



HORIZON CITY

Incorporated 1988

**AGENDA
PUBLIC MEETING
SPECIAL CITY COUNCIL MEETING
THE TOWN OF HORIZON CITY, TEXAS
Tuesday, September 15, 2020, 6:30 PM**

Notice is hereby given that a Special City Council Meeting of the Town of Horizon City, Texas will be held on **Tuesday, September 15, 2020 at 6:30 PM** at Clint ISD Boardroom, 14521 Horizon Blvd, Horizon City, Texas 79928, at which time the following will be discussed and considered:

- 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. **Discussion and Action:**
Mayor/EDC Executive Director
On the reappointment of Justin Chapman to the Horizon City Economic Development Corporation Board of Directors.
- 4. **Discussion and Action:**
Mayor/Planning Director
On the appointment of Cecily Armstrong by Mayor Mendoza (Place A) to the Planning and Zoning Commission.
- 5. **Approval of Minutes from:**
9/1/2020 Special City Council Meeting
- 6. **Request to Excuse Absent Council Member:**

7. REGULAR AGENDA

- 8.
- 9. **Presentation:**
Mayor/Asst. City Atty
Texas Gas Service presentation on Energy Efficiency Program.
- 10. **PUBLIC HEARING:**
Mayor/CIP Manager
On a Resolution adopting the updated Capital Improvement Program for FY 2021 - FY 2023.
- 11. **Discussion and Action:**
Mayor/CIP Manager
On a Resolution adopting the updated Capital Improvement Program for FY 2021 - FY 2023.
- 12. **Discussion and Action:**
Mayor/Planning Director
This item was postponed at the 3/10/20, 4/14/20, 5/12/20, 6/9/20, 7/14/20 and 8/11/20 Regular City Council Meetings.
On a replat application for Horizon Manor Unit Three Replat "A" (SUB #002434-2019), legally described as a

portion of lot 19, Block 9, Horizon Manor Unit Three, Town of Horizon City, El Paso County, Texas. Containing 7.935 ± acres. Application submitted by CAD Consulting Co.

13. Discussion:

Mayor/Planning Director

1st Reading of Ordinance No. _____, An ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; Rezoning Two Parcels from R-2, Residential, to C-2, Commercial, for commercial use, containing approximately .988 acres; being Lots 1 and 2, Block 487, Horizon City Unit Sixty Three, El Paso County, Texas, located south and west of the intersection of Horizon Boulevard and Eastlake Boulevard; 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.

14. Discussion:

Mayor/Planning Director

1st Reading of Ordinance No. _____, An ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; Rezoning Two Parcels from R-2, Residential, to C-2, Commercial, for commercial use, containing approximately .499 acres; being Lot 3, Block 487, Horizon City Unit Sixty Three, El Paso County, Texas, located south and west of the intersection of Horizon Boulevard and Eastlake Boulevard; 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.

15. PUBLIC HEARING:

Mayor/Planning Director

On a Specific Use Permit (#SUP002447-2020) application request to approve the temporary placement of a trailer in an R-2 (Residential) zone, for a property legally described as one acre more or less portion of Section 32, Block 78, Township 3, El Paso, County, Texas. (Property ID #60908). Application submitted by: Horizon Regional Municipal Utility District.

16. Discussion and Action:

Mayor/Planning Director

On a Specific Use Permit (#SUP002447-2020) application request to approve the temporary placement of a trailer in an R-2 (Residential) zone, for a property legally described as one acre more or less portion of Section 32, Block 78, Township 3, El Paso, County, Texas. (Property ID #60908). Application submitted by: Horizon Regional Municipal Utility District.

17. PUBLIC HEARING:

Mayor/Finance Director

2nd Reading of Ordinance No. _____ An Ordinance of the Town of Horizon City, Texas enacting the municipal budget for 2020-2021 fiscal year; funding municipal purposes; authorizing expenditures; providing for repealer and severability clauses.

18. Discussion and Action:

Mayor/Finance Director

2nd Reading of Ordinance No. _____ An Ordinance of the Town of Horizon City, Texas enacting the municipal budget for 2020-2021 fiscal year; funding municipal purposes; authorizing expenditures; providing for repealer and severability clauses.

19. Discussion and Action:

Mayor/Asst. City Atty

On ratifying the property tax increase reflected in the adopted annual budget for Fiscal Year 2020/2021.

20. PUBLIC HEARING:

Mayor/Finance Director

Public Hearing on the Proposed Tax Rate - On the proposed 2020 tax rate of \$0.602607, which is an increase to the total tax revenues from properties on the tax roll in the preceding tax year of \$380,253.00 or 7.25%. Individual taxes may increase at a greater or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted.

21. PUBLIC HEARING:

Mayor/Finance Director

2nd Reading of Ordinance _____, An Ordinance of the City Council of the Town of Horizon City, Texas, approving the 2020 ad valorem tax rate and levy of assessed valuation of all taxable property within the corporate limits of the city; providing for penalties and interest; and providing for the following: findings of fact; severability; savings clause; publication and effective date.

22. Discussion and Action:

Mayor/Finance Director

2nd Reading of Ordinance _____, An Ordinance of the City Council of the Town of Horizon City, Texas, approving the 2020 ad valorem tax rate and levy of assessed valuation of all taxable property within the corporate limits of the city; providing for penalties and interest; and providing for the following: findings of fact; severability; savings clause; publication and effective date.

23. PUBLIC HEARING:

Mayor/Finance Director

2nd Reading of Ordinance No. 0255, Amendment No. 03, amending Ordinance 0255 adopting the Municipal Budget for the 2019-2020 Fiscal Year to allow for the budgeting and expenditure of Public Services funds for Transit Oriented Development Project and Tax Increment Reinvestment Zone Preliminary Planning services; and providing for Repealer and Severability clauses.

24. Discussion and Action:

Mayor/Finance Director

2nd Reading of Ordinance No. 0255, Amendment No. 03, amending Ordinance 0255 adopting the Municipal Budget for the 2019-2020 Fiscal Year to allow for the budgeting and expenditure of Public Services funds for Transit Oriented Development Project and Tax Increment Reinvestment Zone Preliminary Planning services; and providing for Repealer and Severability clauses.

25. Discussion and Action:

Mayor/Asst. City Atty

On a joint representation agreement with the Town of Clint for legal assistance to both towns on interlocal agreement regarding vector control services.

26. Executive Session

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

Adjournment:

Motion to Adjournment: _____ 2nd _____

Dated this Friday, 9/11/2020

By: _____
Elvia Schuller, City Clerk

I, the undersigned authority, hereby certify that the above notice of the Special 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, 9/11/2020 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.

August 16, 2020

To: The Honorable Mayor and City Council
Horizon City, Texas

Dear Sir and Madam,

For your consideration, the attached is my application for a seat on the Horizon City Planning and Zoning Commission.

I am currently employed as a Realtor with Century 21-The Edge. I work primarily in the City of Horizon and some of the outlying areas. My Broker/Owner is the Texas State Real Estate Commissioner.

I was born and raised here in Horizon City and have enjoyed watching the growth and progress of this city and look forward to future growth.

Your thoughtful consideration of my application will be greatly appreciated.

I look forward to hearing from you.

Sincerely,



Cecily Armstrong



TOWN OF HORIZON BOARDS AND COMMISSIONS APPLICATION

PLEASE PRINT OR TYPE

Name: CECILY R. ARMSTRONG Home pH: _____
Home address: 3601 BUXTON Cell pH: (915) 731-0275
City/State: HORIZON TX Email: cecily_armstrong@yahoo.com
Occupation: REALTOR Resident of Horizon City for 45 years; of Texas 45 years

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

Board of Adjustment

Planning and Zoning Commission

Provide the name and the date(s) of prior service, if any, on any Horizon board: NONE

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

Please list any specific municipal officials' training, or any special knowledge, education or experience that qualifies you to serve in the areas you have indicated: REAL ESTATE SALES AND TRAINING SINCE 2003 TO PRESENT.

If applicable, please list any scheduled training, etc. you intend to complete that will further qualify you to serve in the areas indicated: CONTINUING EDUCATION IN REAL ESTATE.

Explain why you are seeking an appointment. Also, list any business or personal relationships with the city that might create a conflict of interest or that may affect your ability to serve. I WAS RAISED IN HORIZON CITY AND HAVE ALWAYS BEEN INTERESTED IN THE PROGRESS OF OUR CITY WHICH HAS SEEN SUBSTANTIAL DEVELOPMENT IN RECENT YEARS.

What do you perceive to be Horizon City's two greatest strengths? IT IS VERY PEACEFUL AND HAS A LOW CRIME RATE

Signature: Cecily R. Armstrong Date: 8-16-2020

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

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

**MINUTES
AGENDA
PUBLIC MEETING
SPECIAL CITY COUNCIL MEETING
THE TOWN OF HORIZON CITY, TEXAS
Tuesday, September 1, 2020, 6:30 PM**

Notice is hereby given that a Special City Council Meeting of the Town of Horizon City, Texas was held on **Tuesday, September 1, 2020 at 6:30 PM**, via Virtual Videoconference Meeting at which time the following was discussed and considered:

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

All City Council Members present. 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. Discussion and Action:

Mayor/Chief McConnell

On a request to purchase a Proteus MX, 18 GHz Gigabit Ethernet Radio, from R.T.C., Inc., using the Region 19 Bid# 18-7278, at the cost of \$24,410.00.

4. Discussion and Action:

On the award of Informal Bid No. 2020-009PW for the installation of landscaping rock along a portion of the walk trail just north of 17018 Darrington Road to De La Paz Cleaning and Rental Service dba DLP Services in the amount of \$45,850.00.

5. Approval of Minutes from:

8/11/2020 Regular City Council Meeting

6. Request to Excuse Absent Council Member:

A motion was made by Alderman Padilla and seconded by Alderman Corral to approve the consent agenda.

The CITY CLERK polled the Council: MILLER - Aye; GARCIA - Aye; ORTEGA - Aye; RENTERIA - Aye; DURAN - Aye; PADILLA - Aye; CORRAL - Aye. Motion passed.

REGULAR AGENDA

7. Discussion and Action:

Mayor/Finance Director

On an Interlocal Agreement with the City of El Paso for Public Health, Vector Control and Environmental Services for the Town of Horizon City and authorizing the Mayor to execute. Compensation for these services provided by the City of El Paso will be \$176,987.00 for the FY 2020/2021 Contract. The term of the Agreement is September 1, 2020 through August 31, 2021.

Finance Director, Pat Randleel spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderman Renteria to approve the Interlocal Agreement with the City of El Paso for Public Health, Vector Control and Environmental Services upon the removal of references and services to the extraterritorial jurisdictions within the Town of Horizon City. The CITY CLERK polled the Council: MILLER - Aye; GARCIA – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

8. PUBLIC HEARING:

Mayor/Finance Director

Public Hearing on Adoption of the Fiscal Year 2020/2021 Budget: For the purpose of allowing the public to question and comment on the proposed Fiscal Year 2020/2021 Budget. Copies of the proposed budget are available for your review at the City Clerk's Office at the Town of Horizon City, 14999 Darrington Road, Horizon City, Texas between the hours of 8:00 am to 5:00 pm Monday through Friday and are available on the City's website.

Finance Director, Pat Randleel spoke regarding this item. No one from the public spoke.

9. Discussion and Action:

Mayor/CIP Manager

On Change Order #4 to the construction contract with Spartan Construction for Horizon Mesa Park Improvements Project, Solicitation No. CIP 2018-002 (103) and authorizing the Mayor to execute documents.

Planning Director, Michelle Padilla spoke regarding this item.

A motion was made by Alderman Miller and seconded by Alderman Padilla to approve a modified Change Order #4 (only authorizing Item #2 on the change order) to the construction contract with Spartan Construction for Horizon Mesa Park Improvements Project, Solicitation No. CIP 2018-002 (103) and authorizing the Mayor to execute documents. The CITY CLERK polled the Council: MILLER - Aye; GARCIA – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

10. Discussion and Action:

Mayor/CIP Manager

On an update for Transit Oriented Development (TOD) and Tax Increment Reinvestment Zone (TIRZ).

Planning Director, Michelle Padilla and Contract Attorney, Sylvia Firth spoke regarding this item.

A motion was made by Alderman Duran and seconded by Alderman Miller to accept the update for Transit Oriented Development (TOD) and Tax Increment Reinvestment Zone (TIRZ). The CITY CLERK polled the Council: MILLER - Aye; GARCIA – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

11. Discussion:

Mayor/Finance Director

1st Reading of Ordinance No. 0255, Amendment No. 03, amending Ordinance 0255 adopting the Municipal Budget for the 2019-2020 Fiscal Year to allow for the budgeting and expenditure of Public Services funds for Transit Oriented Development Project and Tax Increment Reinvestment Zone Preliminary Planning services; and providing for Repealer and Severability clauses.

Finance Director, Pat Randleel spoke regarding this item.

12. Discussion and Action:

Mayor/CIP Manager

On a professional services agreement with Huitt Zollars for TOD-TC/TIRZ for estimating and preliminary planning services.

Planning Director, Michelle Padilla spoke regarding this item.

A motion was made by Alderman Miller and seconded by Alderman Duran to approve the professional services agreement with Huitt Zollars for TOD-TC/TIRZ for estimating and preliminary planning services. The CITY CLERK polled the Council: MILLER - Aye; GARCIA – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

13. Discussion and Action:

Mayor/CIP Manager

On the approval of a Resolution Declaring Expectation to Reimburse Expenditures with Proceeds of Future Debt related to municipal facilities and infrastructure improvements.

Planning Director, Michelle Padilla spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderman Renteria to approve the Resolution Declaring Expectation to Reimburse Expenditures with Proceeds of Future Debt related to municipal facilities and infrastructure improvements. The CITY CLERK polled the Council: MILLER - Aye; GARCIA – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

14. Discussion and Action:

Mayor

On a proposal to consider the closure of City Hall and Courts Administrative offices on December 28, 29 & 30, 2020.

Mayor, Ruben Mendoza spoke regarding this item.

A motion was made by Alderman Renteria and seconded by Alderman Padilla to approve the closure of City Hall and Courts Administrative offices on December 28, 29 & 30, 2020. The CITY CLERK polled the Council: MILLER - Aye; GARCIA – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

15. Executive Session

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

ADJOURNMENT

A motion was made by Alderman Padilla and seconded by Alderman Renteria to adjourn at 7:18 PM.

Approved this ____ day of _____, 20__.

Attest:

Elvia Schuller, City Clerk

Ruben Mendoza, Mayor



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: September 11, 2020
To: Honorable Mayor and Members of City Council
From: Teresa Quezada, CIP Manager
SUBJECT: FY 2021 – 2023 Capital Improvement Program

Per the City Charter, staff is presenting 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), federal funds distributed through the El Paso Metropolitan Organization (MPO), and anticipated TRZ funds.

The proposed 2021 – 2023 CIP also includes

- Unfunded Transportation Projects Council has approved and staff has submitted to the Metropolitan Planning Organization to consider for the long-term regional transportation plan as well as the projects Council approved on June 9, 2020 as mid-range transportation priorities to be included in the next iteration of the El Paso region comprehensive mobility plan.
- Unfunded projects to support the Transit Oriented Development and Town Center. These projects, the Transit Plaza and construction of Dilley and Delake Roads were also submitted to the MPO for inclusion in the 2050 comprehensive mobility plan. Although no federal funds were requested for these projects at this point, including them in the MPO's long-range plan makes them eligible for other competitive transportation funds that may be available.
- Unfunded projects identified in the 2020 Update to Horizon City's Comprehensive Plan. These projects are primarily recreation facilities.

By incorporating unfunded projects into the CIP, staff can pursue funding opportunities as those become available because the needs and purposes of the projects have been approved by the Council.

The proposed draft resolution adopting the CIP also includes previously approved project definitions and the process the Mayor and staff would follow to reallocate existing 2014 and 2019 Certificates of Obligation funding.

Staff recommends approval of the resolution adopting the FY 2021-2023 CIP.

Town of Horizon City Capital Improvement Program

Council Meeting
September 15, 2020

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.”

Preliminary listing presented to Council on May 12, 2020

Capital Program

- Today, Council will review the 3 year program that also includes longer-term projects as part of the CIP Adoption for FY 2021- 2023.

Comprehensive Plan

Vision for Horizon

“The Town of Horizon City is a vibrant and financially-resilient community where families live, work, and play, and businesses thrive in a safe and friendly environment.”

Shaping our Horizon 2030: A Comprehensive and Strategic Plan

Adopted, February 11, 2020

Comprehensive Plan & CIP

Comprehensive Plan serves as a guiding document to determine investments in infrastructure.

