000	FY 2023 C.O.s	Added
Street Improvements	Dilley & Delake Drives	\$ 8,700,000		\$ 1,044,000	\$ 7,656,000	\$ -		\$ 8,700,000	HUD Grant & Federal Sources	Changed years of expenditures
Street Improvements	Howard Lowe Rd. ROW Improvements	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	TBD	
Street Improvements	Rodman Street Improvements	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	TBD	

**CIP
FY 2024 - 2026**

Updated May 7, 2023

Project Type	Project	Total	2023	2024	2025	2026	Future	Check Total	Funding Source	Notes
Street Improvements	Rodman Multi-Use Path	\$ 995,292	\$ -	\$ 206,020	\$ 789,272	\$ -		\$ 995,292	TASA & 2023 C.O.s	Added amounts.
Street Improvements	Match for TXDOT Projects	\$ 3,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000			\$ 3,000,000	2023 C.O.s & future funds	Added amounts.
Street Improvements	Street and Drainage Projects	\$ 3,250,000	\$ 500,000	\$ 1,000,000	\$ 1,000,000	\$ 750,000		\$ 3,250,000	2023 C.O.s & future funds	Added amounts.
Street Improvements Total		\$ 107,365,583	\$ 6,523,005	\$ 16,203,306	\$ 21,145,272	\$ 1,815,000	\$ 61,679,000	\$ 107,365,583		
Administrative Buildings and Land	Municipal Facilities Phase 2 - Town Hall and Municipal Court	\$ 13,400,000	\$ 100,000	\$ -	\$ -	\$ -	\$ 13,300,000	\$ 13,400,000	TBD	Changed years of expenditures
Administrative Buildings and Land	ADA Transition Plan	\$ 223,829	\$ 223,829	\$ -	\$ -	\$ -		\$ 223,829	2014 C.O.S	
Administrative Buildings and Land Total		\$ 13,623,829	\$ 323,829	\$ -	\$ -	\$ -	\$ 13,300,000	\$ 13,623,829		
Public Safety Buildings and Land	City Hall/Police Headquarters	\$ 15,000,000	\$ 2,000,000	\$ 13,000,000	\$ -	\$ -		\$ 15,000,000	2023 C.O.s	Updated per 2023 Cos
Public Safety Buildings and Land Total		\$ 15,000,000	\$ 2,000,000	\$ 13,000,000	\$ -	\$ -	\$ -	\$ 15,000,000		
Quality of Life Buildings and Land	Multipurpose Center	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	TBD	
Quality of Life Buildings and Land	Renovate Oz Glaze Senior Center	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	TBD	
Quality of Life Buildings and Land	Develop a Community Pool	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	TBD	
Quality of Life Buildings and Land Total		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
Grand Total		\$ 164,458,163	\$ 10,433,396	\$ 36,261,995	\$ 33,468,772	\$ 9,315,000	\$ 74,979,000	\$ 164,458,163		
Grand Total		\$ 164,458,163	\$ 10,433,396	\$ 36,261,995	\$ 33,468,772	\$ 9,315,000	\$ 74,979,000	\$ 164,458,163		0

Town of Horizon City Capital Improvement Program

Council Meeting
May 9, 2023

Capital Program

Per Charter requirement for 3-year program, submitted to Council “at least three months prior to the final date for submission of the annual budget.”

Capital Improvement Plan

Capital Fund by Category

Project Type	Estimated Costs	Percentage of CIP
Drainage Improvements	\$ 1,083,998	0.66%
Economic Development (Transit)	\$ 3,200,000	1.95%
Park Improvements	\$ 24,184,753	14.71%
Street Infrastructure	\$ 107,365,583	65.28%
Administrative Buildings	\$ 13,623,829	8.28%
Public Safety Buildings	\$ 15,000,000	9.12%
CIP Totals	\$164,458,163	100.00 %

Highlight of Changes

- Parks – includes new regional recreational facility
- Street Improvements – includes updated estimates for
 - N. Darrington Reconstruction
 - Oxbow, Pawling and Breaux
 - Rodman Multi-Use Path
 - ADA Transition Plan (2023 C.O.s)
 - Street and Drainage Improvements (2023 C.O.s)
 - Match for TXDOT projects (2023 C.O.s)
- Public Safety Buildings and Land –updated estimate for PD Headquarters (2023 C.O.s)

Highlight of Changes

- Parks – includes new regional recreational facility
- Street Improvements – includes updated estimates for
 - N. Darrington Reconstruction
 - Oxbow, Pawling and Breaux
 - Rodman Multi-Use Path
 - ADA Transition Plan (2023 C.O.s)
 - Street and Drainage Improvements (2023 C.O.s)
 - Match for TXDOT projects (2023 C.O.s)

Summary of Changes


Project Type	Budget Book	May 2023 Total
Drainage	\$ 1,083,998	\$ 1,083,998
Economic Dev	\$ 3,200,000	\$ 3,200,000
Park Improvements	\$ 2,184,753	\$ 24,184,753
Street Improvements	\$ 86,197,477	\$ 107,365,583
Administrative Buildings and Land	\$ 13,623,829	\$ 13,623,829
Public Safety Bulidngs and Land	\$ 6,626,300	\$ 15,000,000
Quality of Life Buildings and Land	\$ -	\$ -
CIP Total	\$ 112,916,357	\$ 164,458,163

Town of Horizon City Capital Improvement Program

Council Meeting
May 9, 2023



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: May 5, 2023
To: Honorable Mayor and Members of City Council
From: Teresa Quezada, CIP Manager 
SUBJECT: Discussion and Action Regarding the Financing Analysis of Certificates of Obligation, Series 2023

This workshop is the next step to prepare for the issuance of 2023 Certificates of Obligation to fund the high priority projects presented to Council in January 2023. The capital projects are part of the adopted 2023-2025 CIP and are at various stages of development. Design is underway or complete for some projects such as the Police Headquarters and N. Darrington Reconstruction. Other projects will require additional development and are short-term needs and priorities.

The project listing, calendar for the issuance of the debt instruments and Ms. Urbina's presentation are attached for review and reference.

Attachments as indicated



Town of Horizon City, Texas

Financing Analysis of Certificates of Obligation, Series 2023

.....

May 2023



**TOWN OF
HORIZON CITY**



Certificates of Obligation, Series 2023

- The Town of Horizon City (the “City”) seeks to fund projects from the City’s existing Capital Improvement Program.
- Priority capital projects being considered for funding with Certificates of Obligations (FY 2023-2024):

▪ Police Headquarters	\$15,000,000
▪ Recreational Facility	2,500,000
▪ ADA Implementation	2,500,000
▪ N. Darrington Reconstruction Gap	2,000,000
▪ Match for TXDOT Projects	2,000,000
▪ Street & Drainage Projects	<u>1,500,000</u>
TOTAL	\$25,500,000

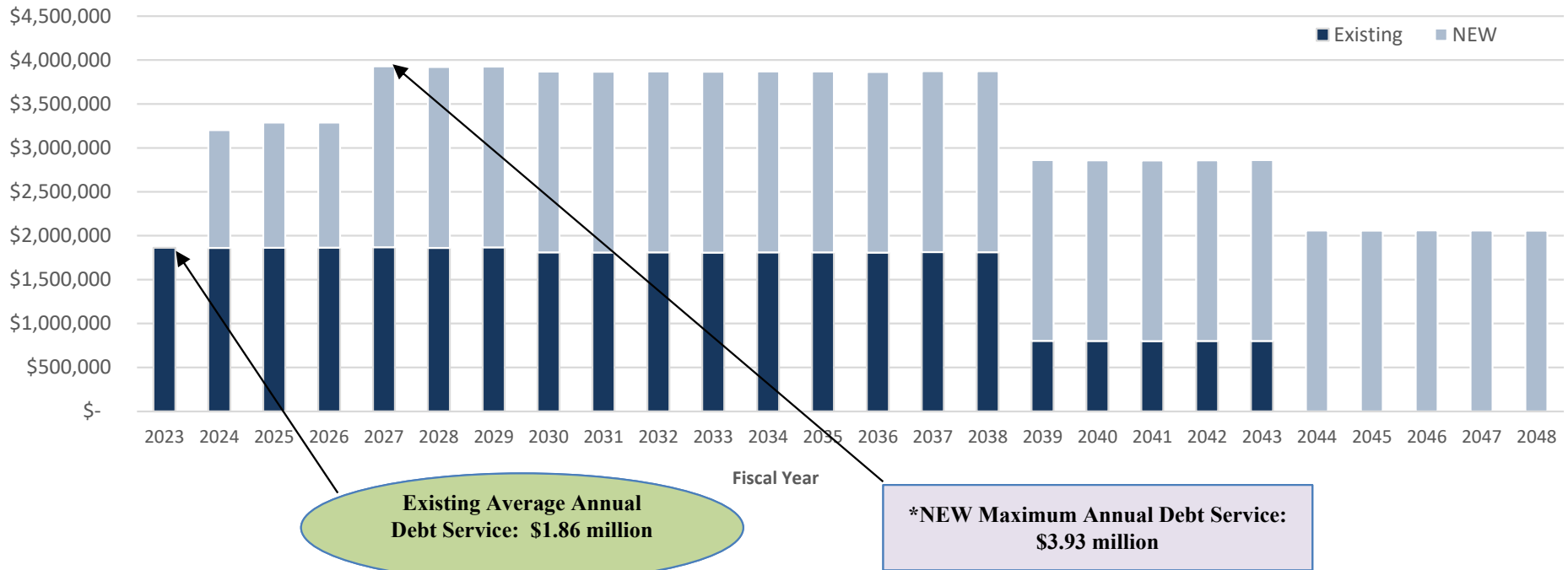
- Funding mechanisms typically used by Cities:
 - Pay As You Go (Slows delivery of capital plans)
 - Grant Funding (Time consuming and restrictive. Limited funds.)
 - Debt Financing (Different Options Available)
 - *Tax Supported & Revenue Supported Debt*
 - *Short-Term & Long-Term Options*

Debt Profile Impact – General Obligation Debt



Existing & NEW General Obligation Debt				
Issue	Amount Outstanding	Coupon Range	Call Date	Final Maturity
General Obligation Bonds, Series 2005	\$325,000	3.95%	Non-Callable	2/1/2029
Combination Tax & Rev Certificates of Obligation, Series 2014	11,815,000	3.25% - 4.00%	8/15/2024	2/15/2038
Combination Tax & Rev Certificates of Obligation, Series 2019	11,055,000	4.00% - 5.00%	8/15/2028	8/15/2043
EXISTING TOTAL	\$23,195,000			
*NEW: Combination Tax & Rev Certificates of Obligation, Series 2023	*\$25,915,000	*5.50%	*8/15/2032	*8/15/2048
PROJECTED TOTAL (After Series 2023 Issuance)	\$49,110,000			

Existing & NEW- Debt Service Requirements (Principal + Interest)



*Preliminary, subject to change.

I&S Tax Rate Impact



*Existing vs Projected Tax Rate After Issuance of Series 2023

*Impact to Average Single Family Taxable Values in Town of Horizon City

Town of Horizon City		
2022 Avg Single Family Taxable Value:	\$158,064.00	
Existing Debt Service Tax Rate:		
	\$ 0.1531	
Existing Debt Service Tax Levy Per \$100	\$ 241.93	per year
Existing Debt Service Tax Levy Per \$100	\$ 20.161	per month
Projected Maximum Debt Service Tax Rate:		
	\$ 0.2935	
Projected Debt Service Tax Levy Per \$100	\$ 463.88	per year
Projected Debt Service Tax Levy Per \$100	\$ 38.66	per month
Variance Debt Service Tax Rate:		
	\$ 0.1404	
<i>Projected Debt Service Tax Levy Per \$100</i>	<i>\$ 221.95</i>	<i>per year</i>
<i>Projected Debt Service Tax Levy Per \$100</i>	<i>\$ 18.50</i>	<i>per month</i>

*Assumes Taxable Assessed Value Growth at 3.0% Growth and 5.5% Interest Cost Amortized over 25 Years for Series 2023.