Comprehensive Plan Presentation

February 11, 2020

Parks & Open Space

Parks & Open Space Actions

1. **Build a multi-purpose community rec center**
2. **Build a multi-purpose sports park**
3. Update 2010 Parks and Open Space Master Plan
4. Establish a parks and rec department
5. Review and update the amount of parkland required per acre of new development
6. **Renovate the senior center**
7. **Expand on an already established hike/bike trail network**
8. **Develop a community pool facility**

Shaping our Horizon 2030: A Comprehensive and Strategic Plan

Adopted, February 11, 2020

Transportation & Mobility

Mobility Opportunities

- Public Transportation connection to UTEP and EPCC
- Creation of Transit Supported Town Center
- Improve Horizon City's Industrial Park
- Complete an ADA Transition Plan

Shaping our Horizon 2030: A Comprehensive and Strategic Plan (p. 67)

Adopted, February 11, 2020

Mobility Partnerships

- Texas Department of Transportation (TXDOT)
- El Paso County
- El Paso Metropolitan Planning Organization (MPO)
- Camino Real Regional Mobility Authority (CRRMA)

Shaping our Horizon 2030: A Comprehensive and Strategic Plan (p. 64)

Adopted, February 11, 2020

Transportation & Mobility Actions

1. Work with local transit providers to enhance regional connectivity
2. Develop a direct transit route from Horizon City to Downtown El Paso
3. Develop a circulator bus route connecting the Mission Valley Area
4. Develop a master trails plan for active transportation
5. Conduct roadway/sidewalk condition and needs assessment
6. Adopt a *Complete Streets* policy to develop a multi-modal network
7. Complete an American Disabilities Act Transition Plan

Transit Supported Town Center

1. Consider who will serve as Master Developer
2. Prepare a master plan for civic/community facilities in the Transit-Supported Town Center
3. Establish funding mechanisms for the development of the Transit-Supported Town Center
4. Consider a Public Improvement District or other mechanism to fund the Transit-Supported Town Center infrastructure
5. Develop uniform design standards for site development across the Town
6. Develop town branding and wayfinding signage

Shaping our Horizon 2030: A Comprehensive and Strategic Plan (p. 96)

Adopted, February 11, 2020

Community Services & Facilities Actions

1. Develop a 10 year maintenance plan for streets and other city facilities
2. Seek federal funds for public safety functions
3. Develop a sustainable Funding Plan for infrastructure, facilities and services
4. Develop a stormwater drainage utility system
5. Expand and fund programming within the existing Senior Center
6. Incentivize low-impact development to limit stormwater runoff
7. Provide support and funding to establish a cultural/art community

Shaping our Horizon 2030: A Comprehensive and Strategic Plan (p. 89)

Adopted, February 11, 2020

Capital Improvement Plan

Funded Projects

Master Capital Improvement Program Funded Projects – All Sources

Project	Estimate	FY 2021	FY 2022	FY2023	Status
Sign Replacement & ADA Ramp Construction	223,829	Install & Construct	Install & Construct		Match for SRTS projects

Master Capital Improvement Program

Funded Projects – All Sources

Project	Estimate	FY 2021	FY 2022	FY2023	Status
Oxbow Street Improv.	469,466	Property Acquisition	Construct		Pursuing drainage pond acquisition
Pawling Dr. Improv.	426,371	Property Acquisition	Construct		
Pavement Mgmt. Information System	69,689	Purchase	Purchase		Comprehensive Plan Action Item

Master Capital Improvement Program Funded Projects – All Sources

Project	Estimate	FY 2021	FY2022	FY 2023	Status
Carson Dr. Drainage Improv.	756,155	Design & Construct			May be used for match to N. Darrington Reconstruction
Misc. Drainage Improv.	1,000,000	Design & Construct			May be used for match to N. Darrington Reconstruction

Master Capital Improvement Program Funded Projects – All Sources

Project	Estimate	FY2021	FY2022	FY2023	Status
Upgrades to storm water ponds & rock wall construction	83,998	Design & Construct			Evaluate eligible projects
Ryderwood Extension	85,000	Construct			Construction Complete – Pending closeout

Master Capital Improvement Program

Funded Projects – All Sources

Project Type	Project Name	Estimate	FY 2021	FY 2022	FY 2023	Status
RECREATIONAL FACILITIES	Golden Eagle Park Improvements including Illumination and Splash Pad	3,528,000	Construct			Under construction
RECREATIONAL FACILITIES	Corky Park Improvements including illumination and skate park	2,096,000	Construct			Advertising
RECREATIONAL FACILITIES	Horizon Mesa Park improvements including illumination	1,172,000	Construct			Under construction

Master Capital Improvement Program

Funded Projects – All Sources

Project Type	Project Name	Estimate	FY 2021	FY 2022	FY 2023	Status
RECREATIONAL FACILITIES	New Municipal Ball Park	4,273,000	Land Acq. & Design	Design & Construct	Construct	Comprehensive Plan Action
RECREATIONAL FACILITIES	Benton/Ryderwood Dog Park	787,000	Design	Construct		
RECREATIONAL FACILITIES	Horizon Blvd. Path Solar Lighting & Ensor/Welch path bollard lighting	615,000	Design	Construct		

Master Capital Improvement Program Funded Projects – All Sources

Total Funded Projects	\$15,585,508
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Projects Completed During FY 2020

- RDB Park
- Darrington Drainage Improvement – Linear Pond Modifications

Capital Improvement Plan

Unfunded Projects

Unfunded Capital Improvement Program FY2021- 2023

Project Type	Project Name	Estimate	FY 2021	FY 2022	FY 2023 & Beyond
STREET IMPROVEMENTS	N. Darrington Reconstruction	15,600,000	Design	Design	Construct
STREET IMPROVEMENTS	S. Darrington Rd. Repaving	13,450,000			2027
STREET IMPROVEMENTS	N. Kenazo Ave. Reconstruction	15,703,000			2028
STREET IMPROVEMENTS	S. Kenazo Ave. Reconstruction	9,530,000			2026
STREET IMPROVEMENTS	Kenazo Dr. Extension	6,177,000			2028
STREET IMPROVEMENTS	Alberton Ave./ Antwerp Rd. Construction	16,519,000			2027

Unfunded Capital Improvement Program FY2021- 2023

Project Type	Project Name	Estimate	FY 2021	FY 2022	FY 2023 & Beyond
STREET IMPROVEMENTS	McMahon Street Improvements	TBD			
STREET IMPROVEMENTS	Breaux Street Improvements (from Horizon Blvd. to Nunda)	TBD			
STREET IMPROVEMENTS	Texas Rainbow Extension to N. Kenazo	TBD			
STREET IMPROVEMENTS	Duanesburg Street Improvements (from Horizon Blvd. to S. Kenazo)	TBD			
STREET IMPROVEMENTS	Horizon Blvd. Median Improvements between Ashford and Rifton Ct.	TBD			

Unfunded Capital Improvement Program FY2021- 2023

Project Type	Project Name	Estimate	FY 2021	FY 2022	FY 2023 & Beyond
STREET IMPROVEMENTS	School Zone Upgrades	TBD			
STREET IMPROVEMENTS	Darrington Illumination	TBD			
STREET IMPROVEMENTS	Sidewalk Construction on Arterials and Collectors	TBD			
STREET IMPROVEMENTS	New Traffic Signals/ Roundabouts	TBD			

Unfunded Capital Improvement Program FY2021- 2023

Project Type	Project Name	Estimate	FY 2021	FY 2022	FY 2023 & Beyond
STREET IMPROVEMENTS	Horizon Blvd. – Intersection Improvement at Horizon Crossing	TBD			
STREET IMPROVEMENTS	Dilley & Delake	6,200,000			2025
STREET IMPROVEMENTS	Howard Lowe Rd. Improvements	TBD			
STREET IMPROVEMENTS	N. Darrington Resurfacing	TBD	Construct		

Unfunded Capital Improvement Program FY2021- 2023

Project Type	Project Name	Estimate	FY 2021	FY 2022	FY 2023 & Beyond
DRAINAGE IMPROVEMENTS	Master Drainage Study	TBD			
DRAINAGE IMPROVEMENTS	Drainage & ROW Improvements – Horizon Blvd.	TBD			

Unfunded Capital Improvement Program FY2021- 2023

Project Type	Project Name	Estimate	FY 2021	FY 2022	FY 2023 & Beyond
MUNICIPAL FACILITIES	Municipal Facilities - Phase 1 - PD and Public Works	8,400,000	Design	Design & Construct	Construct
MUNICIPAL FACILITIES	Municipal Facilities - Phase 2 - Town Hall and Municipal Court	7,400,000		Design & Land Acquisition	Design
TRANSIT FACILTIES	Transit Terminal @TOD	3,200,000		Design & Land Acquisition	

Unfunded Capital Improvement Program FY2021- 2023

Project Type	Project Name	Estimate	FY 2021	FY 2022	FY 2023 & Beyond
RECREATIONAL FACILITIES	Duaneburg to Carroll T. Welch Open Space Path	TBD	Design	Construct	

Unfunded Capital Improvement Program FY2021- 2023

Project Type	Project Name	Estimate	FY 2020	FY 2021	FY 2022 & Beyond
RECREATIONAL FACILITIES	Multi-purpose Community Recreation Center	TBD			Comprehensive Plan Within the next 5 years
RECREATIONAL FACILITIES	Renovate Oz Glaze Senior Center	TBD			Comprehensive plan In 6 to 10 years
RECREATIONAL FACILITIES	Update and Expand Hike and Bike Trails	TBD			Comprehensive Plan Within next 5 years
RECREATIONAL FACILITIES	Develop a community pool	TBD			Comprehensive plan In 6 to 10 years

CIP Totals

Category	Amount
Funded Projects (2014 & 2019 C.O.s)	15,585,508
Unfunded Projects (where estimates are available)	102,179,000
CIP Total	117,764,508

Town of Horizon City Capital Improvement Program

Council Meeting
September 15, 2020

RESOLUTION

WHEREAS, the Town of Horizon City is required to hold a public hearing on a proposed three-year Capital Improvement Program (“CIP”) annually in accordance with section 5.08 of the City Charter; and

WHEREAS, the proposed 2021-2023 CIP projects include projects funded through the 2014 issuance of certificates of obligation (“2014 C.O.”) and other street and right-of-way improvements, drainage improvements, park improvements and municipal facilities; and

WHEREAS, the City Council on May 9, 2018 approved certain new proposed CIP projects that includes park improvements, municipal facilities, and TXDOT project matches that will be funded in future years by additional public finance issuances and other available funding (“2018 CIP”); and

WHEREAS, the City Council on June 11, 2019 approved a new location for Town Hall and Municipal Court (“Municipal Facilities Phase 2”) and reaffirmed the location of the Police Department, Public Works Department and temporary chambers for Council and Municipal Court on N. Darrington (“Municipal Facilities Phase 1”); and

WHEREAS, the proposed 2021-2023 CIP Projects include some 2018 CIP projects that were funded through the 2019 issuance of certificates of obligation, which are primarily park improvements, and certain planning and design costs relating to proposed Phase I and Phase II municipal facilities and TXDOT project matches that will be funded in future years by additional public finance issuances and other available funding (“2019 C.O.”); and

WHEREAS, the CIP projects in this Annual 2021-2023 CIP also include specific location projects and categorical projects such as Sign Replacement and ADA Ramp Construction, Miscellaneous Drainage Improvements, and Upgrades to Stormwater Ponds and Rockwall Construction which do not indicate specific locations; and

WHEREAS, the City Council desires to ensure that the 2014 C.O. and 2019 C.O. projects listed in this Annual 2021-2023 CIP are completed in a timely manner; and

WHEREAS, the City Council desires to ensure that the 2018 CIP, including 2019 C.O. and Municipal Facility Phase 1 and 2 projects listed in this Annual 2021-2023 CIP are completed in a timely manner; and

WHEREAS, the City Council desires to reaffirm the procedures to consider modifications to the 2014 C.O. and 2019 C.O. project listings during the implementation of the Annual 2021-2023 CIP; and

WHEREAS, The City Council desires to ensure that a 3-year plan in the Annual 2021-2023 CIP includes future projects to be developed as funds become available.

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

1. That the City Council has held public hearing on a proposed three-year 2021-2023 Capital Improvement Program (CIP) on September 15, 2020 required to be approved annually in accordance with section 5.08 of the Town of Horizon City Charter.
2. That the City Council adopts the Master Capital Improvement Program for 2021-2023 as proposed in Attachment A.
3. That Town staff will present 2014 C. O. and 2018 CIP project updates in this Annual 2021-2023 CIP at least twice a year to the City Council.
4. That the projects in the 2014 C.O. and 2019 C.O. program continue to be the highest priority projects for the Town.
5. That, in the event a 2014 C.O. project requires additional funding to carry out the project goals and objectives, the Mayor shall recommend to Council that it allocate funding to the project from within the 2014 C.O. program.
6. That, in the event, a 2014 C.O. project is deemed unfeasible, the Mayor shall recommend to Council that it delete the project from the 2014 C.O. program
7. That, in the event a project is deleted from the 2014 C.O. program, the Mayor shall recommend changes to the project listing in the following order of priority:
 - a. additional locations to the categorical projects as the first option to utilize the capital funds made available due to the original project's deletion;
 - b. additional and enhanced scope to other projects in the 2014 C.O. Program as the second option to utilize the capital funds made available due to the original project's deletion;
 - c. that the capital funds made available due to the original project's deletion be used as match for a project eligible for federal or state funding;
 - d. that the capital funds made available due to the original project's deletion be used to begin developing an unfunded street and drainage project listed in Attachment A;
 - e. that the capital funds made available due to the original project's deletion be used to retire debt.
8. That, in the event a project or projects in the 2014 C.O. program result in savings, the Mayor shall recommend to Council that the balance within the project be utilized in the same order of priority as would be utilized for a deleted project.
9. That, with regard to the 2019 C.O. projects, the City establishes the following procedures:
 - a. That, in the event a 2019 C.O. project requires additional funding to carry out the project goals and objectives, the Mayor shall recommend to Council funding the project from within the 2019 C.O..
 - b. That, in the event a 2019 C.O. project is deemed unfeasible, the Mayor shall recommend to Council that it delete the project from the 2019 C.O. list and make

recommendations to Council based on the same criteria as set forth for 2014 C.O. projects in paragraph 7 above.

PASSED AND ADOPTED this ____ day of _____, 2020.

THE TOWN OF HORIZON CITY

Ruben Mendoza
Mayor

ATTEST:

Elvia Schuller
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Bertha A. Ontiveros
Assistant City Attorney

Michelle Padilla, AICP
Planning Director

Teresa Quezada, Ph.D.
CIP Manager

ATTACHMENT A

MASTER CAPITAL IMPROVEMENT PROGRAM FY 2021 to FY 2023

In accordance with section 5.08 of the City Charter, the following three year capital program is submitted for adoption.

The projects recommended for adoption include street and right-of-way improvements, drainage improvements, parks improvements and municipal facilities. These projects include the 2014 C.O.-funded projects (2014 CO program) transportation projects presented to the Council in May 2017 and submitted to the Metropolitan Planning Organization and Park Improvements, 2019 C.O.-funded projects for parks and recreation facilities (2018 CIP) and Municipal Facility projects.

Proposed funding sources include:

Certificates of Obligation (2014 and 2019)	CO
Coordinated Border Infrastructure (federal funds available from MPO)	CBI
Parkland Dedication Fees	Park Fees
Surface Transportation Program (federal funds available from MPO)	STP
Transportation Alternatives Program (federal funds available from MPO)	TAP
Transportation Alternatives Set-Aside (Replaced TAP)	TASA
Proposed Tax Increment Reinvestment Zone	TIRZ #1
Transportation Reinvestment Zone #1 (adopted December 2012)	TRZ #1
U.S. Department of Agriculture – Loan Program	USDA

Tables continue on following pages.