❖ Recommendation:

- **Staff recommends adding an item to the June 13, 2023 agenda approving a resolution to authorize the “Notice of Intention to Issue Town of Horizon City, Texas, Certificates of Obligation” by the City.**
- **Staff recommends adding an item to the August 8, 2023 agenda approving an ordinance authorizing the issuance of “Town of Horizon City, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2023”**



❖ Next Steps:

- **June 13, 2023:** City Council approves resolution to authorize Notice of Intent to Issue Certificates of Obligation, Series 2023
- **June & July 2023 (Month):** Draft Preliminary Official Statement, Publish Notices in the El Paso Times, Meet with Rating Agency, and Select Underwriters.
- **August 8, 2023:** Pricing Date for the Certificates of Obligations. City Council considers selling Certificates of Obligations, Series 2023 and Executes Sale Agreements
- **September 6, 2023:** Closing of Certificates of Obligations, Series 2023



QUESTIONS & ANSWERS

**Town of Horizon City
Preliminary Listing**

FY 2023 - 2026 Priority Capital Projects

Updated: January 19, 2023

Project Category/Project	Totals	FY 2023 Issuance	Future Issuance
Street and Infrastructure Projects			
N. Darrington Reconstruction Gap	\$ 2,000,000	\$ 2,000,000	\$ -
Match for TXDOT Projects	\$ 3,000,000	\$ 2,000,000	\$ 1,000,000
Street and Drainage projects	\$ 3,250,000	\$ 1,500,000	\$ 1,750,000
Total Street and Infrastructure	\$ 8,250,000	\$ 5,500,000	\$ 2,750,000
Regional Recreation Facility	\$ 22,000,000	\$ 2,500,000	\$ 19,500,000
ADA Implementation	\$ 5,000,000	\$ 2,500,000	\$ 2,500,000
Municipal Facilities - Phase 1	\$ 15,000,000	\$ 15,000,000	\$ -
Totals	\$ 50,250,000	\$ 25,500,000	\$ 24,750,000

TOWN OF HORIZON, TEXAS
Combination Tax and Revenue Certificates of Obligation, Series 2023

Preliminary Schedule of Events

Mar-23						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Apr-23						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May-23						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Jun-23						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Jul-23						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Aug-23						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Sep-23						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Oct-23						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Complete By	Day	Event
14-Mar-23	Tuesday	City Council considers approving reimbursement resolution
9-May-23	Tuesday	City Council Worksession to discuss proposed funding scenarios
1-Jun-23	Thursday	HilltopSecurities submits information request to the City and begins working on official statement
13-Jun-23	Tuesday	City Council approves resolution to authorize Notice of Intent to issue Certificates of Obligation, Series 2023
15-Jun-23	Thursday	HilltopSecurities receives information requested from City
20-Jun-23	Tuesday	1st Publication of Notice of Intent to Issue Certificates of Obligation, Series 2023
22-Jun-23	Thursday	1st Draft of the Official Statement distributed for comments
27-Jun-23	Tuesday	2nd Publication of Notice of Intent to Issue Certificates of Obligation, Series 2023; and, Receive comments on 1st Draft of POS
29-Jun-23	Thursday	2nd Draft of the Official Statement distributed for comments
11-Jul-23	Tuesday	Receive comments on 2nd Draft of POS
12-Jul-23	Wednesday	Send POS to Rating Agencies
19-Jul-23	Wednesday	Rating Agency & Diligence Conference Calls
20-Jul-23	Thursday	3rd Draft of the Official Statement distributed for comments
25-Jul-23	Tuesday	Receive comments on 3rd Draft of POS
26-Jul-23	Wednesday	Receive ratings
31-Jul-23	Monday	Post the POS to I-Deal
8-Aug-23	Tuesday	Pricing date for the Certificate of Obligations; and, City Council considers selling Certificate of Obligations and Executes Sale Agreements
15-Aug-23	Tuesday	Final official statement printed and mailed
6-Sep-23	Wednesday	Closing. Certificates are delivered to Underwriters and proceeds received by City



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: May 9, 2023

To: Honorable Mayor and Members of City Council

From: Art Rubio, Planner

SUBJECT: On a replat application for Horizon Country Club Estates Unit 2 Replat "B" (Case No. RP-002522-2023), legally described as a Replat of Portion of Lot 1, Block 3, Horizon Country Club Estates Unit 2 Replat "A", Town of Horizon City, El Paso County, Texas. Containing 2.4112 acres ±. Application submitted by Conde Inc.

On April 17, 2023, Horizon Country Club Estates Unit 2 Replat "B" was automatically approved due to a lack of quorum by the P&Z.

This replat application request is to remove plat note 13, which prohibits access through Rossman Dr. and Delake Dr. and to dedicate an access and utility & drainage easement. The subject property is approximately 2.4112 ± acres in size and is zoned C-1 (General Commercial). Based on the applicant's proposed commercial uses, access from Delake and Rossman is needed, and staff has no objections for access from Delake Dr. and Rossman Dr. No additional public improvements are required or proposed to be dedicated on this replat; therefore, Planning Staff recommends approval.

Attached for your review is the staff report, which includes the preliminary and final replat.

History:

On January 27, 2021, the City Council voted unanimously to approve the replat and recording plat applications for the Horizon Country Club Estates Unit Two Replat A subdivision.



TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report

Case No.: RP-002522-2023
Subdivision Name: Horizon Country Club Estates Unit 2 Replat "B"
Application Type: Replat Subdivision Application
P&Z Hearing Date: April 17, 2023
Staff Contact: Art Rubio, Planner
 915-852-1046 ext.407; arubio@horizoncity.org

Address/Location: Replat is located north of Horizon Blvd. and east of Darrington Rd.
Legal Description: A Replat of Portion of Lot 1, Block 3, Horizon Country Club Estates Unit 2 Replat "A", Town of Horizon City, El Paso County, Texas
Acreage: 2.4112 Acres ±
Existing Use: Vacant
Existing Zoning: C-1 (General Commercial)

Owner/Applicant: Angel Beltran Jr. & Compostela, LLC
Land Surveyor/: Conde Inc.
Engineer

Surrounding Properties

	Zoning	Land Use
N	C-1 (General Commercial)/R-4 (Single-Family Dwelling)	Vacant
E	R-4 (Single-Family Dwelling)	Vacant
S	C-1 (General Commercial)	Restaurant/Retail
W	C-1 (General Commercial)/A-1 (Apartments) –	Horizon City

Future Land Use Designation: Mixed Use, Town Center
Nearest Park: Desmond "Corky" Corcoran Park
Nearest School: Desert Hills Elementary School

Application Description:

The applicant is proposing to replat a portion of Lot 1 of Horizon Country Club Estates Unit 2 Replat A in order to remove plat note 13 which prohibits access through Rossman Dr. and Delake Dr. and to dedicate an access and utility & drainage easement. The subject property is approximately 2.4112 ± acres in size and is zoned C-1 (General Commercial). Based on the applicant's proposed commercial uses, access from Delake and Rossman is needed.

Staff Recommendation:

Staff recommends **APPROVAL** of the proposed replat subdivision and has no objection to the proposed removal of the access prohibition or dedication of access, utility, and drainage easements.

Planning Comments:

No Comments

Public Works Director Comments:

HORIZON COUNTRY CLUB ESTATES U-2REPLAT B (Preliminary Plat)

Review #1 3/31/2023

On the 43ft and 20ft. access, utility and drainage easement provide instrument number. See redlines on PLAT as PRELIMINARY PLAT'S metes and bounds description must match this plat. See note 6 PLAT redlines.

HORIZON COUNTRY CLUB ESTATES U-2 REPLAT B (Final Plat) Review #1 3/28/2023

1. On the 43ft and 20ft. access, utility and drainage easement provide instrument number.
2. Emigrant Rd. located at the east side of the lot will need to be renamed. Portion of the street will be developed by this project leaving multiple Emigrant Roads. North side Emigrant Rd. name shall remain. See Ordinance section 4.3.2.2
3. Missing address in Lot 5, Block 23.
4. El Paso County 9-1-1 District approval is required for all lot addresses.
5. Provide Closure with metes and bounds description.
6. See redlines.

Town Engineer Comments:

Horizon Country Club Estates Unit Two Replat B

Summary of Recommended Conditions for Preliminary Plat Approval:

2. The Town Engineer recommends the following:
3. Address red lines on plat.
4. Confirm distance. Metes and Bounds 82.40' conflicts with boundary line distance of 56.02'. Adjust plat.
5. Confirm acreage. Metes and Bounds 24.11 acres vs 7.79 acres shown in legal description. Adjust plat.
6. Provide detail as per called out in plat.
7. Verify block number in legal description. Block 23?

Horizon Country Club Estates Unit Two Replat B

Summary of Recommended Conditions for Final Plat Approval:

The Town Engineer recommends the following:

1. Address redlines on plat.
2. Confirm distance. Metes and Bounds 82.40' conflicts with boundary line distance of 56.02'. Adjust plat.
3. Confirm acreage. Metes and Bounds 24.11 acres vs 7.79 acres shown in legal description. Adjust plat.
4. Verify Block number in legal description on face of plat. Block 23...?

El Paso Electric Co.

We have no comments for Horizon Country Club Estates Unit Two Replat B. Easements noted are acceptable.

Attachments:

Attachment 1 – Zoning Designation Map

Attachment 2 – Aerial View Map

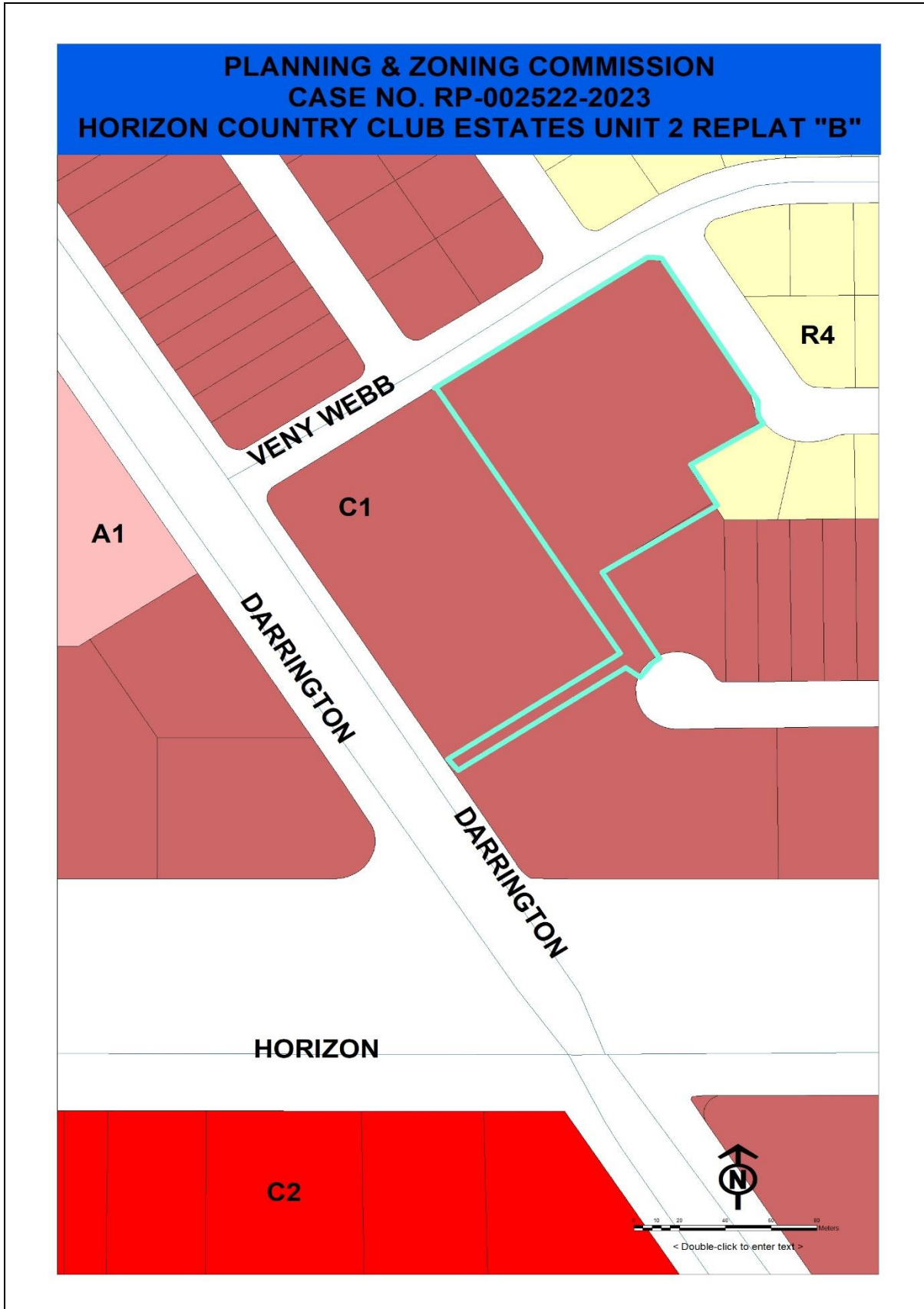
Attachment 3 – Location Map

Attachment 4 – Preliminary Replat

Attachment 5 – Final Replat

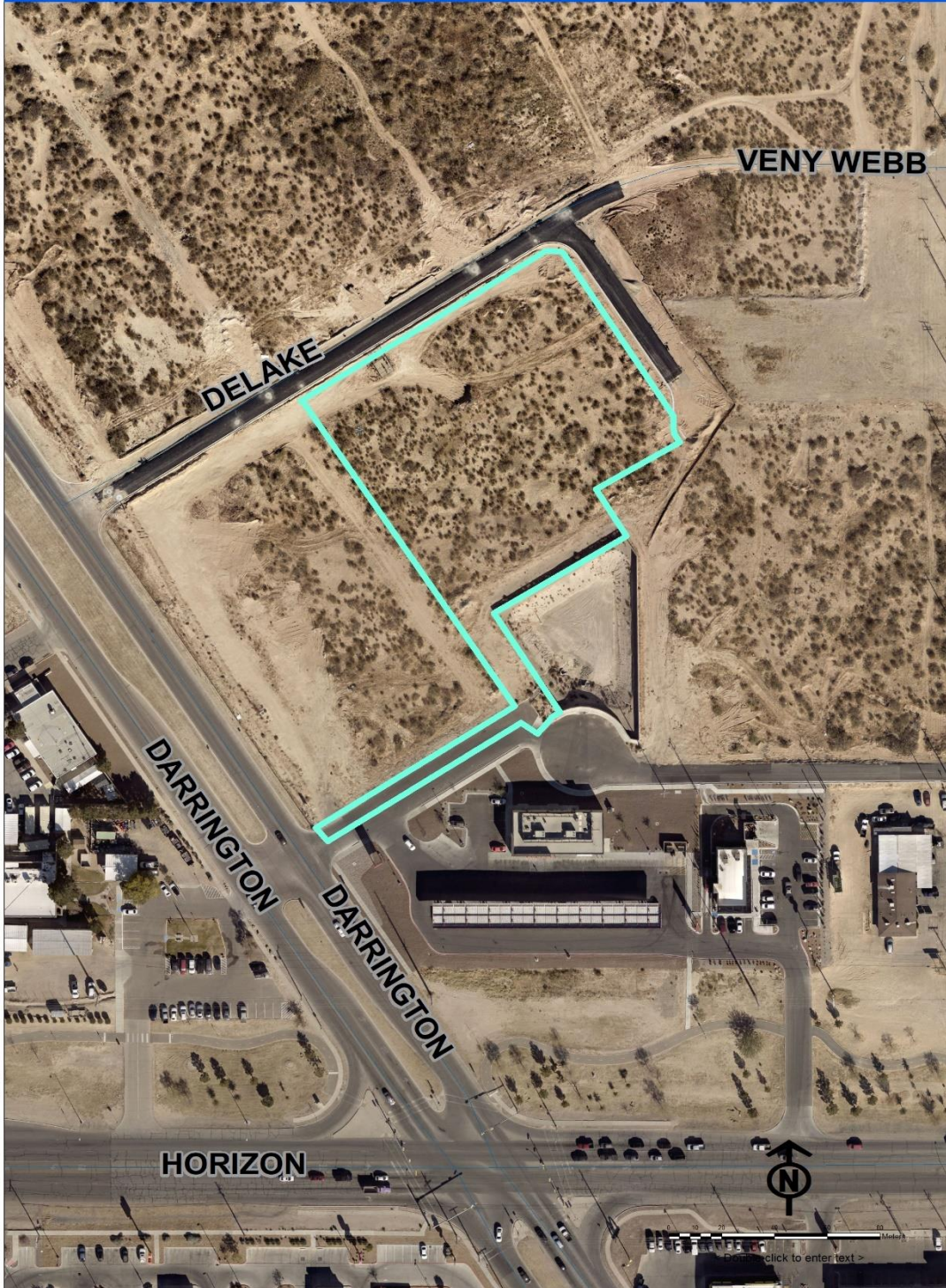
Attachment 6 – Replat Application

Attachment 1: Zoning Designation Map



Attachment 2: Aerial View Map

**PLANNING & ZONING COMMISSION
CASE NO. RP-002522-2023
HORIZON COUNTRY CLUB ESTATES UNIT 2 REPLAT "B"**



Attachment 6: Replat Application



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

RP-002522-2023
REPLAT APPLICATION

SUBDIVISION PROPOSED NAME: Horizon Country Club Estates Unit 2 Replat "B" SUBMITTAL DATE: March 20, 2023

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.)
Being a Replat of Portion of Lot 1, Block 3, Horizon Country Club Estates Unit 2 Replat "B"

2. PROPERTY LAND USES:

	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	_____	_____	OFFICE	_____	_____
DUPLEX	_____	_____	STREET & ALLEY	_____	_____
APARTMENT	_____	_____	PONDING & DRAINAGE	_____	_____
MOBILE HOME	_____	_____	INSTITUTIONAL	_____	_____
P.U.D.	_____	_____	OTHER	_____	_____
PARK	_____	_____	_____	_____	_____
SCHOOL	_____	_____	_____	_____	_____
COMMERCIAL	<u>2.4112</u>	<u>1</u>	TOTAL NO. SITES	_____	<u>1</u>
INDUSTRIAL	_____	_____	TOTAL (GROSS) ACREAGE	<u>2.4112</u>	_____

3. WHAT IS THE EXISTING ZONING OF THE ABOVE DESCRIBED PROPERTY? N/A 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 N/A

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

6. WHAT TYPE OF DRAINAGE IS PROPOSED? (IF APPLICABLE LIST MORE THAN ONE) On site ponding

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

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 ANSWER IS "YES", PLEASE EXPLAIN THE NATURE OF THE MODIFICATION _____

10. WHAT TYPE OF LANDSCAPING IS PROPOSED? PARKWAY MEDIANS OTHER _____

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 AB
 IF YES, submit REQUIRED GUARANTEE (SECTION 4.10.3 & 8.1.7, Municode Chapter 10) OR Improvement Cost Estimates & Construction Agreement

13. WILL ANY RESTRICTIONS AND COVENANTS BE RECORDED WITH PLAT? YES NO INITIALS AB IF YES, PLEASE ATTACH COPY.

14. OWNER OF RECORD Angel Beltran Jr. & Compostela, LLC 750 Linda, El Paso, Texas 79922 915-526-3898
(NAME & ADDRESS) (EMAIL) (PHONE)

15. DEVELOPER Angel Beltran Jr. & Compostela, LLC 750 Linda, El Paso, Texas 79922 915-526-3898
(NAME & ADDRESS) (EMAIL) (PHONE)

16. ENGINEER Conde, Inc. 6080 Surety Dr., Ste. 100 El Paso, TX 79905 cconde@condeinc.com 915-592-0283
(NAME & ADDRESS) (EMAIL) (PHONE)

17. APPLICANT Angel Beltran Jr. & Compostela, LLC 750 Linda, El Paso, Texas 79922 915-526-3898
(NAME & ADDRESS) (EMAIL) (PHONE)

18. REP/POINT OF CONTACT Conde, Inc. 6080 Surety Dr., Ste. 100 El Paso, TX 79905 cconde@condeinc.com 915-592-0283
(NAME & ADDRESS) (EMAIL) (PHONE)

NOTE: Applicant is responsible for all expenses incurred by the City in connection with the Replat approval request, including but not limited to attorney's fees, engineering fees and publication. Charges exceeding deposit will be invoiced separately. Initials AB
 Applicant Signature [Signature] EMAIL cliamonte@aol.com

APPLICATION MUST BE COMPLETE & VALIDATED PRIOR TO SUBDIVISION PROCESSING
 Acceptance of fee does not grant acceptance of application.
 Non Refundable Deposit \$500 | Application Fees: \$100 | Publishing Fee Deposit (if applicable): \$200

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING ONE PARCEL FROM A-1 (APARTMENTS) TO R-2 (SINGLE-FAMILY DWELLING); CONTAINING APPROXIMATELY 13.27 ACRES; BEING A PORTION OF, SECTION 32, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS; NORTH OF HORIZON BOULEVARD AND EAST OF RIFTON DRIVE; AND AUTHORIZING THE NOTATION OF THE CHANGE ON THE OFFICIAL ZONING MAP OF THE TOWN; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; AND PROPER NOTICE AND HEARING.

WHEREAS, an application was made to change a designated zone for a parcel of property as identified herein within the municipal limits of the Town of Horizon City;

WHEREAS, said application was forwarded to and considered by the Town of Horizon City Planning and Zoning Commission;

WHEREAS, the Planning and Zoning Commission has complied with all state and local laws affecting the changing of zones and held a public hearing to obtain public comments;

WHEREAS, the Planning and Zoning Commission has recommended that the zoning on the parcel of property be rezoned from A-1 to R-2 Residential;

WHEREAS, the City Council of the Town of Horizon City ("Town Council") seeks to promote safe, orderly and consistent use and development of real property;

WHEREAS, the notice required by the Texas Local Government Code has been published in the official newspaper and given to adjacent property owners;

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

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

WHEREAS, the City Council in its decision for rezoning finds that such rezoning is in the public interest of the Town of Horizon City, Texas;

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the Town has general authority to adopt an ordinance or police regulation 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;

WHEREAS, pursuant to Texas Local Government Code Chapter 211, the Town is authorized to promulgate and enforce zoning regulations; 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.

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

I. REZONING

The zoning be changed from A-1 (Apartments) to R-2 (Single-Family Dwelling) within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, for approximately 13.27 acres, more or less, and legally described by Metes and Bounds Description, Exhibit "A" attached hereto and by reference included herein.

II. ZONING MAP

The zoning map for the Town of Horizon City shall be modified to include the zoning changes directed by this ordinance.

III. 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.

IV. 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.

V. 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.

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.

PASSED AND APPROVED this the ___ day of _____, 2023, by a vote of ___ (ayes) to ___ (nays) to ___ (abstentions) of the Town Council of Horizon City, Texas.

Town of Horizon City

By: _____
Ruben Mendoza, Mayor

ATTEST:

By: _____
Elvia Schuller, TRMC, City Clerk

APPROVED AS TO FORM:

Sylvia Borunda Firth
Assistant City Attorney

First Reading: 04/11/2023
Second Reading: 05/15/2023



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: May 9, 2023
To: Honorable Mayor and Members of City Council
From: Art Rubio, Planner
SUBJECT: **2nd Reading of Ordinance No. _____**, An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning one parcel from A-1 to R-2; containing approximately 13.27 acres; being a portion of Section 32, Block 78, Township 3, Texas and Pacific Railroad Surveys, Horizon City, El Paso County, Texas; located North of Horizon Blvd. and east of Rifton Rd.; and authorizing the notation of the change on the official zoning map of the City; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

On March 20, 2023, the Planning and Zoning Commission voted unanimously to recommend that the City Council approve the rezoning of the subject property from A-1 (Apartments) zone to R-2 (Single-Family Dwelling) zone. The first reading for this item was on April 11, 2023.

The applicant's request to rezone the property to R-2 Residential is to accommodate a 66-unit single-family residential subdivision.

The staff recommendation to the Planning and Zoning Commission was to approve the rezoning request as it is consistent with the City's Vision 2020: Comprehensive and Strategic Plan. The future land use map in the comprehensive plan designates this area for public use; however, the surrounding zoning districts and use are primarily residential.

Attached for your review is the draft Ordinance and the staff report that was presented to the Planning and Zoning Commission.



TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report

Case No.: **RZ-002503-2022**
Proposed Desert Breeze Unit III Subdivision

Application Type: **Rezoning**

P&Z Hearing Date: March 20, 2023

Staff Contact: Art Rubio
 915-852-1046; arubio@horizoncity.org

PID No.: X57800033203000

Address/Location: North of Horizon Blvd. and east of Rifton Rd.

Legal Description: A portion of Section 32, Block 78, Township 3, Texas and Pacific Railroad Surveys, Horizon City, El Paso County, Texas

Property Owner: Hunt Communities Holding

Applicant: H2O-Terra

Acreage: 13.272-Acres ±

Nearest Park: Horizon Mesa Park

Nearest School: Horizon High School

SURROUNDING PROPERTIES:

	Zoning	Land Use
N	R-2 (Single-Family Residential)	Vacant
E	ETJ	Mixed Use
S	C-2(Heavy Commercial)/R-2(Single-Family Residential)	Vacant
W	R-2 (Single-Family Residential)	Horizon High School

LAND USE AND ZONING:

	Existing	Proposed
Land Use	Vacant	Single-Family Residential
Zoning	A-1 (Apartment)	R-2 (Single-Family Residential)

Application Description:

The applicant is requesting to change the zone of approximately 13.2744-acres of vacant land from A-1 (Apartment) zoning district to R-2 (Residential) zoning district in accordance with the attached proposed subdivision. The request proposes R-2 (single-family residential) for a proposed sixty-six lot residential subdivision. The subject property is directly adjacent to Horizon High School and the ETJ to the east. This item was previously before the P&Z with a request to rezone from R-2 to R-3; however, staff has since discovered an oversight on the zoning map, that shows the current zoning to be A-1 not R-2.

Notice:

In accordance with Section 211.007 of the Texas Local Government Code and Horizon City Municipal Code Section 101.6 Rezoning, Paragraph C. Public Hearings; notice; notices of the March 20, 2023, public hearing was sent to the school district of jurisdiction and to those property owners within two hundred feet of the subject property on February 9, 2023, and posted in the El Paso Times Newspaper on February 2, 2023. In addition, the applicant is required to erect signs notifying the public of the proposed rezoning on the site proposed

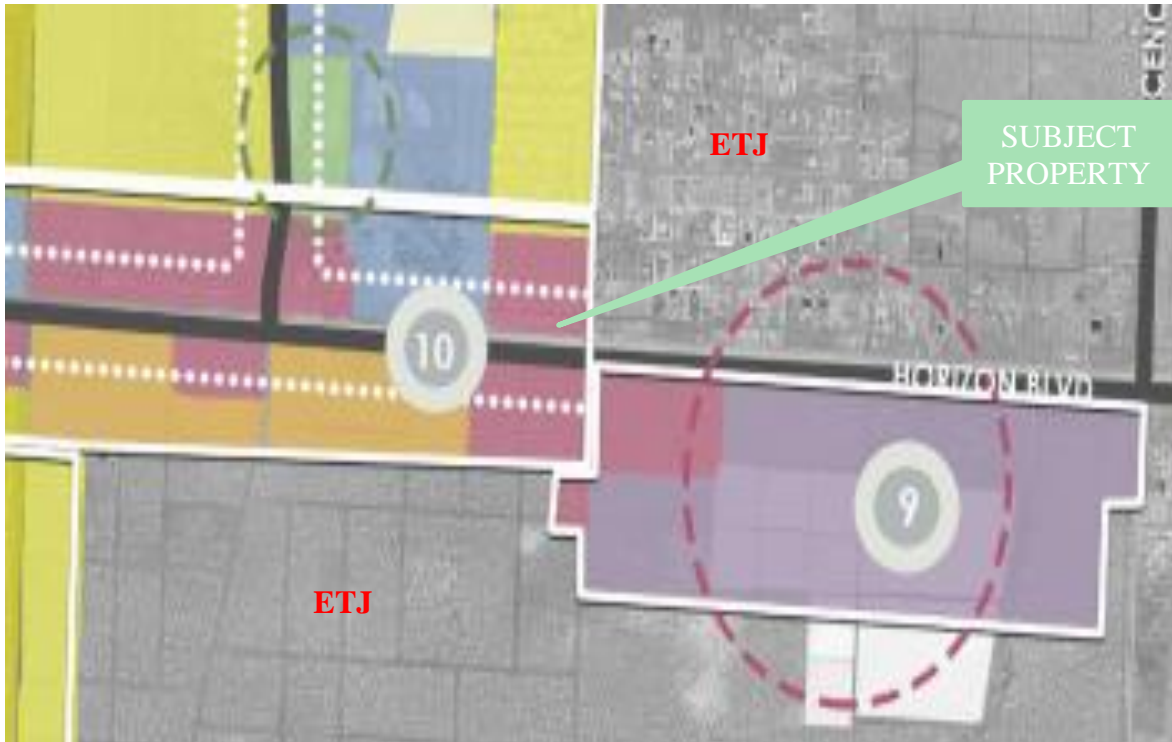
for rezoning fifteen (15) days prior to the Planning and Zoning Commission public hearing. Sign requirements have been satisfied by the applicant.

Public Input:

To date, staff has not received any communication in support or opposition of the requested rezoning.

Vision 2020 – Future Land Use Map Designation:

Horizon City Vision 2020 Strategic Master Plan designates this area for the following uses: commercial; public; parks and open space in accordance with the map and legend below. The developer is proposing single-family residential.



LEGEND

LAND USE DESIGNATIONS	Description
Light Yellow	Low Density - Single Family
Yellow	Medium Density - Single Family
Green	High Density - Single Family
Brown	Multi-Family
Pink	Mixed Use
Purple	Commercial
Dark Purple	Industrial
Blue	Public
Light Green	Parks and Open Space

Staff Recommendation:

Staff recommends **approval** of the request to rezone to **R-2** (Residential) in support of the proposed 66 lot residential subdivision.

Planning Division Comments:

This development proposes R-2 (single-family residential) development throughout and is directly adjacent to Horizon High School to the west, residential to the north, a mixed-use development area to the south, currently vacant and mixed-use development area to the east within the ETJ. The proposed development consists of a minimum lot size of 6,000 sq. ft. where the smallest lot allowed with the current zoning is 6,000 sq. ft. and the largest is 9,784 sq. ft. The City's Comprehensive Plan calls for commercial, public and parks in the area; however, there has been in transition to single-family residential in the area. According to the Horizon City Vision 2020 Strategic Master Plan, "boundaries of these districts and areas are conceptual in nature providing the Town the flexibility to define these boundaries as development occurs." "The rest of Horizon City would develop in a similar fashion as the current development patterns with mainly residential development and reduced amount of strip commercial development."

Approving this development's land use plan and rezoning request will increase the single-family residential dwelling inventory within Horizon City.

Planning and Zoning Commission Options:

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

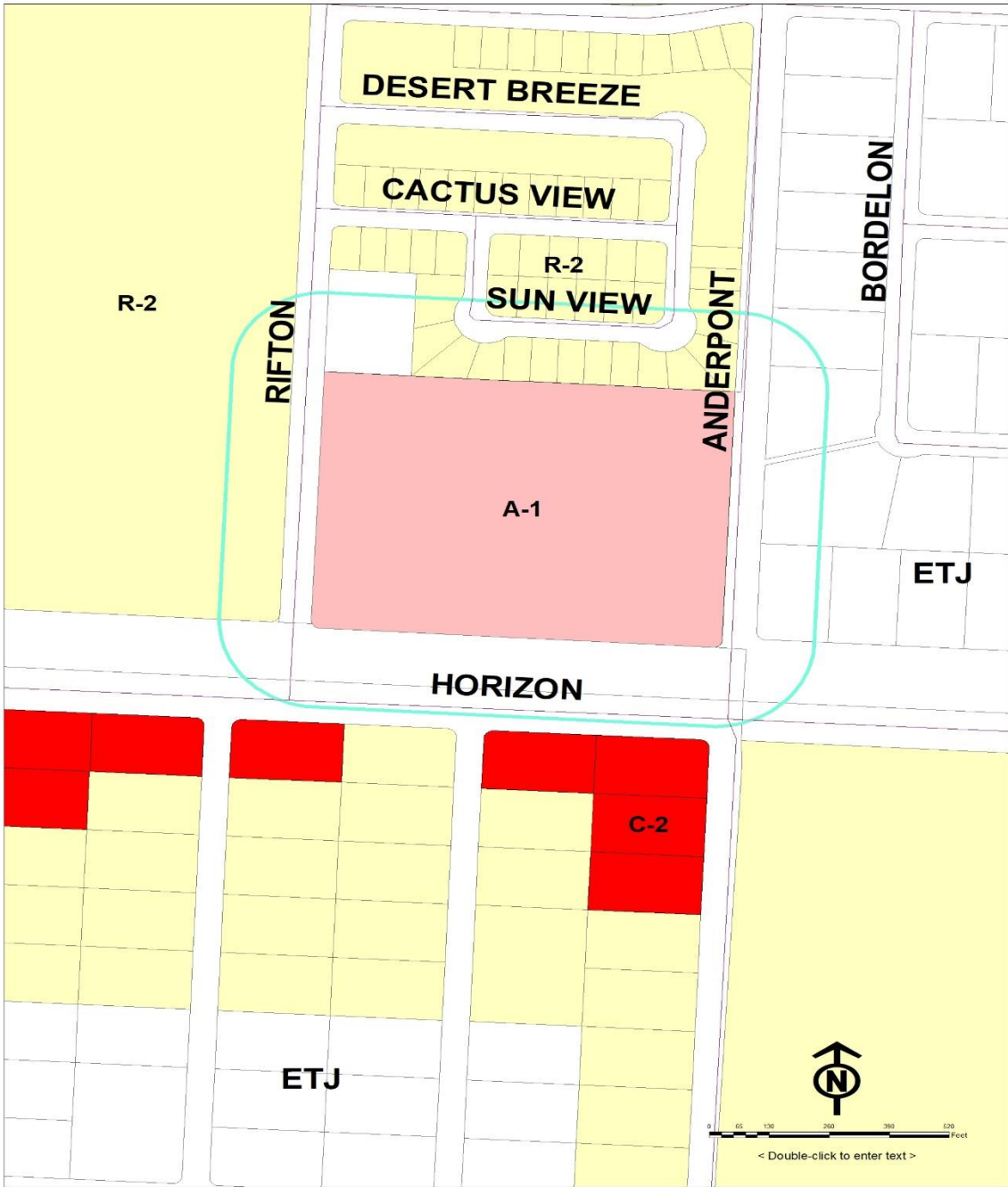
1. Recommend **approval** of the Applicant's request for change of zone classification as stated and forward a recommendation for approval for the change of zone classification to the City Council.
2. Recommend **denial** of the Applicant's request for change of zone classification and forward a recommendation for denial of the requested rezoning to the City Council.

Attachments:

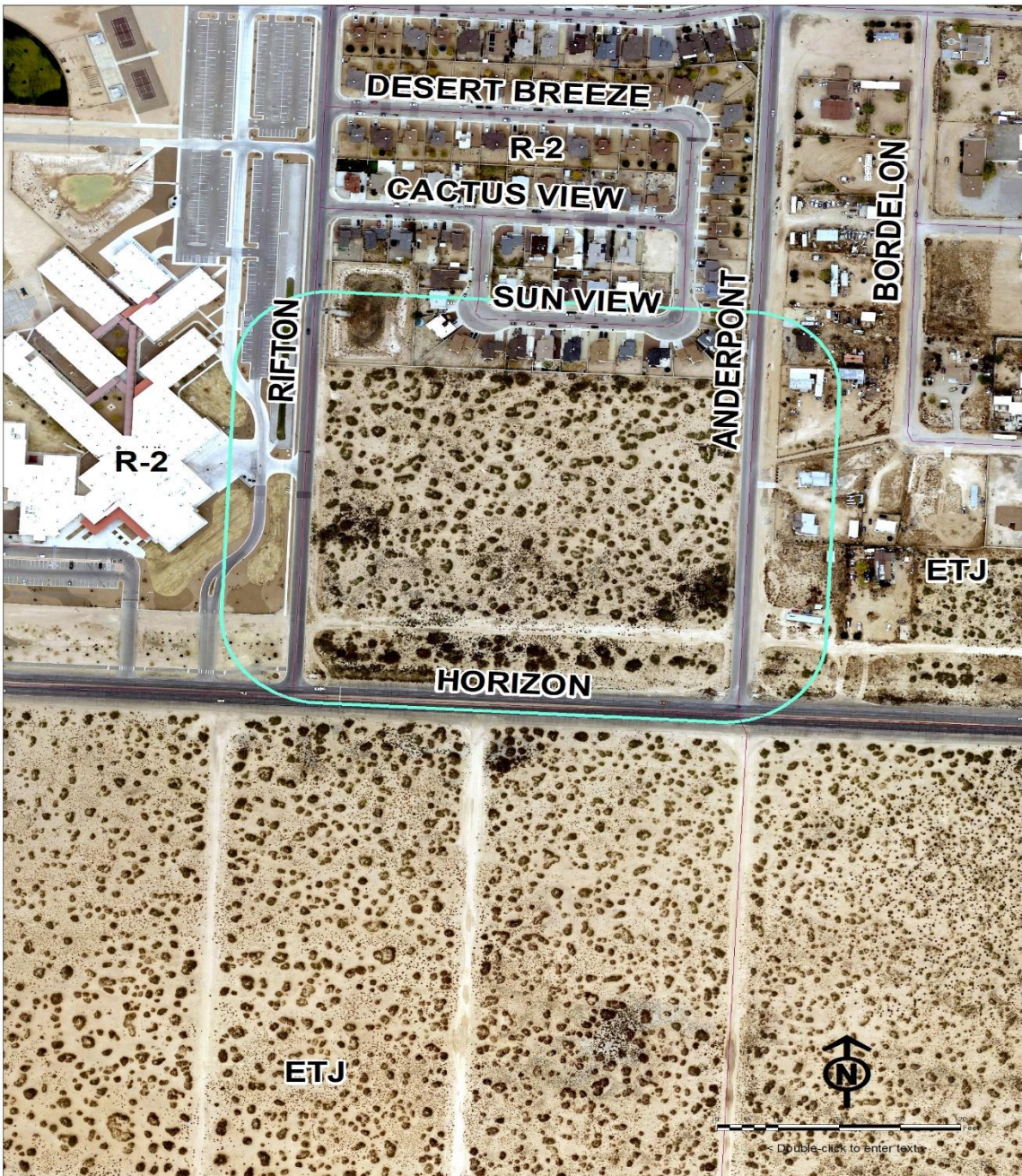
- 1 – Current Zoning Designation Map**
- 2 – Aerial Map**
- 3 - Future Land Use Map (Comp Plan)**
- 4 - Application**
- 5 – Boundary Survey**
- 6 – Proposed Subdivision Plat**