FY 2021 – 2023 Funded and Unfunded Projects

Project Type	Project Name	Project Estimate	FY 2021	FY2022	FY 2023	Funding Source(s)
STREET IMPROVEMENTS	Sign Replacement & ADA Ramp Construction	223,829				FY 2014 C.O.s
STREET IMPROVEMENTS	Oxbow Street Improvements	469,466	Construct			FY 2014 C.O.s
STREET IMPROVEMENTS	Pawling Drive Improvements	426,371	Construct			FY 2014 C.O.s
STREET IMPROVEMENTS	Pavement Management Information System	69,689	Purchase			FY 2014 C.O.s
DRAINAGE IMPROVEMENTS	Carson Dr. Drainage Improvements	756,155				FY 2014 C.O.s
DRAINAGE IMPROVEMENTS	Miscellaneous Drainage Improvements	1,000,000	Design & Construct			FY 2014 C.O.s
DRAINAGE IMPROVEMENTS	Upgrades to storm water ponds & rock wall construction	83,998	Design & Construct			FY 2014 C.O.s
STREET IMPROVEMENTS	Ryderwood Extension	85,000				2014 Cos
STREET IMPROVEMENTS	N. Darrington Reconstruction	15,600,000	Design	Construct	Construct	2014 C.O.s and federal & state funding
STREET IMPROVEMENTS	S. Darrington Rd. Repaving	13,450,000				TBD
STREET IMPROVEMENTS	N. Kenazo Ave. Reconstruction	15,703,000				TBD
STREET IMPROVEMENTS	S. Kenazo Ave. Reconstruction	9,530,000				TBD
STREET IMPROVEMENTS	Kenazo Dr. Extension	6,177,000				TBD

Project Type	Project Name	Project Estimate	FY 2021	FY2022	FY 2023	Funding Source(s)
STREET IMPROVEMENTS	Alberton Ave./Antwerp Rd. Construction	16,519,000				TBD
RECREATIONAL FACILITIES	Golden Eagle Park Improvements including Illumination and Splash Pad	3,528,000	Construct			2018 CIP
RECREATIONAL FACILITIES	Corky Park Improvements including illumination and skate park	2,096,000	Construct			2018 CIP
RECREATIONAL FACILITIES	Horizon Mesa Park improvements including illumination	1,172,000	Construct			2018 CIP
RECREATIONAL FACILITIES	New Municipal Ball Park	4,273,000	Property Acq. & Design	Design & Construct	Construct	2018 CIP
RECREATIONAL FACILITIES	Benton/Ryderwood Dog Park	787,000	Design	Construct		2018 CIP
RECREATIONAL FACILITIES	Horizon Blvd. Path Solar Lighting & Ensor/Welch path bollard lighting	615,000	Design	Construct		2018 CIP
RECREATIONAL FACILITIES	Duaneburg to Carroll T. Welch Open Space Path	TBD	Design	Construct		TBD
RECREATIONAL FACILITIES	Build a multi-purpose community recreation Center - Comp Plan 2030	TBD			Planning	TBD
STREET IMPROVEMENTS	Horizon Blvd. Median Improvements between Ashford and Rifton Ct.	TBD				TBD

Project Type	Project Name	Project Estimate	FY 2021	FY2022	FY 2023	Funding Source(s)
DRAINAGE IMPROVEMENTS	Master Drainage Study	TBD				TBD
MUNICIPAL FACILITIES	Municipal Facilities - Phase 1 - Police Facilities, Public Works and temporary Council Chambers/Municipal Court	8,400,000	Construct	Construct		2018 CIP/USDA funding
MUNICIPAL FACILITIES	Municipal Facilities - Phase 2 - Town Hall and Municipal Court (permanent)	7,400,000				Local funds/USDA funding
MUNICIPAL FACILITIES	Transit Plaza - first phase of TOD	3,200,000				TIRZ/ Others
RECREATIONAL FACILITIES	Renovate Oz Glaze Center	TBD	TBD	TBD	TBD	TBD
RECREATIONAL FACILITIES	Update and expand Hike and Bike Trails	TBD	TBD	TBD	TBD	TBD
RECREATIONAL FACILITIES	Develop a Community Pool	TBD	TBD	TBD	TBD	TBD
STREET IMPROVEMENTS	School Zone Upgrades	TBD				TBD
STREET IMPROVEMENTS	Darrington Illumination	TBD				TBD
STREET IMPROVEMENTS	Sidewalk Construction on Arterials & Collectors	TBD				TBD
STREET IMPROVEMENTS	New Traffic Signals/Roundabouts	TBD				TBD
DRAINAGE IMPROVEMENTS	Drainage & ROW Improvements - Horizon Blvd.	TBD				TBD
STREET IMPROVEMENTS	McMahon Street Improvements	TBD				TBD

Project Type	Project Name	Project Estimate	FY 2021	FY2022	FY 2023	Funding Source(s)
STREET IMPROVEMENTS	Breaux Street Improvements (from Horizon Blvd. to Nunda)	TBD				Street Maint. Fund
STREET IMPROVEMENTS	Texas Rainbow Extension to N. Kenazo	TBD				TBD
STREET IMPROVEMENTS	Duanesburg Street Improvements (from Horizon Blvd. to S. Kenazo)	TBD				TBD
STREET IMPROVEMENTS	Horizon Blvd. - Intersection Improvements at Horizon Crossing	TBD	TBD	TBD	TBD	TBD
STREET IMPROVEMENTS	Dilley & Delake	6,200,000				TIRZ/ Others
STREET IMPROVEMENTS	Howard Lowe Rd. Improvements	TBD				TBD
STREET IMPROVEMENTS	N. Darrington Resurfacing	TBD	Construct			Street Maint. Fund
	Total	117,764,508				

Town of Horizon City

Capital Planning and Budgeting Capital Improvement Program and Acquisition Guidelines

CAPITAL IMPROVEMENT PROGRAM

As a growing community, the Town of Horizon City desires to incorporate capital planning and budgeting into their annual processes. Capital planning and budgeting will allow staff to review the infrastructure and facility needs of the community in a comprehensive manner, in accordance with the approved Comprehensive Plan, subdivision ordinance and other policies and agreements as approved by the City Council and plan for orderly implementation. Capital planning and budgeting will also allow the Town to review its capital needs in conjunction with its annual budget and estimated revenues to approve a plan that is financially viable.

Definitions

Capital projects are construction, rehabilitation, or reconstruction projects that extend the useful life of a permanent Town asset or change the use of a Town asset.

Town assets are those buildings or infrastructure facilities that the Town owns in fee simple, have been dedicated to the Town or that the Town leases or otherwise has a contractual interest in.

Eligible costs primarily include professional fees to acquire rights-of-way or property for a municipal facility; appraise real estate, property and permanent improvements; survey real estate or inspect property and permanent improvements; conduct studies resulting in plans for further projects; construction costs; landscaping costs; construction management fees; and costs for furnishings and equipment including technology for municipal facilities.

Policies and Procedures

The Town will consider capital projects meeting the above criteria and estimated at \$25,000 or more for inclusion in the capital budget.

Departments may submit the attached capital request and description form attached to present information for candidate projects. Departments should provide as much information as possible in the form including regulatory or contractual requirements associated with the project request. Photographs and aerial depictions of the location may also be attached. Pending issues or questions may also be included in the form for further research as part of the project evaluation process.

The Planning Director will review the project requests, consult with the requesting department, the City Engineer and other staff to finalize the project request, estimate project costs,

potential funding sources and recommend inclusion into the Town's Capital Improvement Program (CIP).

The CIP will be presented to the City Council on an annual basis as part of the budget review and approval process along with a status report on the funded CIP.

CAPITAL ACQUISITION

The Town of Horizon City desires to incorporate capital acquisitions budgeting into their annual processes. Capital acquisition budgeting will allow staff to review the Town's major equipment needs and budget for them in an orderly manner. The capital acquisition budget will be reviewed by the City Council on an annual basis and adopted as part of the annual budget.

Definitions

Capital acquisitions include office furniture and equipment, vehicles, shop equipment, or other maintenance equipment. Communication and computing systems including hardware and software are also considered capital acquisitions.

Policies and Procedures

The Town will consider capital acquisitions meeting the above criteria and having an estimated unit cost of \$2,500 or more.

Departments may submit a request for capital acquisitions indicating the equipment type, unit cost and number of units requested in the format as determined by the Mayor and/or his designee. Departments should provide as much information as possible in their request including:

- whether the unit replaces an existing piece of equipment or vehicle;
- age of equipment proposed for replacement;
- useful life of requested equipment; and
- justification for replacement or new equipment.

The Mayor and/or his designee will review the capital acquisition requests, consult with the requesting department, and other staff to finalize the request, estimate acquisition costs, potential funding sources and recommend inclusion into the Town's Capital Acquisition Budget. The proposed Capital Acquisition Budget CIP will be presented to the City Council on an annual basis as part of the budget review and approval process.



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: March 6, 2020

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

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

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

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

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

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

History:

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



TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report

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

Address/Location: The property is located on the west side of Duanesburg Street & encircled by Opossum Circle
Legal Description: A portion of Lot 19, Block 9, Horizon Manor Unit Three, El Paso County, Texas
Acreage: Approximately 7.9365 acres
Existing Use: Open Space/Ponding Area
Existing Zoning: Rezoned to R-2 (Residential) on June 12, 2018 (Ordinance 244)
Property Owner: JPD Properties LLC
Applicant: CAD Consulting Company

Future Land Use Designation: Park/Open Space
Nearest Park: Golden Eagle Park
Nearest School: Carrol T. Welch Intermediate School

Surrounding Zoning and Land Use:

North: R-8 (Residential)-Single Family Homes
South: R-8 (Residential)-Single Family Homes
East: R-9 Residential)-Single Family Homes
West: R-8 (Residential) & R-4A Single Family Homes

Application Description:

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

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

Notice:

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

Staff Recommendation:

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

Planning Division Comments:

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

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

Other Requirements:

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

Public Works Director Comments:

Preliminary Plat:

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

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

Final Plat:

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

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

The Town Engineer recommends the following:

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

Summary of Recommended Conditions for Final Plat Approval:

The Town Engineer recommends the following:

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

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

El Paso 9-1-1 District:

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

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

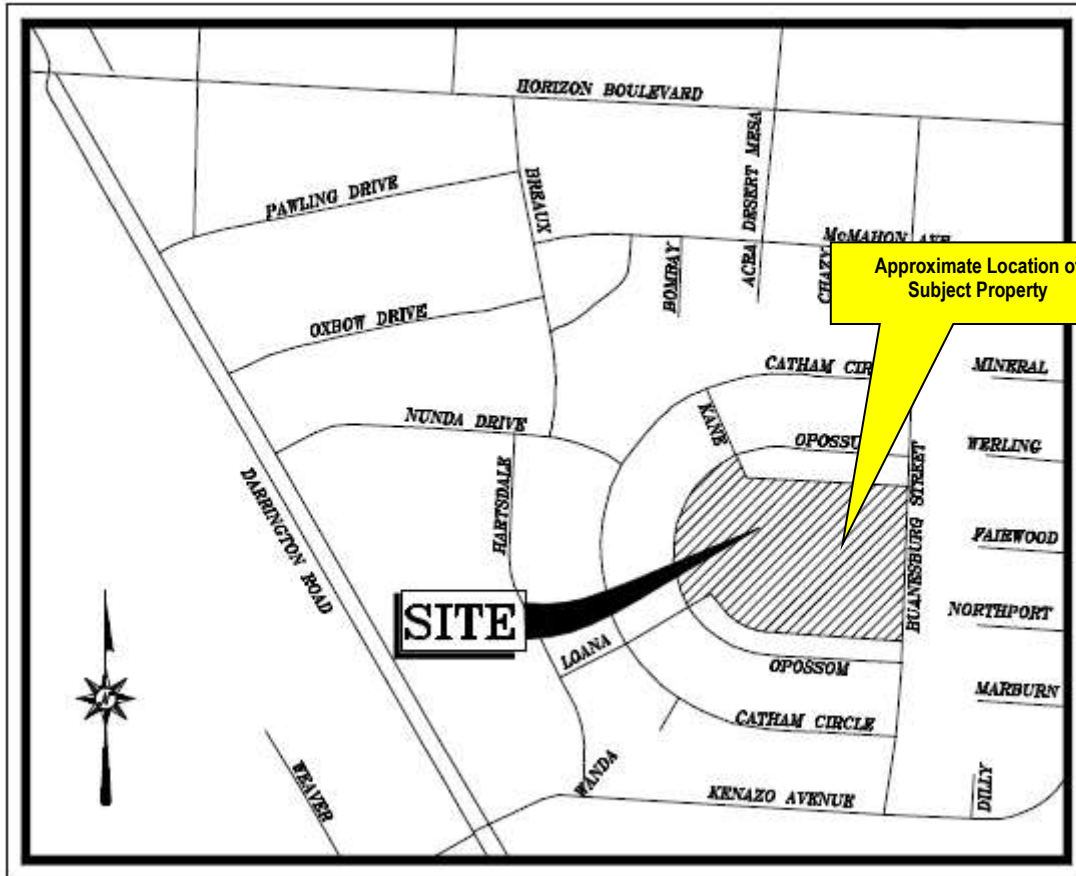
The City responded to the District's concern and informed them the City had requested new street names for the proposed Replat.

Attachments:

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

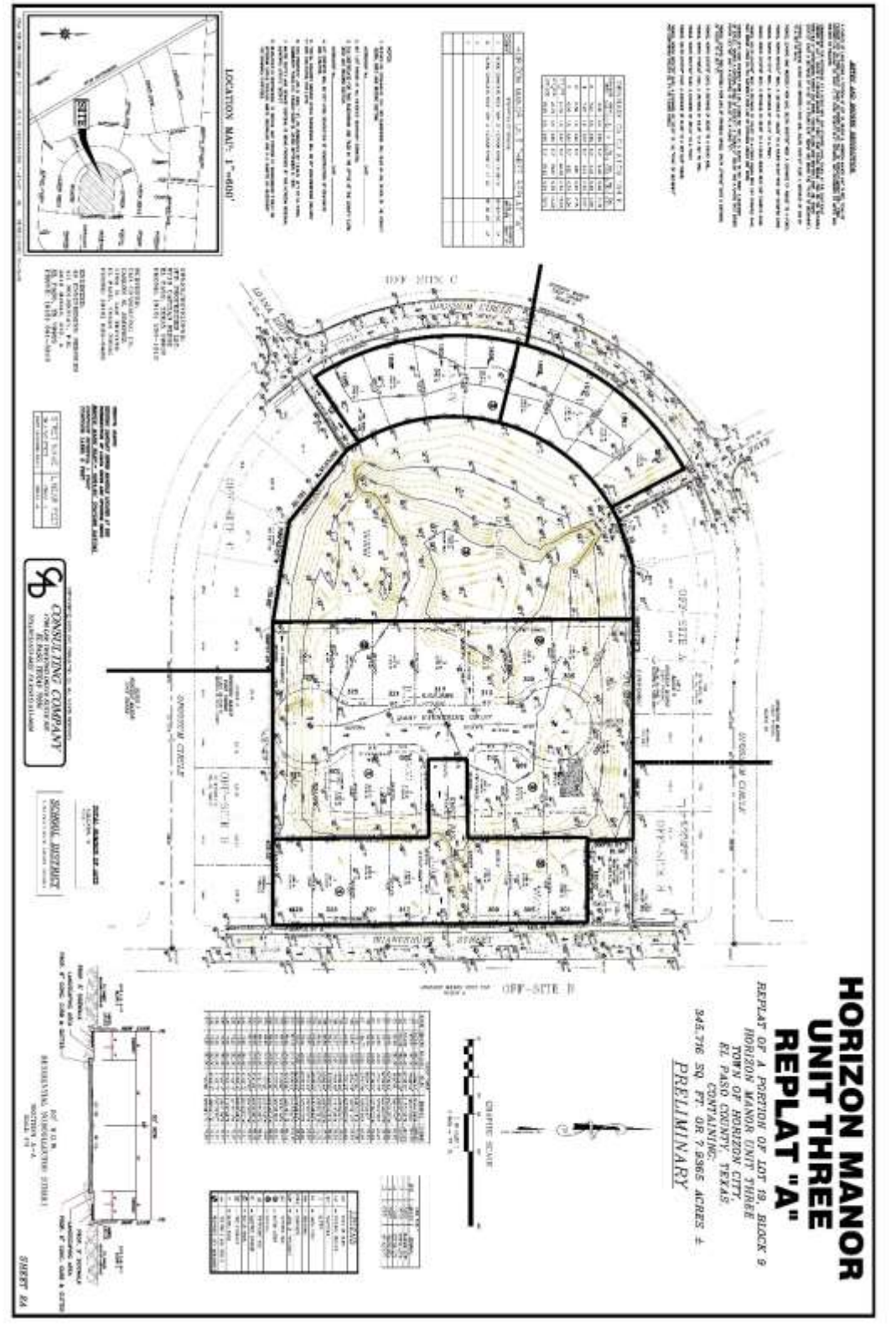
Attachment 3: Location Map

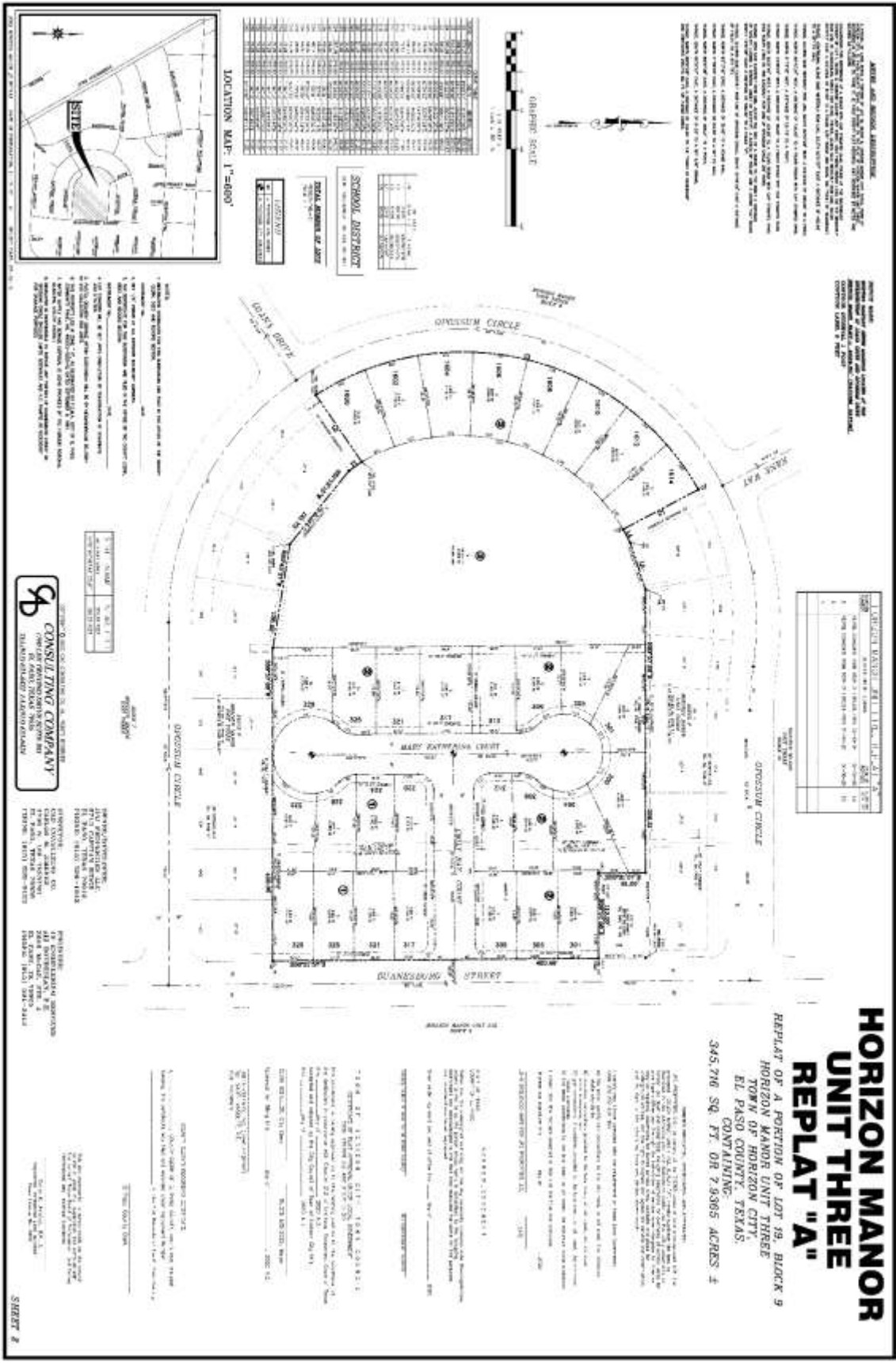
LOCATION MAP: 1"=600'