Attachment 1: Current Zoning Designation Map

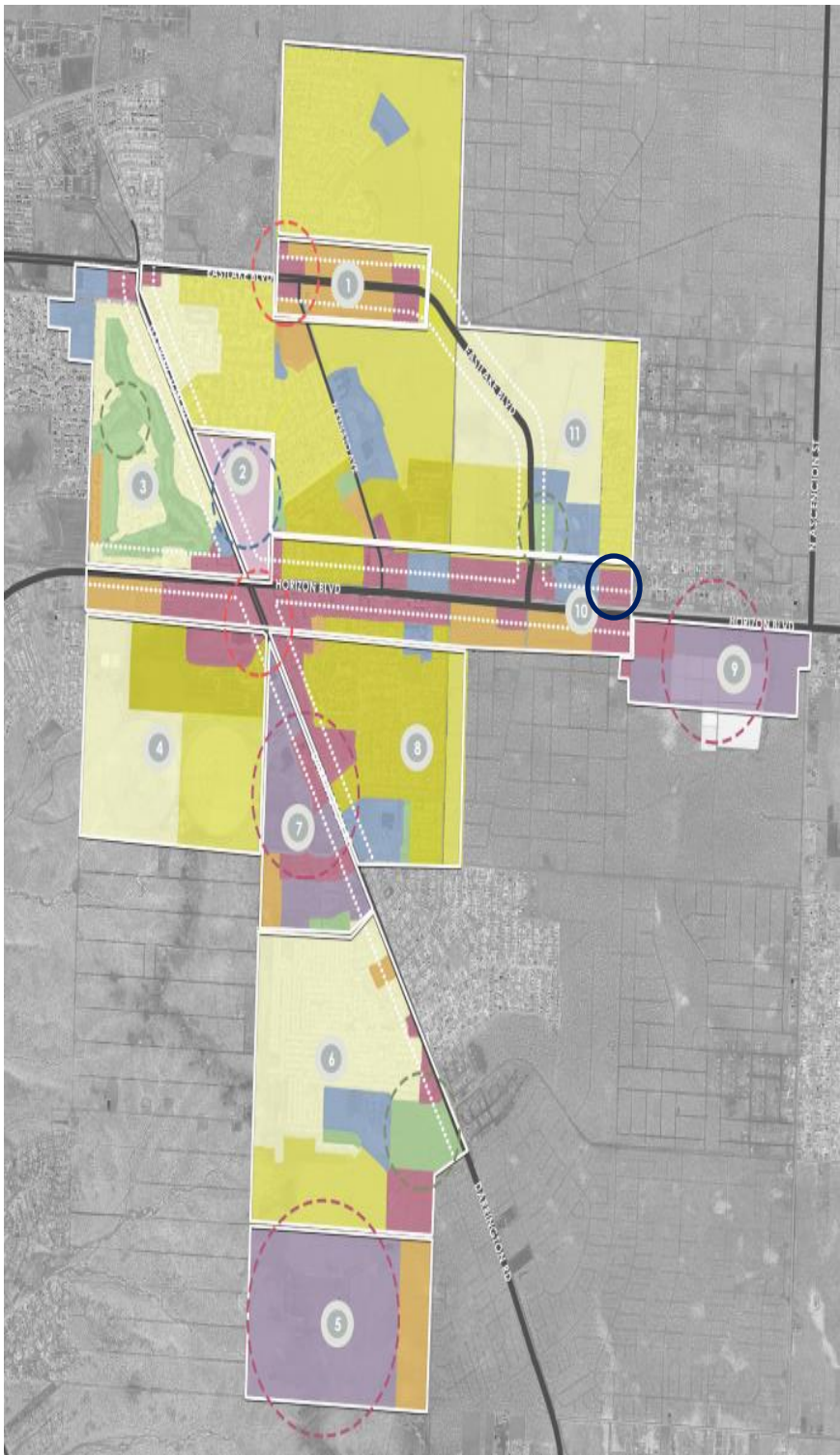
**PLANNING & ZONING COMMISSION
CASE NO. RZ- 002520 - 2023
ZONE CHANGE**



**PLANNING & ZONING COMMISSION
CASE NO. RZ- 002520 - 2023
ZONE CHANGE**



Attachment 3: Future Land Use Map



LEGEND

LAND USE DESIGNATIONS

- Low Density - Single Family
- Medium Density - Single Family
- High Density - Single Family
- Multi-Family
- Mixed Use
- Commercial
- Industrial
- Public
- Parks and Open Space
- Districts
- Corridors

CENTERS

- Civic
- Recreation
- Market
- Employment

1 EASTLAKE DISTRICT	7 CENTRAL INDUSTRIAL PARK DISTRICT
2 TRANSIT-SUPPORTED TOWN CENTER DISTRICT	8 EAST RESIDENTIAL DISTRICT
3 GOLF COURSE DISTRICT	9 EAST INDUSTRIAL PARK DISTRICT
4 WEST RESIDENTIAL DISTRICT	10 HORIZON BLVD DISTRICT
5 BUSINESS PARK DISTRICT	11 NORTH RESIDENTIAL DISTRICT
6 SOUTH RESIDENTIAL DISTRICT	

Attachment 4: Application



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

REZONE APPLICATION

1. Owner of Record HUNT COMMUNITES HOLDING LP 70% & HORIZO LP 30%
 4401 N MESA ST EL PASO TX 79902-1150
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant H2O Terra, LLC. Is applicant also the Owner? Yes No
 Contact Person Francisco Solis
 2020 E. Mills 79901 (915) 833-1418 fsolis@h2o-terra.com
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

3. PARCEL ONE
 Site Address/Location Property ID: X57800033203000
 Legal Description: 78 TSP 3 SEC 32 T & P ABST 5472 TR 4 (13.2744 AC)
 (Lot) (Block) (Subdivision Name)

PARCEL TWO
 Site Address/Location _____
 Legal Description: _____
 (Lot) (Block) (Subdivision Name)

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

4. Briefly explain why you request to rezone? Proposed subdivision with lots between 5,500 and 5,999 sq.ft.

5. Land's Presents Use: Vacant Zone R-2
 Land Vacant Lot size 1.2744AC Structure Structure's size _____ Last known date the structure was occupied? _____
 Land's Proposed Use: Single family dwelling avg. lot size of 5,500 sq.ft. - subdivision Proposed Zone Use R-3

Will you be making any improvements to the existing lot or structure? Yes No This request includes **Site Development Plans** for approval? Yes No

NOTICE: Applicant is responsible for all expenses incurred by the City in connection with the Rezone 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 _____

6. Signatures:

[Signature] Jose Lares Date Received 07/20/2022
 (OWNER'S SIGNATURE) (OWNER'S PRINTED NAME)

[Signature] Francisco Solis Date Submitted 07/20/2022
 (APPLICANT'S SIGNATURE) (APPLICANT'S PRINTED NAME)

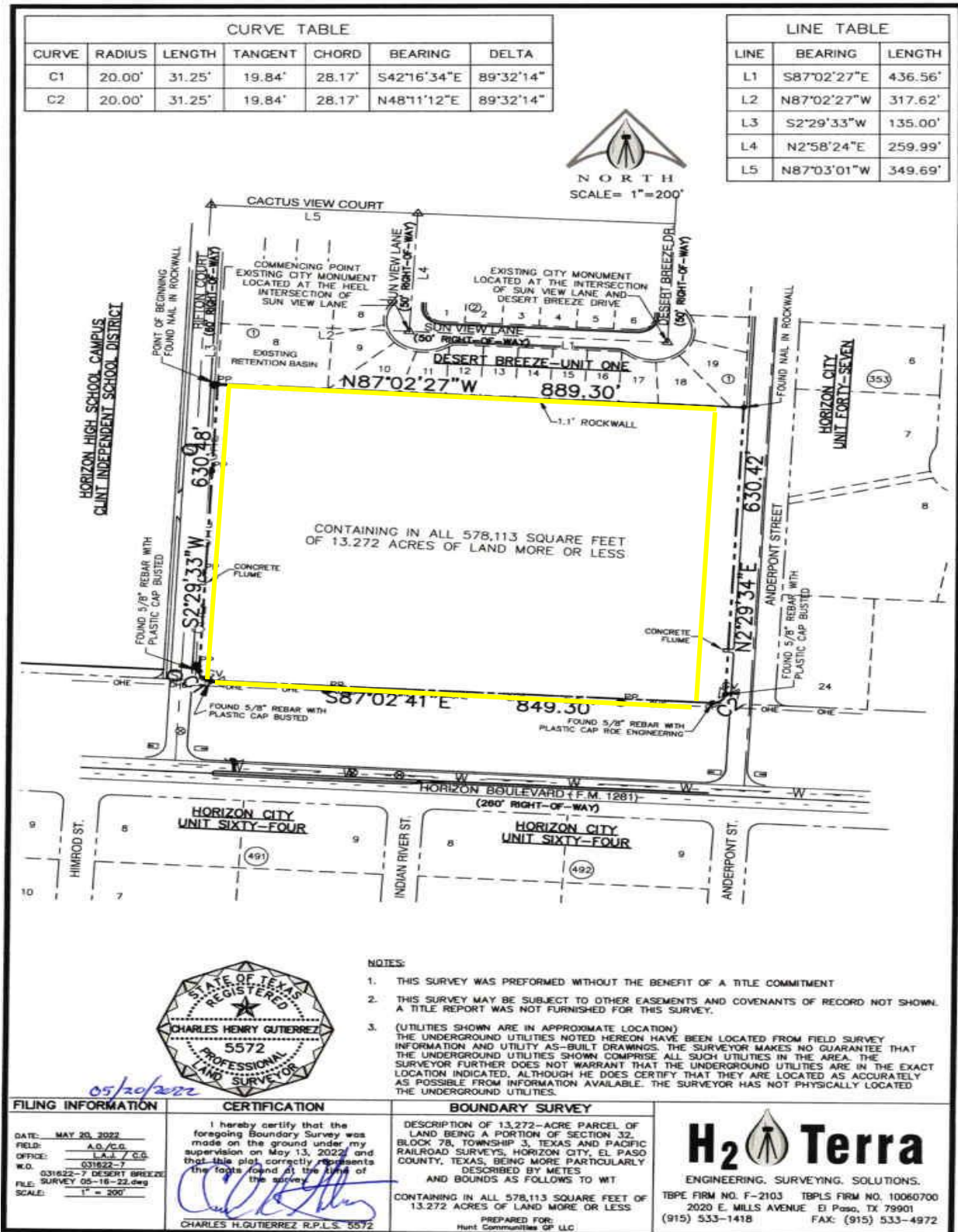
FEE SCHEDULE: (NON-REFUNDABLE)

\$300 - UP TO 1.0 ACRES	\$450 - 30.1 ACRES TO 50 ACRES
\$350 - 1.1 ACRES TO 10 ACRES	\$500 - 50.1 ACRES TO 75 ACRES
\$400 - 10.1 ACRES TO 30 ACRES	\$600 - 75.1 ACRES AND UP
EL PASO TIMES PUBLISHING FEE APPROXIMATELY \$460	ENGINEERING FEE APPROXIMATELY \$60 PER 1/2 HOUR

Application & Submittals Due Date: 07/21/2022
 P&Z Scheduled Mtg. Date: 08/15/2022
 City Council Scheduled Date: 09/13/2022
 Application Received By: ARF RUBIN
 Date Application Rec'd: 07/21/2022

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

Attachment 5: Survey Map



ORDINANCE NO. _____

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING ONE PARCEL FROM A-1 (APARTMENTS) TO R-2 (SINGLE-FAMILY DWELLING); CONTAINING APPROXIMATELY 13.27 ACRES; BEING A PORTION OF, SECTION 32, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS; NORTH OF HORIZON BOULEVARD AND EAST OF RIFTON DRIVE; AND AUTHORIZING THE NOTATION OF THE CHANGE ON THE OFFICIAL ZONING MAP OF THE TOWN; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; AND PROPER NOTICE AND HEARING.