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

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





Attachment 5: Application



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

REPLAT APPLICATION

SUBDIVISION ASSIGNED NAME HORIZON MANOR UNIT THREE REPLAT A DATE _____

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

2 PROPERTY LAND USES

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

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

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

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

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

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

8 PRICE RANGE _____ TO _____ FINANCED UNDER FHA VA CONVENTIONAL

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

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

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

12 WHAT TYPE OF LANDSCAPING IS PROPOSED? PARKWAY MEDIANS OTHER

13 REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES _____

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

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

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

16 OWNER OF RECORD JPD PROPERTIES LLC 6713 CAPITAN RIDGE 750-1913

(NAME & ADDRESS) (ZIP) (PHONE)

17 OPTIONEE _____

(NAME & ADDRESS) (ZIP) (PHONE)

18 DEVELOPER _____

(NAME & ADDRESS) (ZIP) (PHONE)

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

(NAME & ADDRESS) (ZIP) (PHONE)

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

(NAME & ADDRESS) (ZIP) (PHONE)

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

Applicant Signature [Signature] EMAIL [Email]

APPLICATION MUST BE COMPLETE & VALIDATED PRIOR TO SUBDIVISION PROCESSING

Acceptance of fee does not grant acceptance of application.

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

METES AND BOUNDS DESCRIPTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HORIZON MANOR UNIT THREE REPLAT "A"

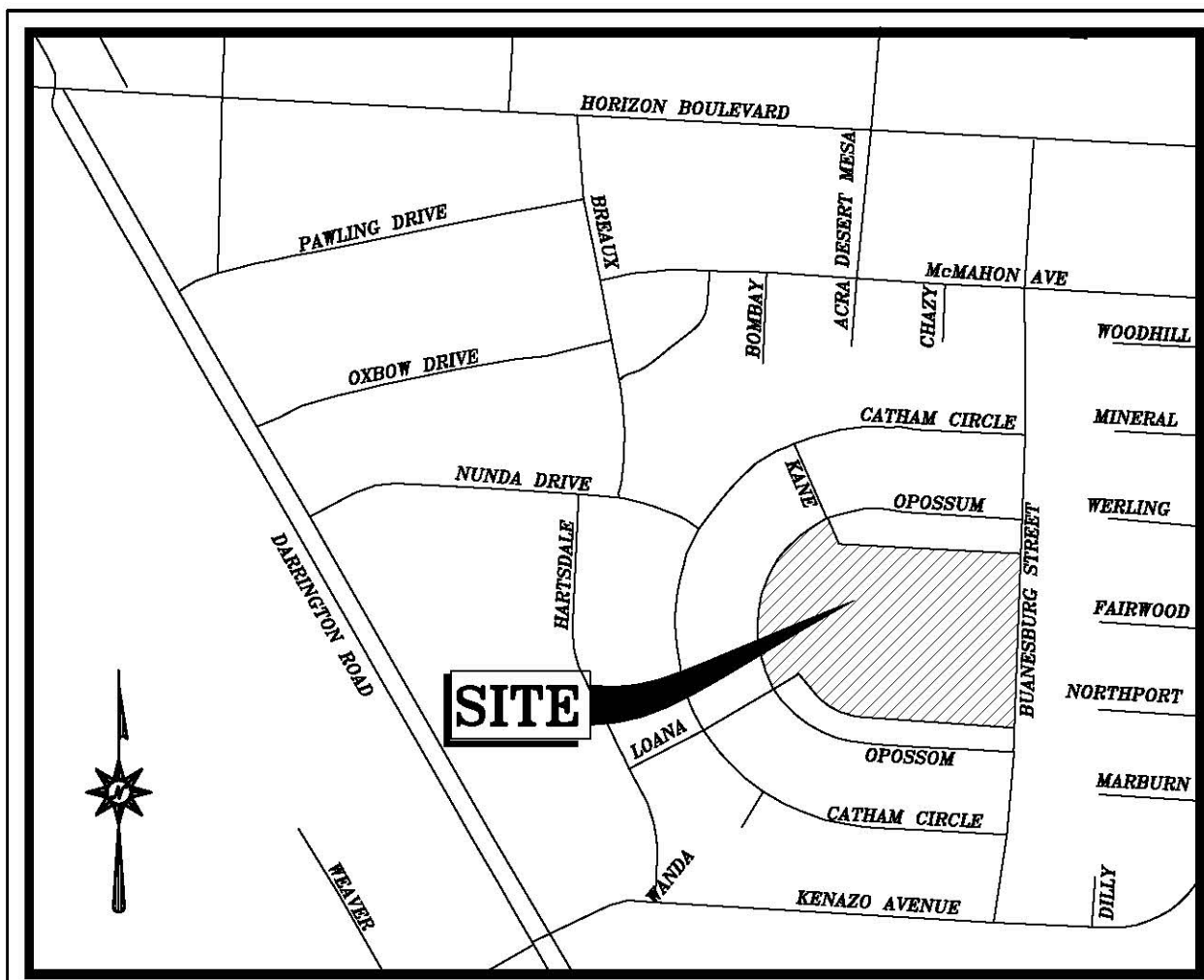
REPLAT OF A PORTION OF LOT 19, BLOCK 9 HORIZON MANOR UNIT THREE TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS. CONTAINING: 345,716 SQ. FT. OR 7.9365 ACRES ± **PRELIMINARY**

DRAINAGE AREA	AREA (Acres)	C	I ₁₀ (in/hr)	C ₁₀ (in/hr)	I ₁₀₀ (in/hr)	C ₁₀₀ (in/hr)
I	3.09	4.0	0.60	5.31	9.84	6.34
II	1.23	4.0	0.60	5.31	3.92	6.34
III	2.42	4.0	0.33	5.31	4.24	6.34
IV	0.59	4.0	0.60	5.31	1.88	6.34
V	0.60	4.0	0.60	5.31	1.92	6.34
OFF-SITE	14.66	4.0	0.60	5.31	46.68	6.34
OFF-SITE	24.78	4.0	0.60	5.31	78.89	6.34
OFF-SITE	18.60	4.0	0.60	5.31	59.22	6.34

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

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

LOCATION MAP: 1"=600'



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

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

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

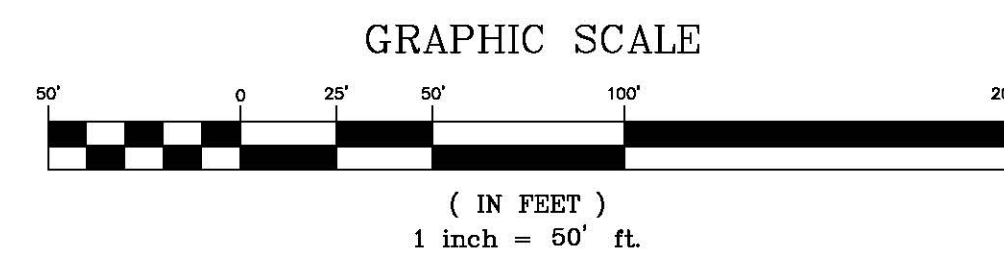
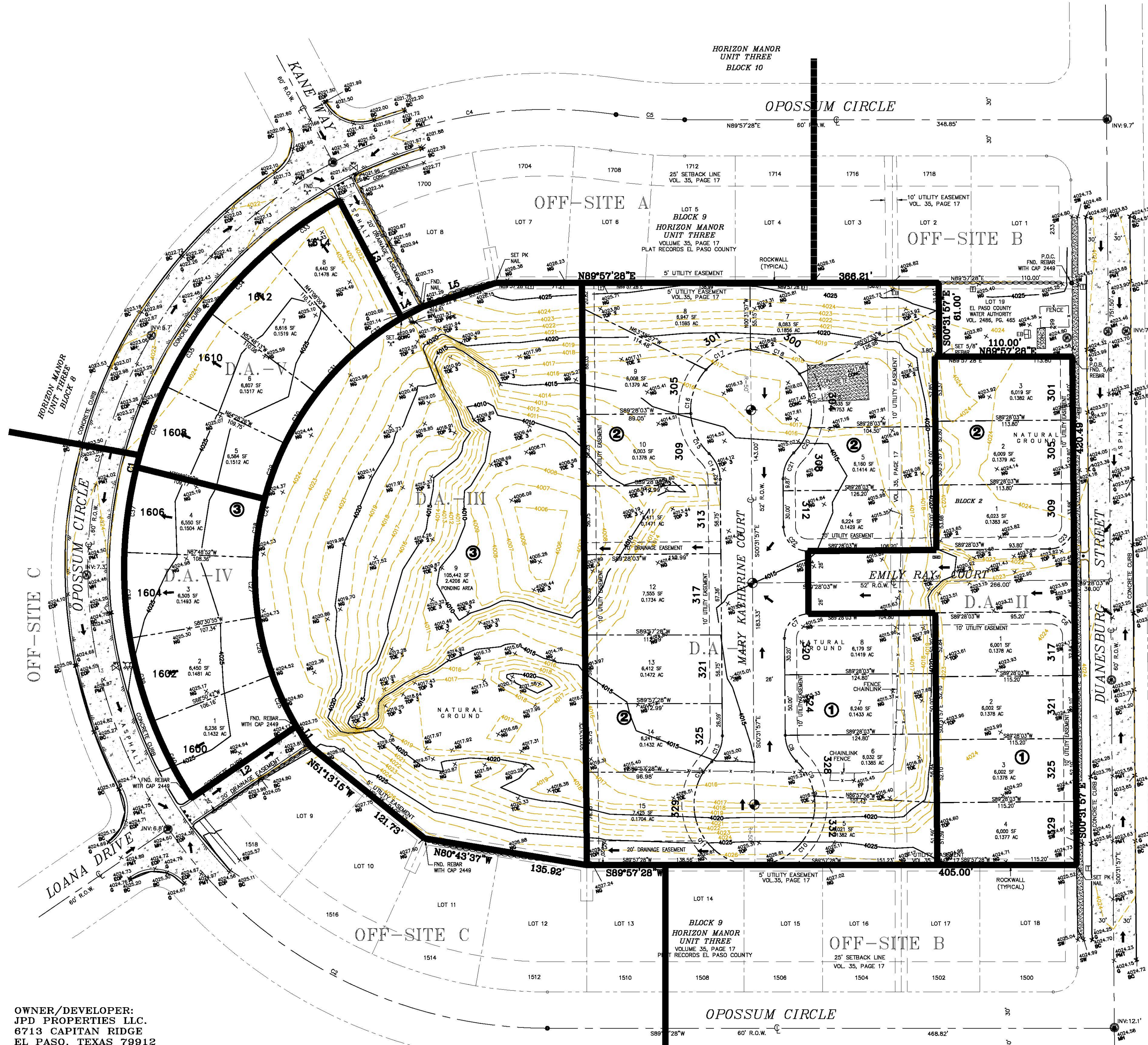
BENCH MARK:
EXISTING SANITARY SEWER MANHOLE LOCATED AT THE INTERSECTION OF LOANA DRIVE AND OPOSSUM DRIVE
BENCH MARK ELEV. = 4024.60' (NAVD88 DATUM)
CONTOUR INTERVAL 1 FOOT
CONTOUR LABEL 5 FEET

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

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

TOTAL NUMBER OF LOTS
RESIDENTIAL=31
POND = 1

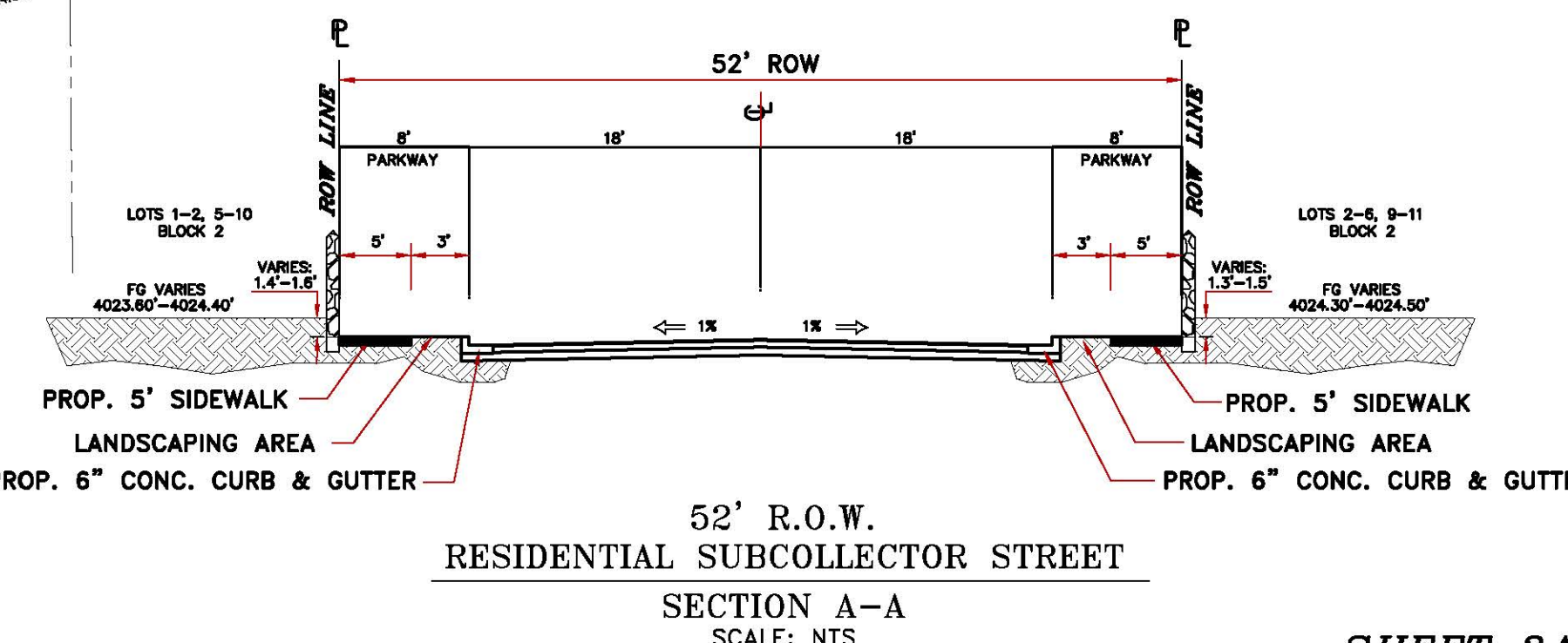
SCHOOL DISTRICT
CLINT INDEPENDENT SCHOOL DISTRICT



CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	570.37	350.00	93°22'17"	N13°51'05"E	509.32
C2	368.56	380.00	55°34'14"	S62°19'21"E	354.28
C3	640.96	380.00	86°38'36"	S13°31'00"W	587.64
C4	241.26	380.00	36°22'38"	S80°21'37"W	237.23
C5	56.98	380.00	8°32'28"	S85°44'48"E	56.93
C6	31.42	20.00	90°00'00"	N45°31'37"W	28.28
C7	31.42	20.00	90°00'00"	S44°28'03"W	28.28
C8	23.86	30.00	45°34'23"	S23°19'08"E	23.24
C9	33.15	50.00	37°58'56"	N27°08'52"W	32.54
C10	85.59	50.00	98°43'22"	N40°55'02"E	76.52
C11	106.77	50.00	122°20'38"	S28°52'3"E	87.61
C12	11.12	50.00	12°44'20"	S38°40'16"W	11.09
C13	23.86	30.00	45°34'23"	N22°15'14"E	23.24
C14	23.86	30.00	45°34'23"	N23°19'08"W	23.24
C15	37.27	50.00	42°42'28"	S24°45'07"E	36.41
C16	39.57	50.00	45°20'29"	S19°18'20"W	38.54
C17	41.37	50.00	47°31'28"	S85°42'19"W	40.29
C18	46.89	50.00	53°43'44"	N63°40'05"W	45.19
C19	46.89	50.00	53°43'44"	N09°28'11"E	45.19
C20	24.54	50.00	28°08'55"	N30°58'58"E	24.29
C21	23.86	30.00	45°34'23"	S22°15'14"W	23.24
C22	31.42	20.00	90°00'00"	S45°31'57"E	28.28
C23	31.42	20.00	90°00'00"	N44°28'03"E	28.28
C24	387.36	246.60	90°00'00"	S14°23'55"W	348.75
C25	46.85	246.60	10°53'08"	S25°09'31"E	46.78
C26	49.56	246.60	11°30'51"	S13°57'32"E	49.47
C27	49.33	246.60	11°27'41"	S22°28'18"E	49.25
C28	49.14	246.60	11°25'01"	S08°58'05"W	49.06
C29	48.99	246.60	11°22'59"	S20°22'05"W	48.91
C30	48.90	246.60	11°21'39"	S31°44'24"W	48.82
C31	48.85	246.60	11°21'05"	S43°55'46"W	48.76
C32	45.74	246.60	10°37'35"	S43°05'07"W	45.67
C33	71.29	350.00	11°40'13"	S54°42'07"W	71.17
C34	71.29	350.00	11°40'13"	S43°01'54"W	71.17
C35	71.29	350.00	11°40'13"	S31°21'41"W	71.17
C36	71.29	350.00	11°40'13"	S19°41'28"W	71.17
C37	71.29	350.00	11°40'13"	S08°01'15"W	71.17
C38	71.29	350.00	11°40'13"	S03°38'58"E	71.17
C39	71.29	350.00	11°40'13"	S15°19'11"E	71.17
C40	71.35	350.00	11°40'46"	S26°59'41"E	71.22

LINE	LENGTH	BEARING
L1	20.00	N34°28'18"W
L2	105.00	S55°31'42"W
L3	110.01	S27°49'42"E
L4	20.00	N62°10'18"E
L5	63.39	N71°58'22"E

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



HORIZON MANOR UNIT THREE REPLAT "A"

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

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

METES AND BOUNDS DESCRIPTION

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

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

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

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

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

THENCE, SOUTH 53°14'42" WEST, A DISTANCE OF 105.00' TO A FOUND REBAR WITH CAP STAMPED 2449, SAID REBAR LYING ON THE EASTERLY ROW LINE OF OPOSSUM CIRCLE (60' ROW);

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

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

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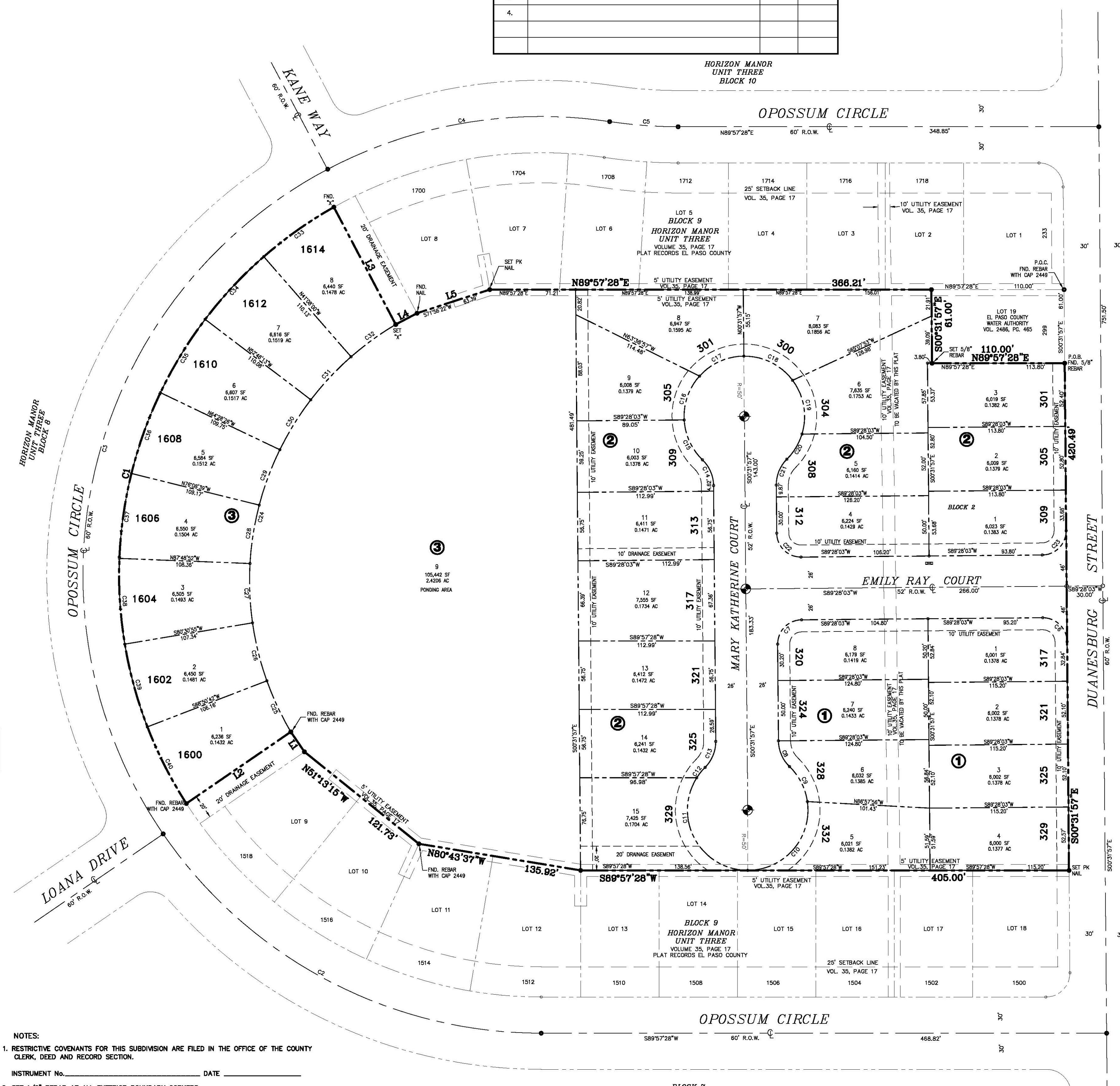
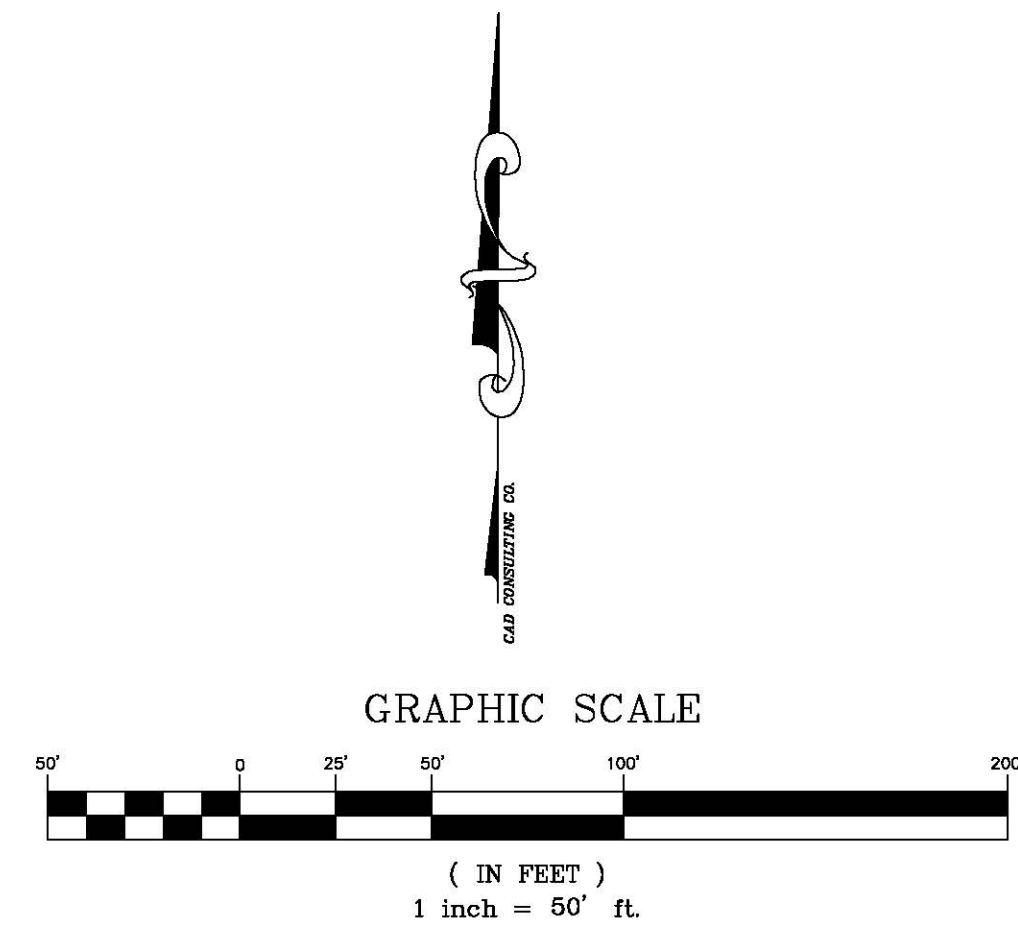
THENCE, NORTH 89°57'28" EAST, A DISTANCE OF 366.21' TO A POINT;

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

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

BENCH MARK

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



CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	570.37	350.00	83°22'17"	N13°51'05"E	509.32
C2	368.56	380.00	55°34'14"	S82°15'25"E	354.28
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C9	33.15	50.00	37°58'56"	N27°06'52"W	32.54
C10	85.59	50.00	88°04'52"	N40°35'02"E	75.52
C11	106.77	50.00	122°20'38"	S28°52'13"E	87.61
C12	11.72	50.00	124°42'00"	S88°40'18"W	11.09
C13	23.86	30.00	45°34'23"	N22°15'14"E	23.24
C14	23.86	30.00	45°34'23"	N23°19'08"W	23.24
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C16	35.97	50.00	45°02'09"	S13°18'20"W	36.54
C17	41.37	50.00	47°31'28"	S85°42'19"W	40.29
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C32	45.74	246.60	109°37'35"	S54°05'07"W	45.67
C33	71.29	350.00	114°01'13"	S84°42'07"W	71.17
C34	71.29	350.00	114°01'13"	S43°01'54"W	71.17
C35	71.29	350.00	114°01'13"	S31°21'41"W	71.17
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C40	71.35	350.00	114°01'48"	S26°59'41"E	71.22

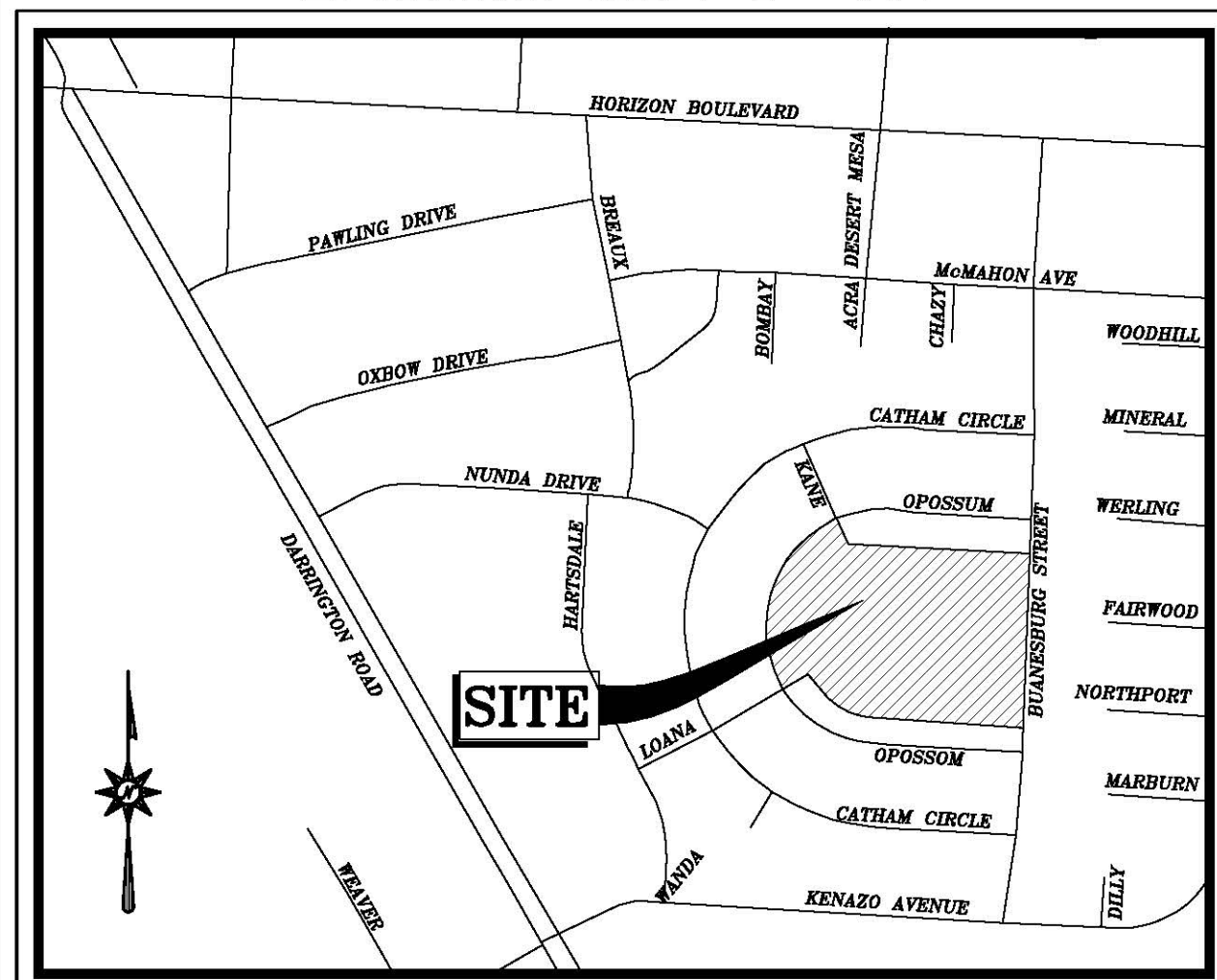
LINE	LENGTH	BEARING
L1	20.00	N34°28'18"W
L2	105.00	S55°31'42"W
L3	110.01	S27°49'42"E
L4	20.00	N62°10'18"E
L5	63.39	N71°56'22"E

SCHOOL DISTRICT
CLINT INDEPENDENT SCHOOL DISTRICT

TOTAL NUMBER OF LOTS
RESIDENTIAL=31
POND=1

LEGEND	
	= PROPOSED MAIL BOXES
	= PROPOSED CITY MONUMENT

LOCATION MAP: 1"=600'



NOTES:

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

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

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

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

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

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

OWNER'S DEDICATION, CERTIFICATION AND ATTESTATION

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

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

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

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

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

Witness our signature this _____ day of _____, 2020.

JOHN DESLONGCHAMPS FOR JPD PROPERTIES LLC. DATE _____

STATE OF TEXAS COUNTY OF EL PASO

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

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

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

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

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

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

ELVIA SCHULLER, City Clerk RUBEN MENDOZA, Mayor

Approved for filling this _____ day of _____, 2020 A.D.

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

COUNTY CLERK'S RECORDING CERTIFICATE

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

El Paso County Clerk

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

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



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: September 11, 2020

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

SUBJECT: **1st Reading of Ordinance No. _____**, On a rezoning application (#RZ-002445-2020) request to approve a change in zone from an R-2 (Residential) zone to a C-2 (Commercial) zone for a property legally described as Lot 3, Block 487, Horizon City Unit Sixty Three, Horizon City, El Paso County, Texas Containing about .4999 acres of land. Application submitted Ramos Funeral Services. Inc.

1st Reading of Ordinance No. _____, On a rezoning application (#RZ-002446-2020) request to approve a change in zone from an R-2 (Residential) zone to a C-2 (Commercial) zone for a property legally described as Lot 1 & 2, Block 487, Horizon City Unit Sixty Three, Horizon City, El Paso County, Texas Containing about .988 acres of land combined. Application submitted Horizon Growth Properties, LLC.

These rezoning applications were originally scheduled to be presented to the Planning and Zoning Commission at their regular August 17, 2020 meeting; however, quorum was not obtained and the agenda items were rescheduled for a special meeting of the Commission on September 14, 2020. Therefore, the recommendation from the Planning and Zoning Commission will be presented to the City Council at their special meeting on September 15, 2020.

Attached for your review is the staff report that will be presented to the Planning and Zoning Commission.



TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report

Case No.: RZ-002446-2020 (Lot 1 & 2)
Case No.: RZ-002445-2020 (Lot 3)

Application Type: Rezoning Application
P&Z Hearing Date: **August 17, 2020**
Staff Contact: Michelle Padilla, Planning Director
915-852-1046 ext.105; mpadilla@horizoncity.org

Address/Location: Southside of Horizon Blvd. (FM 1281) approx. .30 miles west from Eastlake Blvd.

Legal Description: Lots 1, 2, and 3 Block 487, Horizon City Unit Sixty-Three El Paso County, Texas.

Acreage: Approximately **2.49** acres

Existing Use: Vacant Lots

Existing Zoning: R-2 (Residential)

Request: Rezone to C-2 (Commercial)

Proposed Use: Commercial Businesses

Property Owner: **Lot 1 & 2:** Horizon Growth Properties, LLC
Applicant: Horizon Growth Properties, LLC

Property Owner: **Lot 3:** Ramos Funeral Services, Inc.
Applicant: Ramos Funeral Services, Inc.

Surrounding Zoning and Land Use:

North: R-2 (Residential- Vacant)
South: R-2 (Residential) - Vacant
East: R-2 (Residential) - Vacant
West: C-1 (Commercial) - Vacant

Future Land Use Designation: Commercial & Multi-Family
Nearest Park: David Ortiz Park
Nearest School: Horizon High School

Application Description:

These cases were not presented or acted on at the regular August 17, 2020 Planning and Zoning Commission Meeting due to lack of quorum.

The applicants are requesting to change the zone of **3** lots which, combined, measure 2.49 ± acres from an R-2 zone (Residential) to a C-2 zone (Commercial). The lots are located along the southern boundary of Horizon Boulevard (FM 1281) approx. .30 miles west of the Eastlake Boulevard Intersection. The owner of lot 3, Ramos Funeral Services, is in the process of acquiring lots 1 & 2. Ramos Funeral Services also owns Lots 4 through 7, Block 487, Horizon City Unit #63 which were rezoned by Mr. Ramos by Ordinance No. 249 on November 13, 2018.

Notice:

In accordance with Section 211.007 of the Texas Local Government Code, notices of the August 17, 2020 public hearing were sent to the school district of jurisdiction and to those property owners within 200 feet of the subject property on July 31, 2020. 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. This requirement has been met.

Shaping Our Horizon 2030 – Future Land Use Map Designation:

The future land use map designates this area as Commercial. The land use classification for Commercial includes retail, offices, business, personal and professional services, restaurants, banks and financial institutions, doctor, dentist and other medical offices, and related accessory and ancillary uses.

Staff Recommendation:

The Comprehensive Plan designates this area for commercial development and the proposed use is consistent with those uses allowed in a C-2 (Commercial) zone. Additionally, Horizon Boulevard is a commercial corridor throughout most of the City, so this request is in line with the existing uses along other sections of Horizon Boulevard and is consistent with the intent of the Comprehensive Plan by providing for a mixture of uses. Therefore, staff recommends **APPROVAL** of the rezoning request.

Planning Comments:

1. The Planning Department recommends that the Planning and Zoning Commission **recommend that the properties be rezoned to C-2 (Commercial)** to the City Council.
2. A subdivision replat conforming to all requirements as set forth in Municipal Code will need to be submitted, approved and recorded for all three lots if they are to be utilized together. The replat will trigger the requirement to improve any substandard roadway that abuts the development.

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:

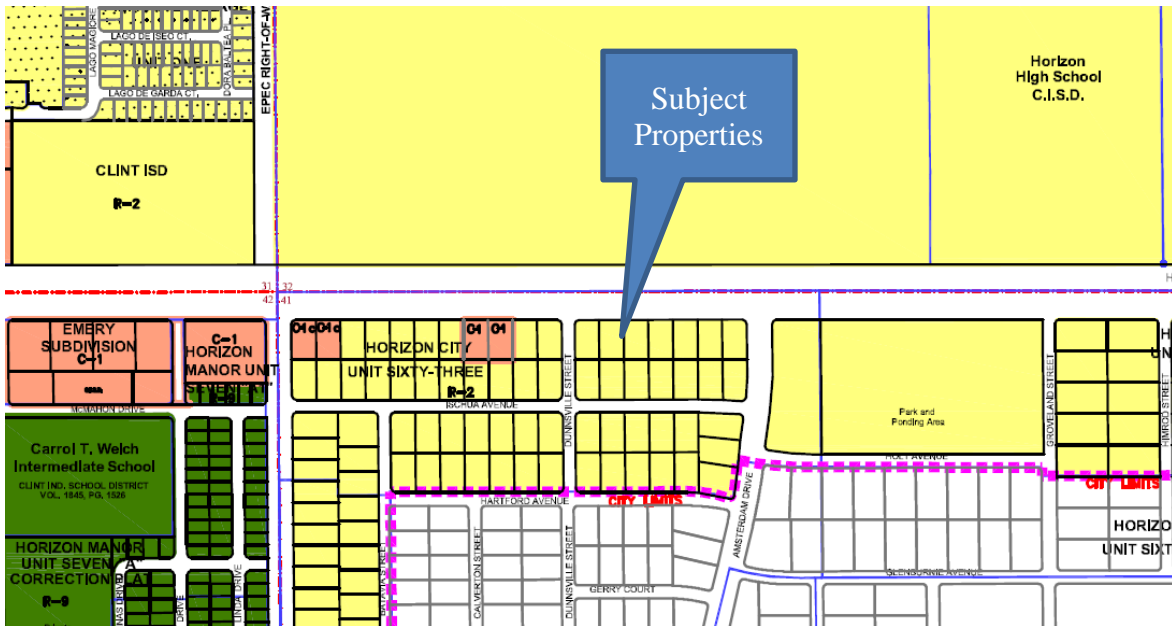
1. Recommend approval of the Applicant’s request for change of zone classification as stated and forward a recommendation for approval for the change of zone classification to the City Council.
2. Recommend approval of the Applicant’s request for change of zone classification as stated, including any restrictions or modifications to bring the rezoning into

- conformance with the review criteria and forward a recommendation for approval for the change of zone classification, including any restrictions, to the City Council.
3. Recommend denial of the Applicant's request for change of zone classification.

Attachments:

- 1 - Zoning Designation
- 2 - Aerial
- 3 - Future Land Use Map (Shaping Our Horizon 2030 Comp Plan)
- 4 - Survey with MB (Lot 1&2)
- 5 - Survey with MB (Lot 3)
- 6 - Application (Lots 1 & 2)
- 7 - Application (Lot 3)

Attachment 1: Zoning Designation

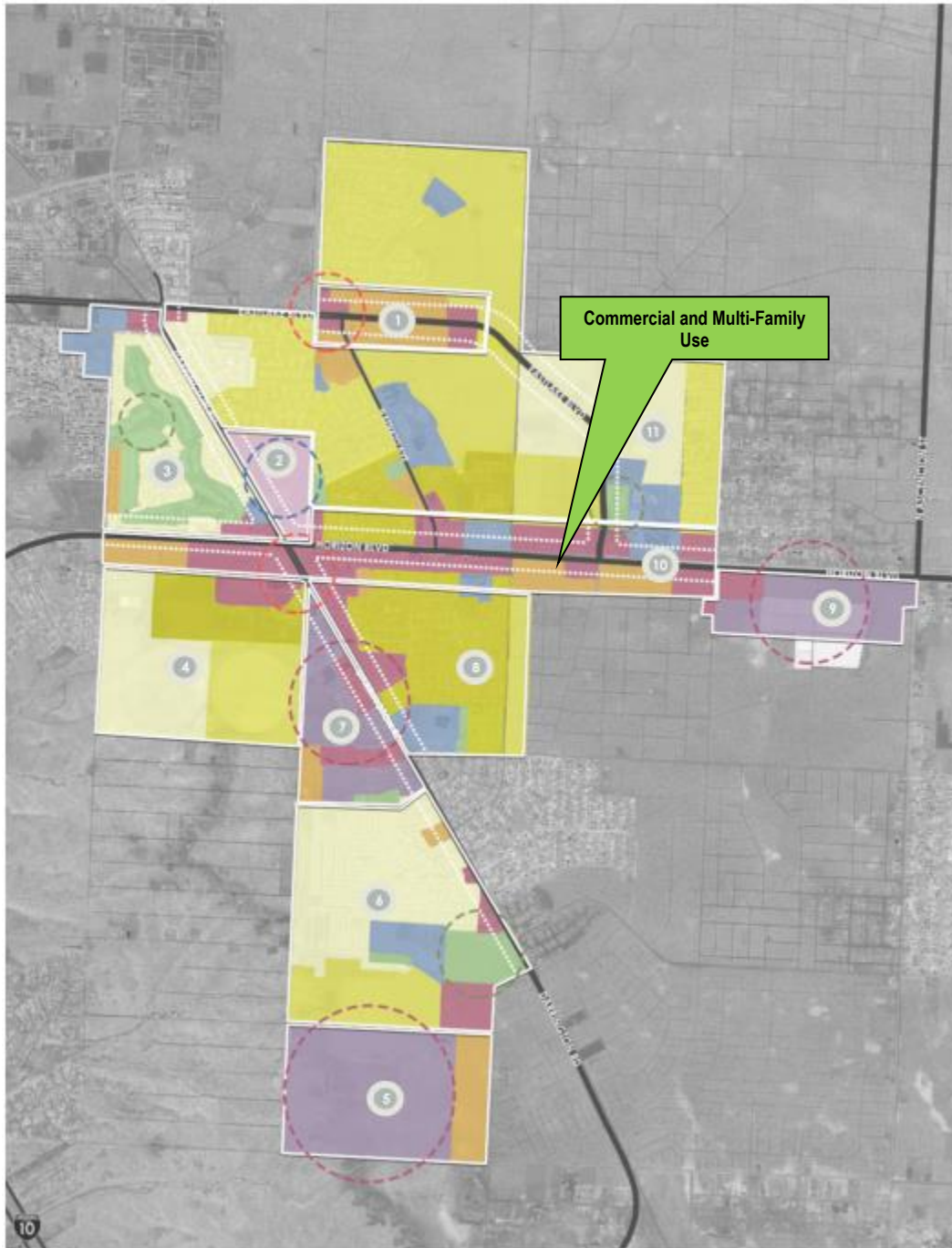


Attachment 2: Aerial



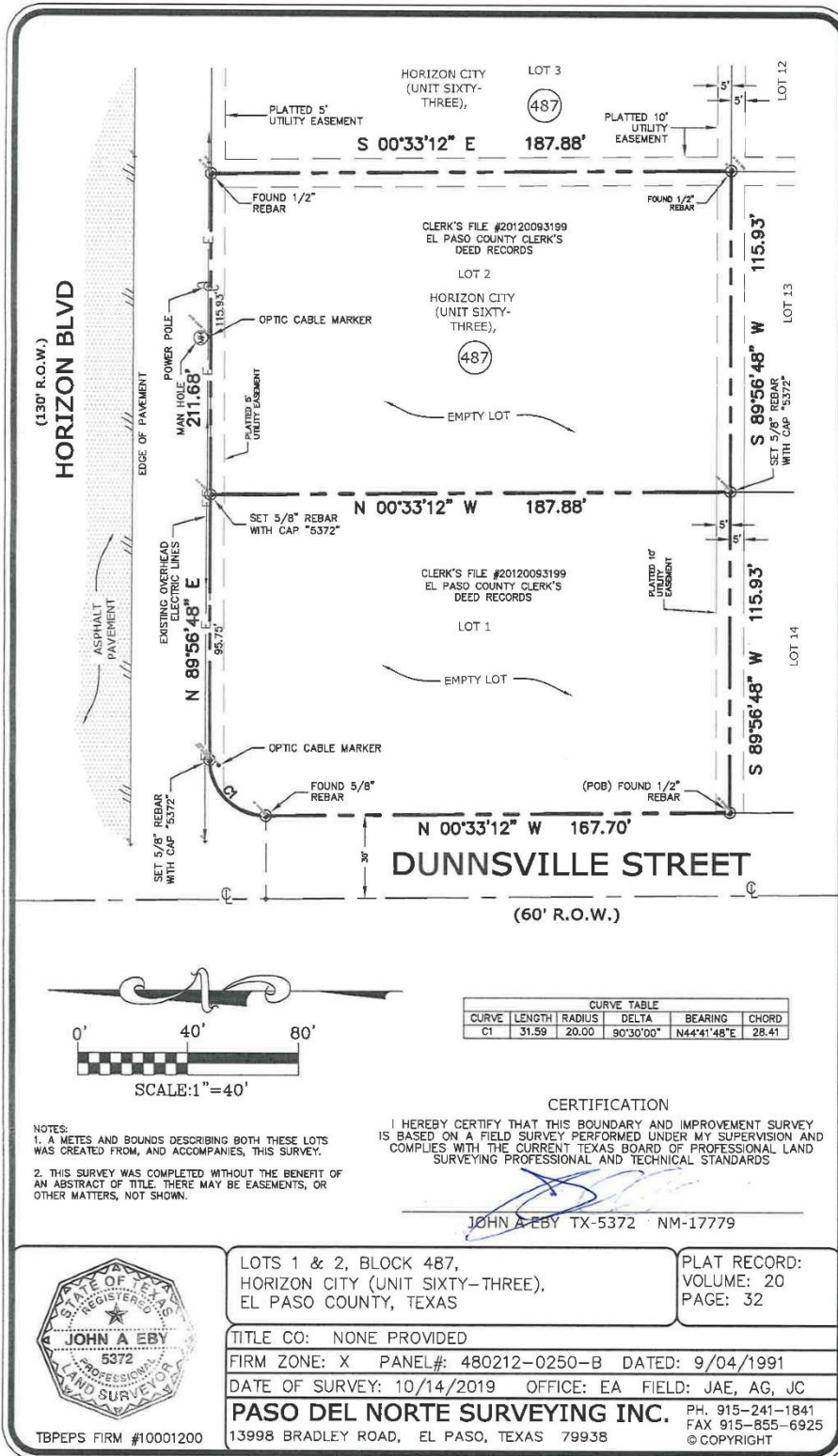
Attachment 3: Future Land Use Map

Future Land Use Map



*A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

Attachment 4: Survey with Metes and Bounds (Lot 1 & 2)



NOTES:
 1. A METES AND BOUNDS DESCRIBING BOTH THESE LOTS WAS CREATED FROM, AND ACCOMPANIES, THIS SURVEY.
 2. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS, OR OTHER MATTERS, NOT SHOWN.

CERTIFICATION
 I HEREBY CERTIFY THAT THIS BOUNDARY AND IMPROVEMENT SURVEY IS BASED ON A FIELD SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLIES WITH THE CURRENT TEXAS BOARD OF PROFESSIONAL LAND SURVEYING PROFESSIONAL AND TECHNICAL STANDARDS

JOHN A. EBY TX-5372 NM-17779



LOTS 1 & 2, BLOCK 487,
 HORIZON CITY (UNIT SIXTY-THREE),
 EL PASO COUNTY, TEXAS

PLAT RECORD:
 VOLUME: 20
 PAGE: 32

TITLE CO: NONE PROVIDED
 FIRM ZONE: X PANEL#: 480212-0250-B DATED: 9/04/1991
 DATE OF SURVEY: 10/14/2019 OFFICE: EA FIELD: JAE, AG, JC

PASO DEL NORTE SURVEYING INC. PH. 915-241-1841
 13998 BRADLEY ROAD, EL PASO, TEXAS 79938 FAX 915-855-6925
 © COPYRIGHT

TBPEPS FIRM #10001200

PROPERTY DESCRIPTION

LOTS 1 & 2, BLOCK 487, HORIZON CITY UNIT SIXTY THREE

Description of a parcel of land being Lots 1 & 2, Block 487, Horizon City Unit Sixty Three, El Paso County, Texas, map of said Horizon City Unit Sixty Three recorded in Plat Book 20, Page 32, El Paso County Clerk's Records, El Paso County, Texas and also being a combination of those parcels recorded in Clerk's File No. 20120093199 and Clerk's File No. 20140029621, El Paso County Clerks Records, and described as follows;

Beginning at a 1/2" rebar found at the southwest corner of said Lot 1, Block 487, Horizon City Unit Sixty Three, and lying on the east ROW of Dunnsville Street (60' wide unimproved ROW), from which a 1/2" rebar found at the southeast corner of said Lot 2 lies North 89°56'48" East a distance of 231.86' (bearing basis), and being the "Point Of Beginning";

Thence, with said east R.O.W. of Dunnsville Street, North 00°33'12" West a distance of 167.70' to a 5/8" rebar found for the point of curvature of this parcel;

Thence, with the arc of a curve to the right a distance of 31.59', having a central angle of 90°30'00", a radius of 20.00' and a chord that bears North 44°41'48" East a distance of 28.41' to a 5/8" rebar with cap stamped "5372" set on the south ROW of Horizon Boulevard (130' wide);

Thence, with said south R.O.W. of Horizon Boulevard, North 89°56'48" East a distance of 211.68' to a 1/2" rebar found at the northeast corner of said Lot 2;

Thence, with the east lot line of said Lot 2, South 00°33'12" East a distance of 187.88' to said 1/2" rebar found at the southeast corner of Lot 2;

Thence, with the south boundary line of said Lots 1 & 2, South 89°56'48" West a distance of 231.86' to the "Point Of Beginning" and containing 43,472 sq. ft. or 0.9980 acres.