WHEREAS, an application was made to change a designated zone for a parcel of property as identified herein within the municipal limits of the Town of Horizon City;

WHEREAS, said application was forwarded to and considered by the Town of Horizon City Planning and Zoning Commission;

WHEREAS, the Planning and Zoning Commission has complied with all state and local laws affecting the changing of zones and held a public hearing to obtain public comments;

WHEREAS, the Planning and Zoning Commission has recommended that the zoning on the parcel of property be rezoned from A-1 to R-2 Residential;

WHEREAS, the City Council of the Town of Horizon City ("Town Council") seeks to promote safe, orderly and consistent use and development of real property;

WHEREAS, the notice required by the Texas Local Government Code has been published in the official newspaper and given to adjacent property owners;

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

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

WHEREAS, the City Council in its decision for rezoning finds that such rezoning is in the public interest of the Town of Horizon City, Texas;

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the Town has general authority to adopt an ordinance or police regulation 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;

WHEREAS, pursuant to Texas Local Government Code Chapter 211, the Town is authorized to promulgate and enforce zoning regulations; 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.

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

I. REZONING

The zoning be changed from A-1 (Apartments) to R-2 (Single-Family Dwelling) within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, for approximately 13.27 acres, more or less, and legally described by Metes and Bounds Description, Exhibit "A" attached hereto and by reference included herein.

II. ZONING MAP

The zoning map for the Town of Horizon City shall be modified to include the zoning changes directed by this ordinance.

III. 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.

IV. 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.

V. 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.

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.

PASSED AND APPROVED this the ___ day of _____, 2023, by a vote of ___ (ayes) to ___ (nays) to ___ (abstentions) of the Town Council of Horizon City, Texas.

Town of Horizon City

By: _____
Ruben Mendoza, Mayor

ATTEST:

By: _____
Elvia Schuller, TRMC, City Clerk

APPROVED AS TO FORM:

Sylvia Borunda Firth
Assistant City Attorney

First Reading: 04/11/2023
Second Reading: 05/09/2023

Date: 5-12-22

Section 32, Block 78, Township 3, Texas and Pacific Railroad Surveys,

Horizon City, El Paso County, Texas

W.O. # 031622-7

METES AND BOUNDS DESCRIPTION

Description of 13,271-acre parcel of land being a portion of Section 32, Block 78, Township 3, Texas and Pacific Railroad Surveys, Horizon City, El Paso County, Texas, being more particularly described by metes and bounds as follows to wit:

Commencing at an existing City monument at the intersection of Sun View Lane (50-foot Right-of-Way, Desert Breeze Subdivision Unit One Book 80. Page 23, Plat Records, El Paso County, Texas) and Cactus View Lane (50-foot Right-of-Way) from which another City monument at the intersection of Sun View Lane and Desert Breeze Drive (50-foot right-of-way) bears South $87^{\circ}02'27''$ East, a distance of 436.56 feet; Thence, North $87^{\circ}02'27''$ West, a distance of 317.62 feet to a point on the easterly right-of-way of Rifton Street (70-foot right-of-way) Thence, South $02^{\circ}29'33''$ West, along said right-of-way line, a distance of 135.00 feet to a nail set on a rock wall being the Point of Beginning of this description;

Thence, South $02^{\circ}29'33''$ West, along said right-of-way line 630.48 feet to a found $5/8''$ rebar with cap stamped Roe Engineering;

Thence, 31.25 feet continuing along said right-of-way line, along the arc of a curve to the left, having a radius of 20.00 feet, a central angle of $89^{\circ}32'14''$, and a chord which bears South $42^{\circ}16'33''$ East, a distance of 28.16 feet to a found $5/8''$ rebar on the northerly right-of-way line of Horizon Boulevard (260-foot right-of-way);

Thence, South $87^{\circ}02'41''$ East, along said right-of-way line, a distance of 849.30 feet to a to a found $5/8''$ rebar with cap stamped "Roe Engineering";

Thence, 31.57 feet along the arc of a curve to the left, having a radius of 20.00 feet, a central angle of $89^{\circ}32'14''$, and a chord which bears North $47^{\circ}43'25''$ East, a distance of 28.39 feet to a found $5/8''$ rebar with cap stamped Roe Engineering;

Thence, North $02^{\circ}29'33''$ East, a distance of 630.10 feet to a nail set on a rock wall;

"Exhibit A"

Thence North 87°02'27" West, along said boundary line, a distance of 889.30' feet, to the Point of Beginning and containing in all 578,099 square feet or 13.271 acres of land more or less.



05/12/2022 *Charles H. Gutierrez*
CHARLES H. GUTIERREZ R.P.L.S. 5572
H2O-Terra

CURVE TABLE

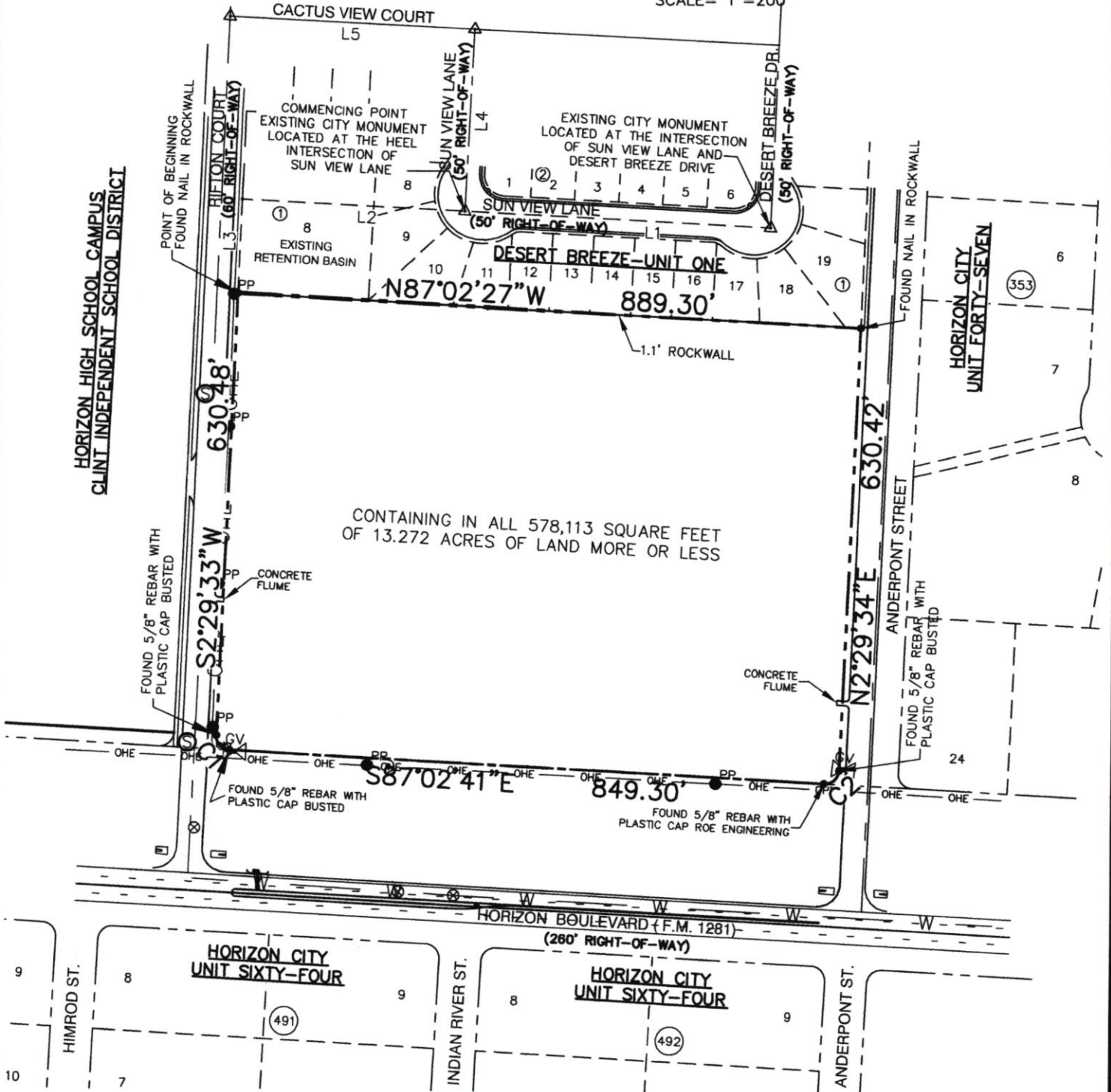
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	20.00'	31.25'	19.84'	28.17'	S42°16'34"E	89°32'14"
C2	20.00'	31.25'	19.84'	28.17'	N48°11'12"E	89°32'14"

LINE TABLE

LINE	BEARING	LENGTH
L1	S87°02'27"E	436.56'
L2	N87°02'27"W	317.62'
L3	S2°29'33"W	135.00'
L4	N2°58'24"E	259.99'
L5	N87°03'01"W	349.69'



SCALE = 1" = 200'



NOTES:

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT
2. THIS SURVEY MAY BE SUBJECT TO OTHER EASEMENTS AND COVENANTS OF RECORD NOT SHOWN. A TITLE REPORT WAS NOT FURNISHED FOR THIS SURVEY.
3. (UTILITIES SHOWN ARE IN APPROXIMATE LOCATION)
 THE UNDERGROUND UTILITIES NOTED HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND UTILITY AS-BUILT DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES COMPRISE ALL SUCH UTILITIES IN THE AREA. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.



05/20/2022

FILING INFORMATION

DATE: MAY 20, 2022
 FIELD: A.O./C.G.
 OFFICE: L.A.J./C.G.
 W.O.: 031622-7
 031622-7 DESERT BREEZE
 FILE: SURVEY 05-16-22.dwg
 SCALE: 1" = 200'

CERTIFICATION

I hereby certify that the foregoing Boundary Survey was made on the ground under my supervision on May 13, 2022, and that this plat correctly represents the facts found at the time of the survey.

[Signature]
 CHARLES H. GUTIERREZ R.P.L.S. 5572

BOUNDARY SURVEY

DESCRIPTION OF 13,272-ACRE PARCEL OF LAND BEING A PORTION OF SECTION 32, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILROAD SURVEYS, HORIZON CITY, EL PASO COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS TO WIT

CONTAINING IN ALL 578,113 SQUARE FEET OF 13.272 ACRES OF LAND MORE OR LESS

PREPARED FOR:
 Hunt Communities GP LLC



ENGINEERING. SURVEYING. SOLUTIONS.

TBPE FIRM NO. F-2103 TBPLS FIRM NO. 10060700
 2020 E. MILLS AVENUE El Paso, TX 79901
 (915) 533-1418 FAX: (915) 533-4972

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF HORIZON CITY ESTABLISHING SPEED LIMITS DURING CONSTRUCTION ON PORTIONS OF FM 1281 (HORIZON BOULEVARD) WITHIN THE CITY LIMITS OF HORIZON CITY; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, AND SEVERABILITY; THE PENALTY BEING AS PROVIDED IN ARTICLE I, SECTION 3 OF THE ORDINANCE, CREATING A MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN \$400.00.

WHEREAS, the City Council of the Town of Horizon City ("City Council") is authorized by the Texas Government Code, Section 51.001, to adopt an ordinance that is for the good government, peace, or order of the City and is necessary or proper for implementing a power granted by law to the City; and

WHEREAS, Section 545.356(b) of the Texas Transportation Code provides that a municipality has the authority to establish speed zones when a highway or part of a highway within the territorial limits of the municipality is under repair, construction or maintenance; and

WHEREAS, in the interest of safety, it is desirable and appropriate to maintain a construction speed zone for sections of the construction projects to be undertaken on Darrington Road and on FM1281 (Horizon Boulevard), as the City has received information and analysis showing that speed control is of major importance, and enforcement will be available from the City's Police Department.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS that;

ARTICLE I. ENACTMENT OF THE ORDINANCE

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code, the City Council of the Town of Horizon City hereby adopts this Ordinance, as follows:

Section 1. Construction speed zones.