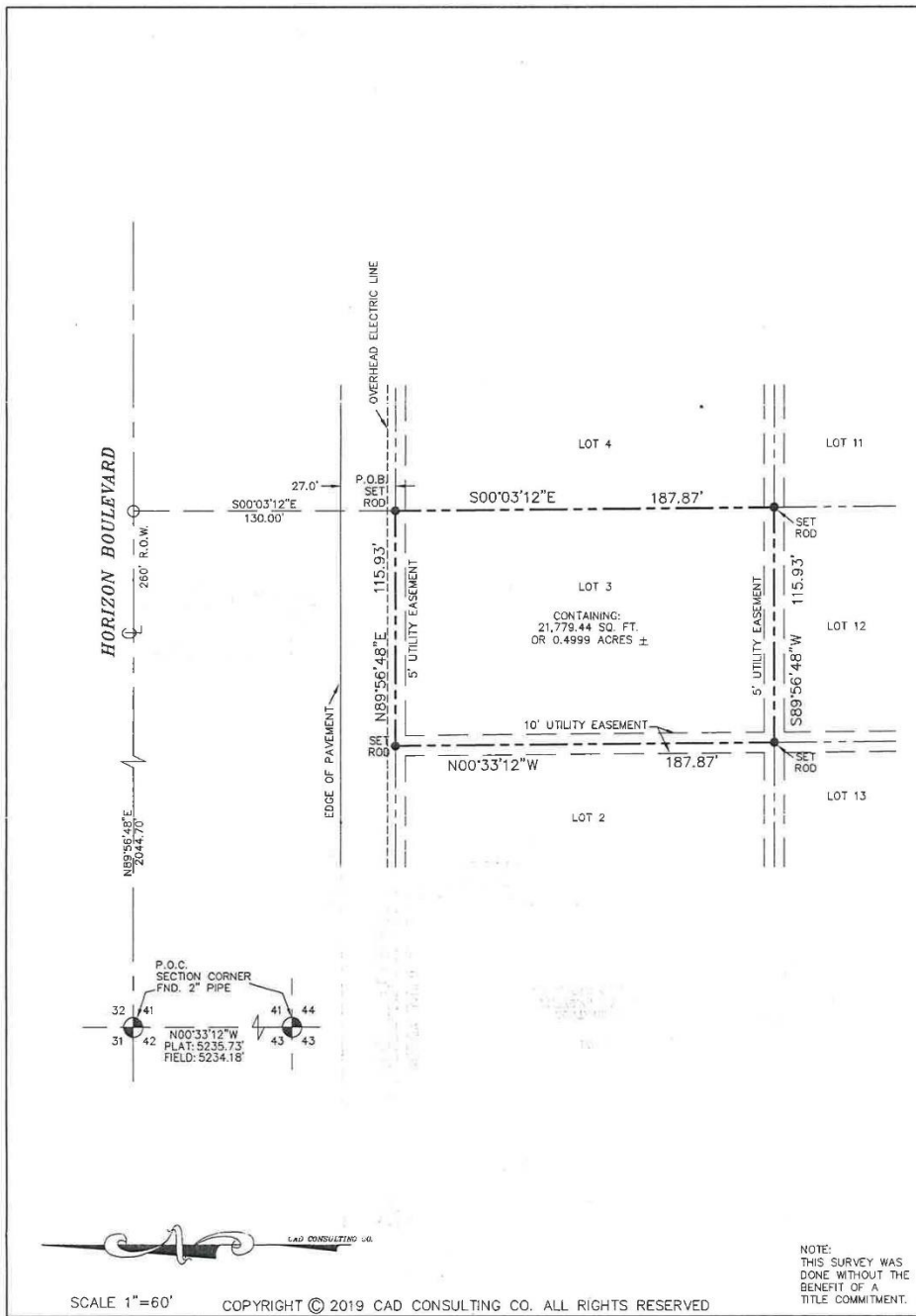
Based on a field survey performed under my supervision and dated 10/14/2019.


John A. Eby, Texas R.P.L.S. 5372 NM PLS 17779

Paso Del Norte Surveying Inc.
13998 Bradley Road
El Paso, TX. 79938
915-241-1841
TBPEPS FIRM #10001200



Attachment 5: Survey with Metes and Bounds (Lot 3)



<p>CERTIFICATION</p> <p>I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY SURVEY WAS MADE ON THE GROUND AND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THAT THERE ARE NO ENCROACHMENTS KEPT AS SHOWN HEREON.</p> <p>CAD CONSULTING COMPANY</p> <p>CARLOS M. JIMENEZ R.P.L.S. No. 3950</p>	<p>JOB # 19-1791 DATE: 09-25-19 FIELD: JM OFFICE: JR FILE: NET:\JORGE\2019\19-1791</p>
	<p>LOCATED IN ZONE x PANEL # 480212-0250-B DATED 09-04-91</p>
	<p>RECORDED IN VOLUME 20 PAGE 18 , PLAT RECORDS, EL PASO COUNTY, TX</p>
<p>HORIZON BOULEVARD LOT 3, BLOCK 487 (SEE EXHIBIT "A") HORIZON CITY UNIT SIXTY THREE EL PASO COUNTY, TEXAS</p>	
<p>CAD CONSULTING COMPANY 1790 LEE TREVINO DRIVE SUITE 503 EL PASO, TEXAS 79936 (915) 633-6422</p>	

Lot 3, Block 487,
Horizon City Unit Sixty Three,
El Paso County, Texas
September 25, 2019

METES AND BOUNDS DESCRIPTION
Exhibit "A"

FIELD NOTE DESCRIPTION of Lot 3, Block 487, Horizon City Unit Sixty Three, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a found 2" pipe located at the common section corner of Sections 31, 32, 41 and 42, Texas and Pacific Railroad Company Surveys, same being the centerline intersection of Horizon Boulevard and Antwerp Drive; **THENCE**, leaving said common section corner and centerline intersection and along the common section line of Sections 32 and 41 and the centerline of Horizon Boulevard, North 89°56'48" East, a distance of 2044.70 feet to a point; **THENCE**, leaving said common section line and centerline of Horizon Boulevard, South 00°03'12" East, a distance of 130.00 feet to a set iron rod for corner at the southerly right-of-way line of Horizon Boulevard and the **POINT OF BEGINNING** of the herein described parcel;

THENCE, leaving said southerly right-of-way line of Horizon Boulevard, South 00°03'12" East, a distance of 187.87 feet to a set iron rod for corner at the common boundary corner of Lots 3, 4, 11 and 12;

THENCE, leaving said common boundary corner, South 89°56'48" West, a distance of 115.93 feet to a set iron rod for corner;

THENCE, North 00°33'12" West, a distance of 187.87 feet to a set iron rod for corner at the southerly right-of-way line of Horizon Boulevard;

THENCE, along said southerly right-of-way line of Horizon Boulevard, North 89°56'48" East, a distance of 115.93 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 21,779.44 square feet or 0.4999 acres of land more or less.

CAD Consulting Co.
1790 Lee Trevino Drive, Suite 503
El Paso, Texas 79936
(915) 633-6422
I:\M&B\2019\19-1791.wpd

Attachment 6: Application (Lots 1 & 2)



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: Horizon Growth Properties, LLC
 5336 Corinthian Bay Drive, Dallas, Texas 75093
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant Horizon Growth Properties, LLC Is applicant also the Owner? Yes No
 Contact Person Terry McLachlan
 5336 Corinthian Bay Drive, Dallas, Texas 75093
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

3. PARCEL ONE
 Site Address/Location Unit 63 Horizon Boulevard
 Legal Description: Lot 1, Block 487, Horizon City (Unit Sixty Three) an addition to El Paso County, Texas
 (Lot) (Block) (Subdivision Name)

PARCEL TWO
 Site Address/Location Unit 63 Horizon Boulevard
 Legal Description: Lot 2, Block 487, Horizon City (Unit Sixty Three) an addition to El Paso County, Texas
 (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? Owner intends to sell to neighboring landowner which will build a commercial structure on Lots 1-2 & adjacent tracts

5. Land's Present Use: N/A - vacant lots; Lot 1 .4980 acres; Lot 2 .4999 acres Zone _____
 Land Vacant Lot size _____ Structure Structure's size _____ Last known date the structure was occupied? _____
 Land's Proposed Use: future site of a funeral home Proposed Zone Use commercial

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 [Signature]

6. Signatures: [Signature] Terry McLachlan, Manager
 (OWNER'S SIGNATURE) (OWNER'S PRINTED NAME)

[Signature] Terry McLachlan, Manager
 (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: _____
 P&Z Scheduled Mtg. Date: _____
 City Council Scheduled Date: _____
 Application Received By: _____
 Date Application Rec'd: _____



Attachment 7: Application (Lot 3)



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: Ramos Funeral Services, Inc.
 750 North Carolina Drive, El Paso, Texas 79915 915-755-4494 sunram88@aol.com
(ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant Ramos Funeral Services, Inc. Is applicant also the Owner? Yes No
 Contact Person Jose (Joe) F. Ramos
 750 North Carolina Drive, El Paso, Texas 79915 915-755-4494 sunram88@aol.com
(ADDRESS) (ZIP) (PHONE) (EMAIL)

3. PARCEL ONE Unit 63 Horizon Boulevard
 Site Address/Location
 Legal Description: Lot 3, Block 487, Horizon City (Unit Sixty Three) an addition to El Paso County, Texas
(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? Owner intends to build a commercial structure on Lot 3 and other adjacent tracts

5. Land's Presents Use: N/A - vacant lot Zone _____
 Land Vacant Lot size .4999 acres Structure Structure's size _____ Last known date the structure was occupied? _____
 Land's Proposed Use: future site of a funeral home Proposed Zone Use commercial

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 Joe F. Ramos

6. Signatures: Joe F. Ramos Jose (Joe) F. Ramos, President
(OWNER'S SIGNATURE) (OWNER'S PRINTED NAME)

Joe F. Ramos Jose (Joe) F. Ramos, President
(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: _____
 P&Z Scheduled Mtg. Date: _____
 City Council Scheduled Date: _____
 Application Received By: _____
 Date Application Rec'd: _____

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

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING TWO PARCELS FROM R-2, RESIDENTIAL, TO C-2, COMMERCIAL, FOR COMMERCIAL USE, CONTAINING APPROXIMATELY .988 ACRES; BEING LOTS 1 AND 2, BLOCK 487, HORIZON CITY UNIT SIXTY THREE, EL PASO COUNTY, TEXAS, LOCATED SOUTH AND WEST OF THE INTERSECTION OF HORIZON BOULEVARD AND EASTLAKE BOULEVARD; 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; and

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

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; and

WHEREAS, the Planning and Zoning Commission has recommended that the zoning on the parcel of property be rezoned to C-2, Commercial; and

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; and

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

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

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

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

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; and

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

WHEREAS, the Town 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 R-2 (Residential) to C-2 (Commercial), within the meaning of the Zoning Ordinance, No. 0102, as amended, for approximately .988 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 _____, 2020, 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:

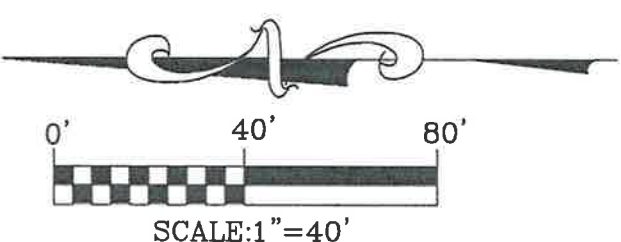
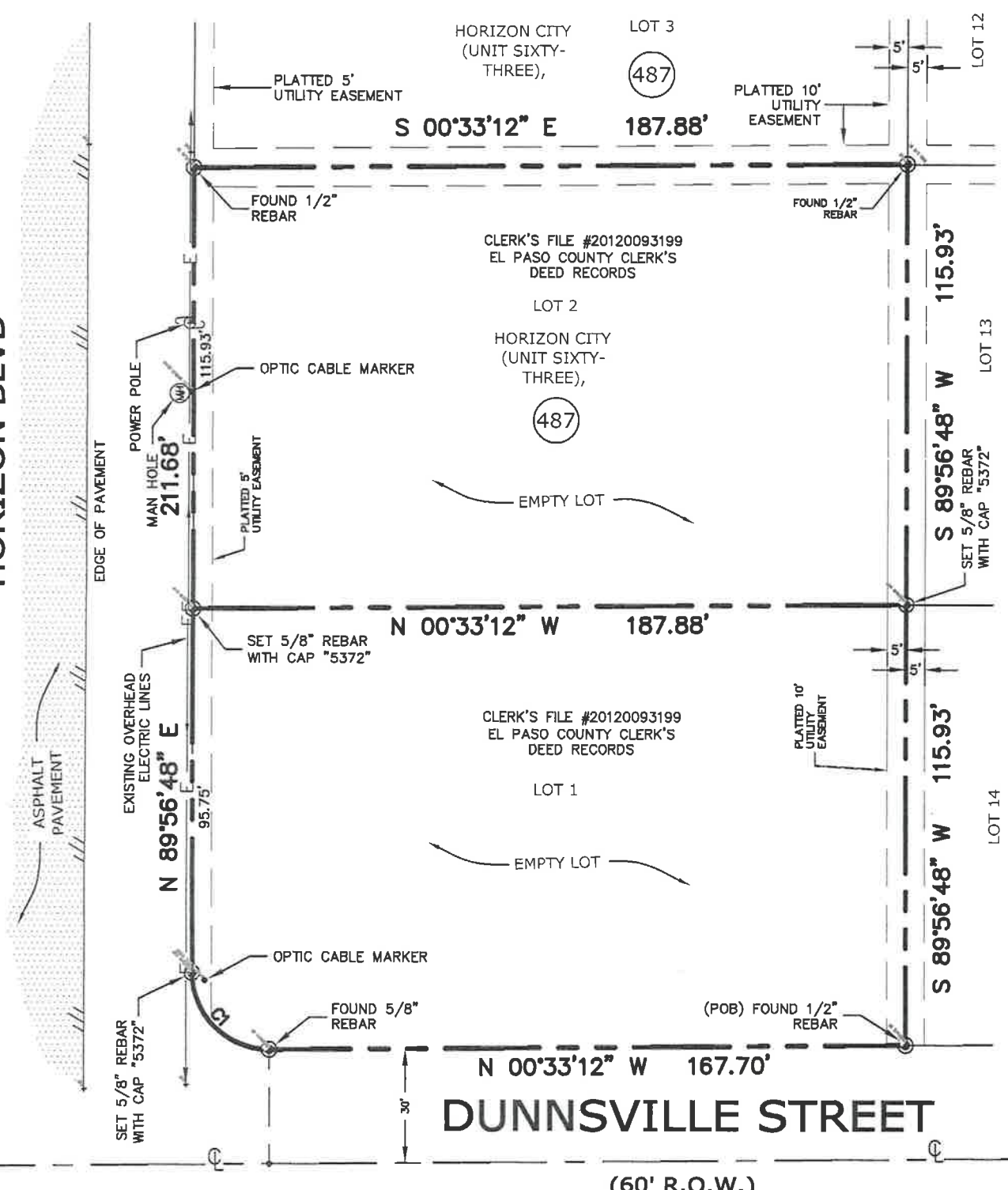
By: _____
Elvia Schuller, TRMC, City Clerk

APPROVED AS TO FORM:

Bertha A. Ontiveros, Assistant City Attorney

First Reading: 09/15/2020
Second Reading: 10/13/2020

HORIZON BLVD
(130' R.O.W.)



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	31.59	20.00	90°30'00"	N44°41'48"E	28.41

NOTES:
 1. A METES AND BOUNDS DESCRIBING BOTH THESE LOTS WAS CREATED FROM, AND ACCOMPANIES, THIS SURVEY.
 2. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS, OR OTHER MATTERS, NOT SHOWN.