Construction speed zones are hereby established along the named highways or parts thereof described as follows:

Along FM1282 (Horizon Boulevard) beginning at or near Ashford Street and ending at or near Desert Mesa Drive, 40 MPH, when so signed.

Section 2. Signs.

The signs necessary for posting said speed zones will be furnished, installed, and maintained by the direction of the engineer in charge of the project as designated by the Texas Department of Transportation..

Section 3. Penalty.

Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined in an amount not to exceed Four Hundred Dollars (\$400).

Section 4. Effective period.

This ordinance shall be in effect only during the periods of construction, and completion of each project shall automatically cancel the speed zone established for that project.

ARTICLE 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.

ARTICLE 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.

ARTICLE 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.

ARTICLE V. 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.

PASSED AND APPROVED this the _____ day of May 2023, by a vote of ____ (ayes) to ____ (nays) to __ (abstentions) of the Town Council of Horizon City, Texas.

Town of Horizon City

By: _____
Ruben Mendoza, Mayor

ATTEST:

By: _____
Elvia Schuller, City Clerk

APPROVED AS TO FORM:

By: _____
Sylvia Borunda Firth
Assistant City Attorney

RESOLUTION

WHEREAS, the Town of Horizon City, Texas and the Town of Clint, Texas are authorized to enter into agreements pursuant to the Interlocal Cooperation Act, Chapter 791, Texas Government Code;

WHEREAS, the Town of Horizon City has a Code Enforcement Department which provides mosquito control services to the Town of Horizon City;

WHEREAS, this Agreement for interlocal cooperation for the Town of Horizon City to provide mosquito control services to the Town of Clint is necessary for the mutual advancement of the health and general welfare of the citizens of all jurisdictions concerned.

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

That the Mayor be authorized to sign an Interlocal Agreement between the Town of Horizon City, Texas and the Town of Clint, Texas for the Town of Horizon City, Texas to provide mosquito control services to the Town of Clint, Texas during the 2023 calendar year.

PASSED AND ADOPTED the 9th day of May, 2023.

THE TOWN OF HORIZON CITY

By: _____
Ruben Mendoza
Mayor

ATTEST:

By: _____
Elvia Schuller, TMRCP
City Clerk

APPROVED AS TO FORM:

By: _____
Sylvia Borunda Firth
Assistant City Attorney

APPROVED AS TO CONTENT:

By: _____
Michelle Garcia, AICP
Planning Director

STATE OF TEXAS)
)
COUNTY OF EL PASO)

INTERLOCAL AGREEMENT

THIS AGREEMENT is entered into on this _____ day of _____, 2022 by and between the **TOWN OF HORIZON CITY, TEXAS** (“Town of Horizon City”) and the **TOWN OF CLINT, TEXAS** (“Town of Clint”) by and through its duly authorized officials, pursuant to the Interlocal Cooperation Act.

RECITALS

WHEREAS, the Town of Horizon City and the Town of Clint are authorized to enter into this Agreement pursuant to the Interlocal Cooperation Act, Chapter 791, Texas Government Code; and

WHEREAS, the Town of Horizon has a Code Enforcement Department which provides mosquito control services to the Town of Horizon; and

WHEREAS, this Agreement for interlocal cooperation for the Town of Horizon City to provide mosquito control services to the Town of Clint is necessary for the mutual advancement of the health and general welfare of the citizens of all jurisdictions concerned.

FOR THESE REASONS, and in consideration of the mutual promises contained in this Agreement, the Town of Horizon City and the Town of Clint mutually agree as follows:

1. **SCOPE OF SERVICES.**

1.1 The Town of Horizon City will perform the following mosquito control services by and through its Code Enforcement Department under the terms and conditions hereinafter stated, and the Town of Clint hereby accepts and agrees to the following terms and conditions:

The Town of Horizon City will provide larviciding and fogging services (“mosquito control services”). Services will be provided on a weekly basis.

1.2 Nothing within the terms of this Agreement will require the Town of Horizon City to purchase additional equipment or hire additional personnel in order to comply with the terms of this Agreement.

1.3 The Town of Horizon City agrees that it will keep accurate records of all services provided to the Town of Clint pursuant to this Agreement as part of its routine data collection processes and shall report such activities in its standardized records format to Town of Clint officials, as requested. However, the Town of Horizon City will not be required to furnish copies of any reports that are maintained on the Town of Horizon City's website and available to the Town of Clint from the website.

1.4 It is understood and agreed to between the Parties that any portion of this Agreement providing for the delivery of mosquito control services for which the Town of Clint does not grant legal authority shall be null and void and of no force and effect, and the Town of Horizon City shall not be obligated to provide those services.

2. **LOCATION OF PERFORMANCE.** The place where services are to be performed is in the Town of Clint, Texas, and any extraterritorial jurisdiction thereof where the Town of Clint may lawfully provide mosquito control services as delegated and authorized under this Interlocal Agreement (jurisdictional areas of the Town of Clint).

3. **TIMES OF PERFORMANCE.** The Town of Horizon City will commence the provision of its services on May 10, 2023, and will terminate on Oct. 31, 2023, regardless of the date of execution of this Agreement.

3.1 In the event of an mosquito control emergency, such as, but not limited to, a disaster declaration of the Town of Clint, requiring, as a result of the emergency, mosquito control services from the Town of Horizon City after Oct. 31, 2023, and prior to the signing of any subsequent Interlocal for mosquito control services between the Parties to this Agreement, the required services shall be provided by the Town of Horizon City to the Town of Clint at the rate described in the present Agreement, and the Town of Clint shall pay for Town of Horizon City said services at said rate within thirty (30) days of receipt of an invoice from the Town of Horizon City for said services.

4. **COMPENSATION.**

4.1 The Town of Clint agrees to pay the amount not to exceed TWENTY-THREE THOUSAND TWO HUNDRED EIGHTY-TWO and 4/100 DOLLARS

(\$23,282.04) for services rendered in accordance with this Agreement, excluding the services described in Section 3.1. Payments shall be made within thirty (30) days of receipt of an invoice from the Town of Horizon City for said services. The payment described in this Section 4.1 does not include the services described in Section 3.1. The Rate Schedule attached hereto as Appendix A identifies the total cost of services offered by the Town of Horizon City to the Town of Clint pursuant to this Agreement.

5. **PAYMENTS PURSUANT TO THIS AGREEMENT.** Payments submitted under this Agreement shall be made payable to the Town of Horizon City, Attn: Accounts Receivable, 14999 Darrington Road, Horizon City, Texas 79928.

6. **LAW GOVERNING CONTRACT.** For purposes of determining the law governing the same, this Agreement is entered into in the Town of Horizon City, El Paso County, State of Texas, and the Town of Clint, El Paso County, State of Texas shall be governed by the laws of the State of Texas. Venue shall be in the Town of Clint, El Paso County, Texas.

6.1 *Privileges and Immunities.* All privileges and immunities from liability, exemptions from laws, ordinances and rules, pension, relief, disability, worker's compensation, and other benefits which apply to the activities of officers, agents, or employees of the Town of Horizon City when performing a function shall apply to such officers, agents, or employees to the same extent while engaged in the performance of any of their functions and duties under the terms and provisions of this Agreement. Each Party reserves, and does not waive, its rights of sovereign immunity and rights under the Texas Tort Claims Act.

6.2 *Governmental Function.* The Parties expressly agree that, in all things relating to this Agreement, the Town of Horizon City is performing a governmental function, as defined by the Texas Tort Claims Act. The Parties further expressly agree that every act or omission of the Town of Horizon City, which, in any way, pertains to or arises out of this Agreement falls within the definition of governmental function.

6.3 *Exclusion of Incidental and Consequential Damages.* Independent of, severable from, and to be enforced independently of any other enforceable or unenforceable provision of this Agreement, NEITHER PARTY WILL BE LIABLE TO THE

OTHER PARTY (NOR TO ANY PERSON CLAIMING RIGHTS DERIVED FROM THE PARTY'S RIGHTS) FOR INCIDENTAL, CONSEQUENTIAL, SPECIAL, PUNITIVE, OR EXEMPLARY DAMAGES OF ANY KIND including lost profits, loss of business, or other economic damage, and further including injury to property, mental anguish, and emotional distress AS A RESULT OF BREACH OF ANY TERM OF THIS AGREEMENT, REGARDLESS OF WHETHER THE CITY WAS ADVISED, HAD OTHER REASON TO KNOW, OR IN FACT KNEW OF THE POSSIBILITY THEREOF.

6.4 *Intentional Risk Allocation.* Each of the Parties acknowledges that the provisions of this Agreement were negotiated to reflect an informed, voluntary allocation between them of all risks (both known and unknown) associated with the transactions associated with this Agreement. The disclaimers and limitations in this Agreement are intended to limit the circumstances of liability. The remedy limitations, and the limitations of liability, are separately intended to limit the forms of relief available to the Parties.

7. **TERMINATION.** This Agreement may be terminated in whole or in part by either Party upon sixty (60) days written notice to the other Party at the following addresses, or at a new address as provided in writing to the nonmoving Party by the Party which has moved its physical location within thirty (30) days of said relocation without the necessity of amending this contract:

TOWN OF HORIZON CITY: Town of Horizon City
 Attn: Mayor
 14999 Darrington Road
 Horizon, Texas 79928

TOWN OF CLINT: Town of Clint
 Attn: Mayor
 200 N. San Elizario Road
 Clint, Texas 79836

All payments by the Town of Clint under this Agreement are payable only out of current Town of Clint revenues. In the event that funds relating to this Agreement do not become available, such as by Town of Clint City Council not appropriating the funds, the Town of Clint shall have no future obligation to pay or perform any future services related herein to the Town of Horizon for the

Town of Clint's fiscal year during which time such funding is not available or appropriated; however, all services that have been provided by the Town of Horizon shall be paid in accordance with Sections 5 and 6 of this Agreement. Should the Town of Clint experience a funding unavailability related to the services described in this Agreement, the Town of Clint shall immediately provide written notification to the Town of Horizon City of such case and either Party may choose to terminate the Agreement subject to this Section 7. In the event that the Town of Clint notifies the Town of Horizon City that the Town of Clint is experiencing a funding unavailability related to this Agreement, the Town of Horizon City shall immediately cease providing the services described in this Agreement to the Town of Clint except as required by related grant funding requirements to which the Town of Horizon City must adhere.

8. **INDEPENDENT CONTRACTORS.** The Town of Horizon City and the Town of Clint are independent legal entities. Nothing in this Agreement shall be construed to create the relationship of employer and employee, or principal and agent, or any relationship other than that of independent parties contracting with each other solely for the purpose of carrying out the terms of this Agreement. Neither the Town of Horizon City nor the Town of Clint nor any of their respective agents or employees shall control or have any right to control the activities of the other Party in carrying out the terms of this Agreement.

9. **SEVERABILITY.** Every provision of this Agreement is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.

10. **HEADINGS.** The headings of sections and subsections of this Agreement are for reference only and will not affect in any way the meaning or interpretation of this Agreement.

11. **ENTIRE AGREEMENT; AMENDMENTS.** This Agreement constitutes the entire understanding of the Parties hereto with respect to the subject matter hereof and no amendment, modification or alteration of the terms shall be binding unless the same is in writing, dated after the date hereof and duly executed by the Parties hereto. The Parties reserve the right to amend this Agreement in the event either Party should experience an unforeseen, significant impact to their respective budget allocated for the services addressed in this Agreement.

(Signature pages follow)

STATE OF TEXAS)
)
COUNTY OF EL PASO)

INTERLOCAL AGREEMENT

Signature page for the Town of Clint, Interlocal Agreement between the Town of Horizon City and the Town of Clint.

APPROVED this _____ day of _____, 2023.

TOWN OF CLINT

Mayor

ATTEST:

City Clerk, Town of
Clint

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Sylvia B. Firth
Town Attorney

(Signatures continue on the following page)

STATE OF TEXAS)
)
COUNTY OF EL PASO)

INTERLOCAL AGREEMENT

Signature page for the Town of Horizon City, Interlocal Agreement between the
Town of Horizon City and the Town of Clint.

APPROVED this _____ day of _____, 2023.

TOWN OF HORIZON CITY

Ruben Mendoza
Mayor

ATTEST:

Elvia Schuller
City Clerk

APPROVED AS TO FORM:

Sylvia B. Firth
Assistant City Attorney

APPROVED AS TO CONTENT:

Michelle Garcia, AICP
Planning Director

APPENDIX A
FEE SCHEDULE

Service	Hours	Hourly/Daily Rate	Number of Days/Hours	Weekly Rate	Total for 25 weeks
Larvaciding Mileage	22 travel miles + 17.37 larvaciding miles @ \$0.655 per week	\$ 0.66	1 day	\$ 25.79	\$ 644.68
Fogging Mileage OVT	22 travel miles + 17.37 fogging miles @ \$0.655 per week	\$ 0.66	1 day	\$ 25.79	\$ 644.68
Equipment Maintenance	\$100 annually	\$ 0.05	12 hours	\$ 0.58	\$ 14.42
Chemicals*	see below	*	*	\$ 424.50	\$ 10,612.50
Larvaciding Labor	6 hours per week	\$ 20.48	6 hours	\$ 122.88	\$ 3,072.00
Fogging Labor	6 hours OVT per week	\$ 30.72	6 hours	\$ 184.32	\$ 4,608.00
Recordkeeping	1 hour per week	\$ 20.48	1 hour	\$ 17.52	\$ 438.00
Program Management	2 hours per week	\$ 37.10	2 hours	\$ 74.20	\$ 1,855.00
FICA/Medicare	Earnings at Rate	7.65%			\$ 762.93
TMRS	Earnings at Rate	5.75%			\$ 573.45
Certification Renewal & Maintenance	\$175	\$ 0.08	14 hours	\$ 1.18	\$ 29.45
Tool & Safety Equipment	\$160	\$ 0.08	14 hours	\$ 1.08	\$ 26.92
Totals:		\$ 110.43		\$ 877.83	\$ 23,282.04

Chemicals*					
Larvaciding granuals per lb	covers 2 acres	\$9.75		10	\$97.50
Larvaciding oil per gallon	covers 1 acre	\$16.75		4	\$67.00
Fogging Chemical per gallon	covers all 17.37 miles of roadways within city limits	\$52.00		5	\$260.00
					\$424.50 weekly
					\$10,612.50 25 weeks

RESOLUTION

WHEREAS, on June 28, 2021, the City Council of the Town of Horizon City awarded RFP No. 2021-003PW-Parks and Grounds Maintenance Contract to Abescape Landscaping, LLC;

WHEREAS, on April 12, 2022, the Town of Horizon City Council approved an amendment to add three new parks and three new ponding areas to be maintained;

WHEREAS, the Town of Horizon City has accepted a new park, a new ponding area, and a right-of-way with a landscaped median and parkway that need to be maintained;

WHEREAS, the Parties now wish to further amend the Parks and Grounds Maintenance Contract to include the new park, ponding area, and right-of-way.

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

- 1. That the Mayor be authorized to sign the Second Amendment to the Parks and Grounds Maintenance Contract between the Town of Horizon City, Texas and Abescape Landscaping LLC to include:

PARK

West Eastlake Estates Unit 2 Park (42,048 sq. ft.)

POND

West Eastlake Estates Unit 2 Pond (32,100 sq. ft.)

RIGHT-OF-WAY

Orisini Boulevard (0.2 miles)

- 2. All other terms and conditions of the Parks and Grounds Maintenance Contract and the First Amendment approved on April 11, 2022, remain in full force and effect.

PASSED AND ADOPTED the 9th day of May, 2023

THE TOWN OF HORIZON CITY

By: _____

Ruben Mendoza

Mayor

ATTEST:

Horizon City Resolution
Abescape Landscaping, 2nd Amend, 2023

By: _____
Elvia Schuller, TRMC
City Clerk

APPROVED AS TO FORM:

Sylvia Borunda Firth
Assistant City Attorney

APPROVED AS TO CONTENT:

Michelle Garcia, AICP
Planning Director

2. The Parties agree that the following ponding area will be added to the list of ponding areas, Section D-1, to be maintained during the term of this Contract:

POND

- West Eastlake Estates Unit 2 Pond (32,100 sq. ft.)

The Contractor acknowledges that these ponding areas will be maintained in accordance Scope of Work as attached to the Contract.

RIGHT-OF-WAY

- Orisini Boulevard (0.2 miles)

3. The Parties agree that the fees for the additional park, ponding area, and right-of-way will be as follows:

PARK

- West Eastlake Estates Unit 2 Park \$26,1442.48/yr.

Additional trash and debris pickup before and/or after special events:

- **Unit Cost:** West Eastlake Estates Unit 2 Park \$330.00 per pickup

POND

Pond cleanup fee per pond \$678.26/yr.

RIGHT-OF-WAY

- Orisini Boulevard – landscaped median and parkway areas and 10 feet from curb along the undeveloped side \$2,217.74/yr.

4. Entire Contract. Except as herein amended, the Contract remains in full force and effect.

WITNESS THE FOLLOWING SIGNATURES AND/OR SEALS:

TOWN OF HORIZON CITY:

Ruben Mendoza

Mayor

Dated: _____, 2023

ATTEST:

Elvia Schuller, TRMC

City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Sylvia B. Firth

Assistant City Attorney

Michelle Garcia, AICP,

Planning Director

CONTRACTOR:

ABESCAPE LANDSCAPING, LLC

By: _____

Printed name: Abraham Herrera

Title: Owner

Dated: May ____, 2023

(ACKNOWLEDGEMENTS ON THE FOLLOWING PAGE)

ACKNOWLEDGEMENTS

THE STATE OF TEXAS §
§
COUNTY OF EL PASO §

This instrument was acknowledged before me on this ____ day of _____ 2023 by **Ruben Mendoza**, as **Mayor** of the **Town of Horizon City, Texas**.

Notary Public, State of Texas

My commission expires:

THE STATE OF TEXAS §
§
COUNTY OF EL PASO §

This instrument was acknowledged before me on this ____ day of _____ 2023, by _____, as _____ of **Abescape Landscaping LLC**.

Notary Public, State of Texas

My commission expires:



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: May 9, 2023

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

SUBJECT: On a Resolution authorizing the Mayor to sign a Second Amendment to the Parks and Grounds Maintenance Contract between the Town of Horizon City, Texas and Abescape Landscaping, LLC for additional services.

The City Council awarded the 2021 Parks and Grounds Maintenance Contract to Abescape Landscaping, LLC on June 28, 2021 for a 2.5 year term. It is set to expire on December 31, 2023.

Additionally, on April 12, 2022, the City Council approved the first amendment to the contract to add two new parks, and three new ponding areas within the Horizon Town Center Units Two and Three and Rancho Desierto Bello Units 12 and 13 subdivisions.

Since the execution of the first amendment, the City has accepted the improvements that were constructed with the West Eastlake Estates Unit Two subdivision to include a park, ponding area and a portion of a minor arterial (Orsini Boulevard) with a landscaped median and parkway, all of which require maintenance services immediately.

The proposed pricing has been reviewed and is consistent with the pricing approved with the first amendment. Staff recommends approval of the amendment.

Attached for your review is the resolution and the draft amendment to the contract.

RESOLUTION

Town of Horizon City Texas

WHEREAS, Texas Gas Service Company, a Division of ONE Gas, Inc., (the “Company”), filed an application for an Interim Rate Adjustment with the Railroad Commission of Texas and municipal regulatory authorities on March 10, 2023;

WHEREAS, the proposed Interim Rate Adjustment applies to the West North Service Area and includes the Town of Horizon City, Texas;

WHEREAS, the Town of Horizon City retains original jurisdiction on matters regarding to utility rates within the Town of Horizon City;

WHEREAS, pursuant to Texas Utility Code Section 104.301 the Town of Horizon City council as the regulatory authority may act to suspend the implementation of the adjustment up to 45 days; and

WHEREAS, the Horizon City Council has deemed it to be in the best interest of the rate payers to suspend the rate adjustment for 45 days beyond the proposed May 9, 2023 adjustment date.

NOW THEREFORE BE IT RESOLVED BY THE SAN ELIZARIO CITY COUNCIL AS FOLLOWS:

1. The implementation of the Interim Rate Adjustment filed by the Company on March 10, 2023, is hereby suspended for a period of 45 days beyond the proposed May 9, 2023, effective date as authorized pursuant to Texas Utility Code Section 104.301(a).

Passed and approved the 8th day of May 2023 by a vote of ___ ayes, ___ nays and ___ abstentions.

Town of Horizon City, Texas

By: _____
Ruben Mendoza, Mayor

ATTEST:

APPROVED AS TO FORM:

By _____
Elvia Schuller, TRMC
City Clerk

By: _____
Sylvia Borunda Firth
Assistant City Attorney

**CUSTOMER NOTICE OF INTERIM RATE ADJUSTMENT
WNSA INCORPORATED AND ENVIRONS IRA FILED MARCH 10, 2023**

Pursuant to Texas Utilities Code Section 104.301, Texas Gas Service Company, a Division of ONE Gas, Inc., (the "Company"), filed an application for an Interim Rate Adjustment with the Railroad Commission of Texas and municipal regulatory authorities on March 10, 2023. This proposed Interim Rate Adjustment applies to the West North Service Area ("WNSA") incorporated and environs areas of Aledo, Andrews, Anthony, Barstow, Borger, Breckenridge, Bryson, Clint, Crane, Dell City, El Paso, Graford, Graham, Horizon City, Hudson Oaks, Jacksboro, McCamey, Millsap, Mineral Wells, Monahans, Pecos, Pyote, San Elizario, Skellytown, Socorro, Thorntonville, Vinton, Weatherford, Wickett, Willow Park, and Wink, Texas and the environs of Canutillo, Fabens, Jermyn, Palo Pinto, Perrin, Possum Kingdom, Punkin Center, and Whitt, Texas, and provides for the recovery of additional capital investment incurred from January 1, 2022 through December 31, 2022. The request is for capital investment not included in any previous rate case or rates for service and is subject to refund.

The Company proposes to increase the customer charge used to calculate the customer's monthly bill by the amount listed below. The proposed Interim Rate Adjustment effective date is May 9, 2023.

TABLE 1

Rate Schedule	Current Customer Charge	Proposed 2022 Interim Rate Adjustment	Proposed Monthly Customer Charge
Residential - Small	\$16.50	\$1.66	\$18.16
Residential - Large	\$33.00	\$1.66	\$34.66
Commercial	\$75.00	\$5.46	\$80.46
Industrial	\$850.00	\$133.22	\$983.22
Public Authority	\$200.00	\$16.03	\$216.03
Electrical Cogeneration	\$700.00	\$5.46	\$705.46
Compressed Natural Gas	\$150.00	\$538.51	\$688.51
Transportation - Commercial	\$500.00	\$5.46	\$505.46
Transportation - Industrial	\$1,050.00	\$133.22	\$1,183.22
Transportation - Public Authority	\$500.00	\$16.03	\$516.03
Transportation - Electric Cogeneration	\$700.00	\$5.46	\$705.46
Transportation - Compressed Natural Gas	\$450.00	\$538.51	\$988.51

*Average bill usage per Case No. 9896 filing. Average bills exclude revenue-related taxes and include cost of gas (except transportation). The 2022 cost of gas 12-month average is \$7.10 per Mcf.

Persons with questions or who want more information about this filing may contact Texas Gas Service at 1-800-700-2443. A copy of the filing will be available for inspection during normal business hours at TGS's offices at 4600 Pollard St., El Paso, Texas 79930; 315 E. 4th St., Monahans, Texas 79756; 1525 Texas Dr., Weatherford, Texas 76086; and 712 N. Florida, Borger, Texas 79008 or on TGS's website at <https://www.texasgasservice.com/rateinformation/westnorth>.

Any affected person within the environs may file written comments or a protest concerning this proposed Interim Rate Adjustment with Gas Services, Market Oversight Section, Railroad Commission of Texas, PO Box 12967, Austin, Texas 78711-2967. Please reference Case No. 12849 in your written comment or protest. Any affected person within an incorporated area may contact his or her city council.

Las personas con preguntas o que deseen obtener más información sobre esta presentación pueden comunicarse con Texas Gas Service al 1-800-700-2443. Una copia de la presentación estará disponible para su inspección durante el horario comercial normal en las oficinas de TGS en 4600 Pollard St., El Paso, Texas 79930; 315 E. 4th St., Monahans, Texas 79756; 1525 Texas Dr., Weatherford, Texas 76086; y 712 N. Florida, Borger, Texas 79008 o en el sitio web de TGS en <https://www.texasgasservice.com/rateinformation/westnorth>.

Cualquier persona afectada dentro de los alrededores puede presentar comentarios por escrito o una protesta con respecto a este Ajuste Provisional de Tarifas con Servicios de Gas, Sección de Supervisión del Mercado, Comisión de Ferrocarriles de Texas, PO Box 12967, Austin, Texas 78711-2967. Sírvase hacer referencia al Caso No. 12849 en su comentario escrito o protesta. Cualquier persona afectada dentro de un área incorporada puede comunicarse con su ayuntamiento.