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[Signature]
 JOHN A EBY TX-5372 NM-17779



LOTS 1 & 2, BLOCK 487,
 HORIZON CITY (UNIT SIXTY-THREE),
 EL PASO COUNTY, TEXAS

PLAT RECORD:
 VOLUME: 20
 PAGE: 32

TITLE CO: NONE PROVIDED
 FIRM ZONE: X PANEL#: 480212-0250-B DATED: 9/04/1991
 DATE OF SURVEY: 10/14/2019 OFFICE: EA FIELD: JAE, AG, JC
PASO DEL NORTE SURVEYING INC. PH. 915-241-1841
 13998 BRADLEY ROAD, EL PASO, TEXAS 79938 FAX 915-855-6925
 © COPYRIGHT

TBPEPS FIRM #10001200

PROPERTY DESCRIPTION

LOTS 1 & 2, BLOCK 487, HORIZON CITY UNIT SIXTY THREE

Description of a parcel of land being Lots 1 & 2, Block 487, Horizon City Unit Sixty Three, El Paso County, Texas, map of said Horizon City Unit Sixty Three recorded in Plat Book 20, Page 32, El Paso County Clerk's Records, El Paso County, Texas and also being a combination of those parcels recorded in Clerk's File No. 20120093199 and Clerk's File No. 20140029621, El Paso County Clerks Records, and described as follows;

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Thence, with the arc of a curve to the right a distance of 31.59', having a central angle of 90°30'00", a radius of 20.00' and a chord that bears North 44°41'48" East a distance of 28.41' to a 5/8" rebar with cap stamped "5372" set on the south ROW of Horizon Boulevard (130' wide);

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Based on a field survey performed under my supervision and dated 10/14/2019.



John A. Eby, Texas R.P.L.S. 5372 NM PLS 17779

Paso Del Norte Surveying Inc.
13998 Bradley Road
El Paso, TX. 79938
915-241-1841
TBPEPS FIRM #10001200





**TOWN OF HORIZON CITY
MEMORANDUM**

Date: September 11, 2020

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

SUBJECT: **1st Reading of Ordinance No. _____**, On a rezoning application (#RZ-002445-2020) request to approve a change in zone from an R-2 (Residential) zone to a C-2 (Commercial) zone for a property legally described as Lot 3, Block 487, Horizon City Unit Sixty Three, Horizon City, El Paso County, Texas Containing about .4999 acres of land. Application submitted Ramos Funeral Services. Inc.

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TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report

Case No.: RZ-002446-2020 (Lot 1 & 2)
Case No.: RZ-002445-2020 (Lot 3)

Application Type: Rezoning Application
P&Z Hearing Date: **August 17, 2020**
Staff Contact: Michelle Padilla, Planning Director
915-852-1046 ext.105; mpadilla@horizoncity.org

Address/Location: Southside of Horizon Blvd. (FM 1281) approx. .30 miles west from Eastlake Blvd.

Legal Description: Lots 1, 2, and 3 Block 487, Horizon City Unit Sixty-Three El Paso County, Texas.

Acreage: Approximately **2.49** acres

Existing Use: Vacant Lots

Existing Zoning: R-2 (Residential)

Request: Rezone to C-2 (Commercial)

Proposed Use: Commercial Businesses

Property Owner: **Lot 1 & 2:** Horizon Growth Properties, LLC
Applicant: Horizon Growth Properties, LLC

Property Owner: **Lot 3:** Ramos Funeral Services, Inc.
Applicant: Ramos Funeral Services, Inc.

Surrounding Zoning and Land Use:

North: R-2 (Residential- Vacant)
South: R-2 (Residential) - Vacant
East: R-2 (Residential) - Vacant
West: C-1 (Commercial) - Vacant

Future Land Use Designation: Commercial & Multi-Family
Nearest Park: David Ortiz Park
Nearest School: Horizon High School

Application Description:

These cases were not presented or acted on at the regular August 17, 2020 Planning and Zoning Commission Meeting due to lack of quorum.

The applicants are requesting to change the zone of **3** lots which, combined, measure 2.49 ± acres from an R-2 zone (Residential) to a C-2 zone (Commercial). The lots are located along the southern boundary of Horizon Boulevard (FM 1281) approx. .30 miles west of the Eastlake Boulevard Intersection. The owner of lot 3, Ramos Funeral Services, is in the process of acquiring lots 1 & 2. Ramos Funeral Services also owns Lots 4 through 7, Block 487, Horizon City Unit #63 which were rezoned by Mr. Ramos by Ordinance No. 249 on November 13, 2018.

Notice:

In accordance with Section 211.007 of the Texas Local Government Code, notices of the August 17, 2020 public hearing were sent to the school district of jurisdiction and to those property owners within 200 feet of the subject property on July 31, 2020. 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. This requirement has been met.

Shaping Our Horizon 2030 – Future Land Use Map Designation:

The future land use map designates this area as Commercial. The land use classification for Commercial includes retail, offices, business, personal and professional services, restaurants, banks and financial institutions, doctor, dentist and other medical offices, and related accessory and ancillary uses.

Staff Recommendation:

The Comprehensive Plan designates this area for commercial development and the proposed use is consistent with those uses allowed in a C-2 (Commercial) zone. Additionally, Horizon Boulevard is a commercial corridor throughout most of the City, so this request is in line with the existing uses along other sections of Horizon Boulevard and is consistent with the intent of the Comprehensive Plan by providing for a mixture of uses. Therefore, staff recommends **APPROVAL** of the rezoning request.

Planning Comments:

1. The Planning Department recommends that the Planning and Zoning Commission **recommend that the properties be rezoned to C-2 (Commercial)** to the City Council.
2. A subdivision replat conforming to all requirements as set forth in Municipal Code will need to be submitted, approved and recorded for all three lots if they are to be utilized together. The replat will trigger the requirement to improve any substandard roadway that abuts the development.

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:

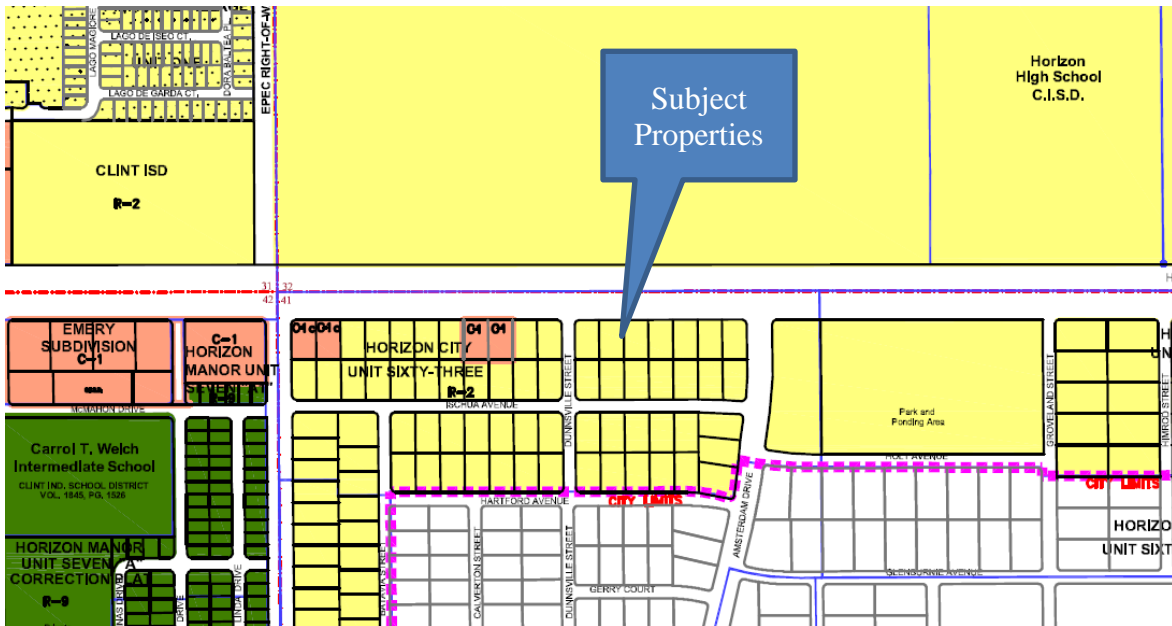
1. Recommend approval of the Applicant’s request for change of zone classification as stated and forward a recommendation for approval for the change of zone classification to the City Council.
2. Recommend approval of the Applicant’s request for change of zone classification as stated, including any restrictions or modifications to bring the rezoning into

- conformance with the review criteria and forward a recommendation for approval for the change of zone classification, including any restrictions, to the City Council.
3. Recommend denial of the Applicant's request for change of zone classification.

Attachments:

- 1 - Zoning Designation
- 2 - Aerial
- 3 - Future Land Use Map (Shaping Our Horizon 2030 Comp Plan)
- 4 - Survey with MB (Lot 1&2)
- 5 - Survey with MB (Lot 3)
- 6 - Application (Lots 1 & 2)
- 7 - Application (Lot 3)

Attachment 1: Zoning Designation

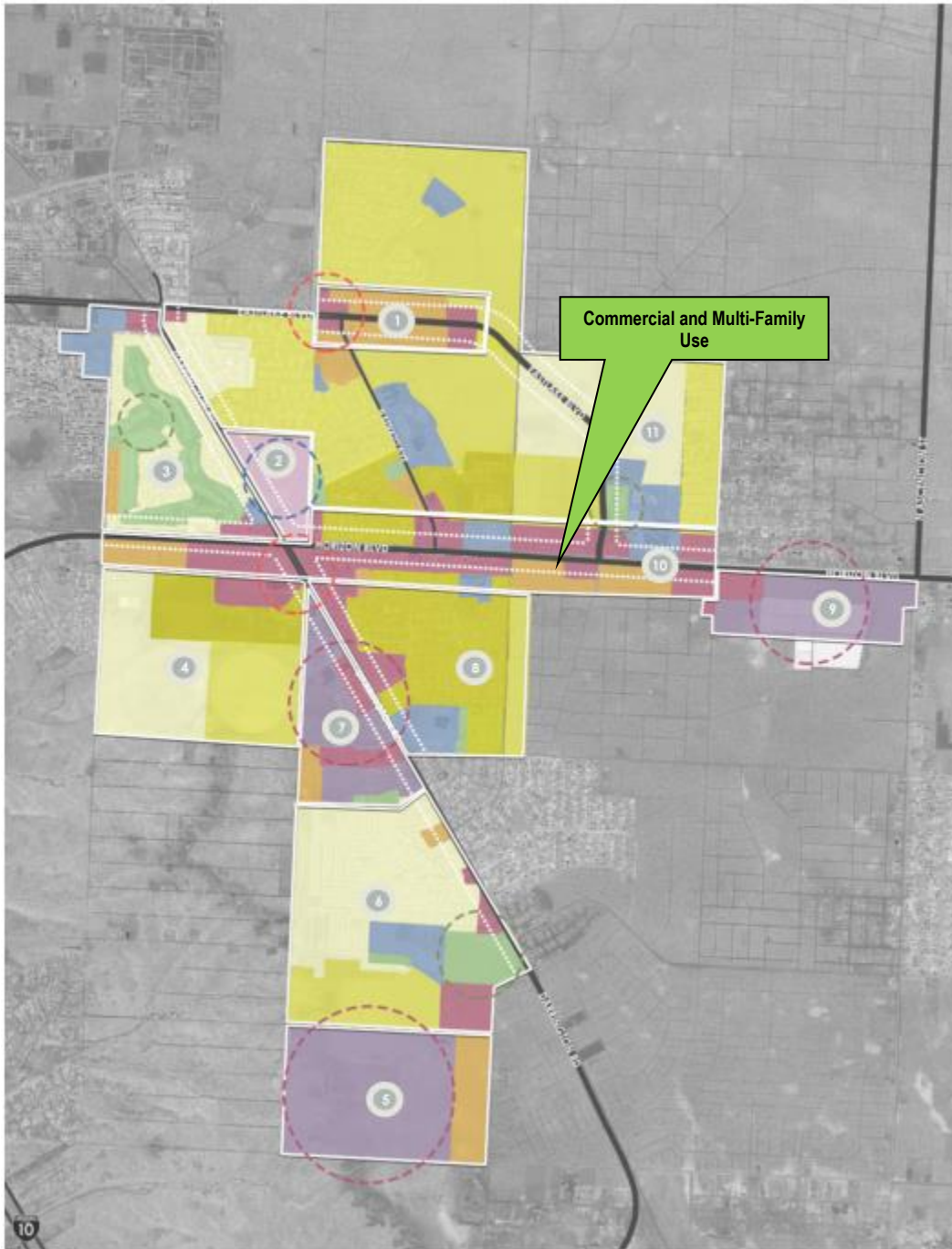


Attachment 2: Aerial



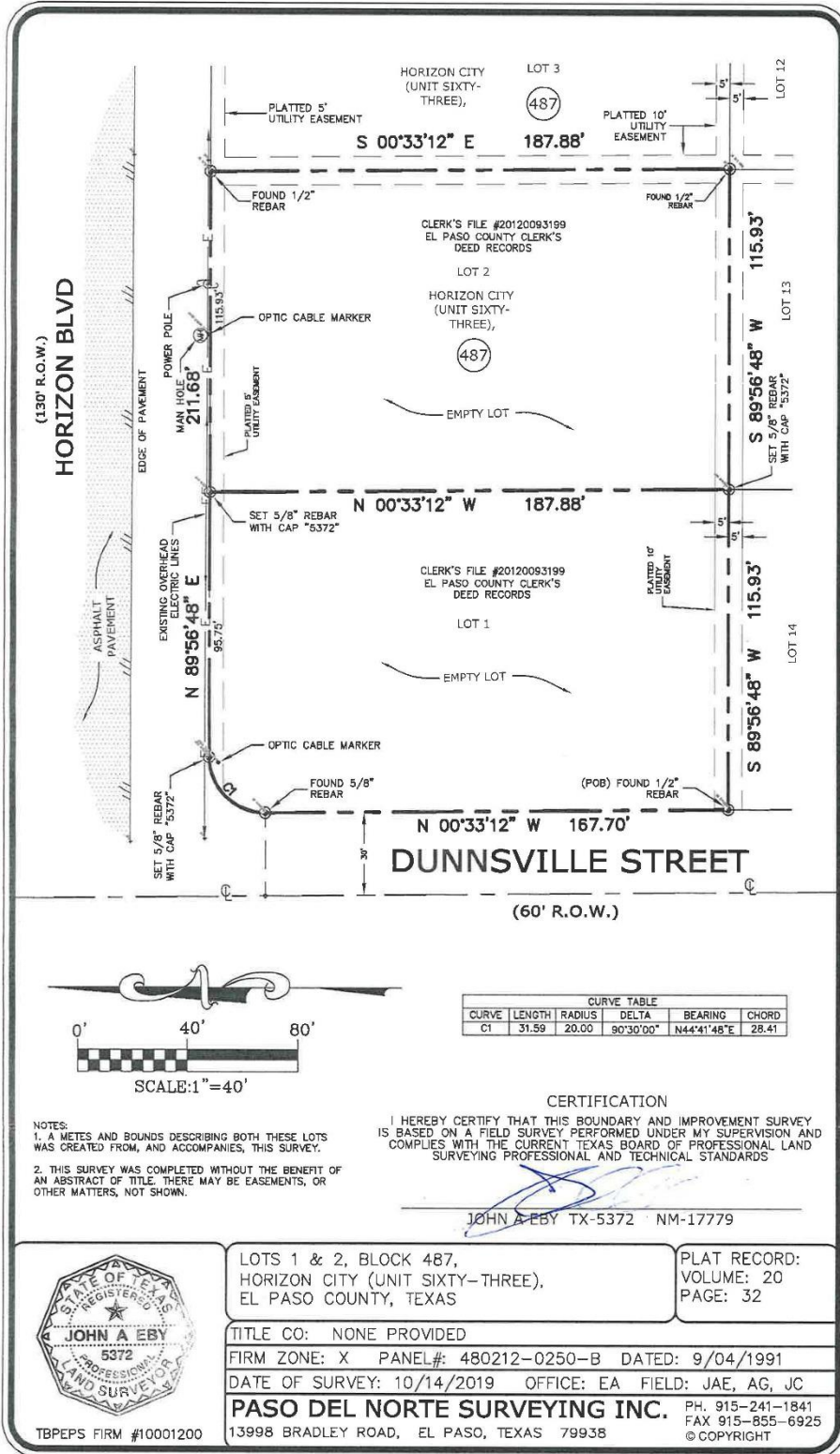
Attachment 3: Future Land Use Map

Future Land Use Map



*A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

Attachment 4: Survey with Metes and Bounds (Lot 1 & 2)



PROPERTY DESCRIPTION

LOTS 1 & 2, BLOCK 487, HORIZON CITY UNIT SIXTY THREE

Description of a parcel of land being Lots 1 & 2, Block 487, Horizon City Unit Sixty Three, El Paso County, Texas, map of said Horizon City Unit Sixty Three recorded in Plat Book 20, Page 32, El Paso County Clerk's Records, El Paso County, Texas and also being a combination of those parcels recorded in Clerk's File No. 20120093199 and Clerk's File No. 20140029621, El Paso County Clerks Records, and described as follows;

Beginning at a 1/2" rebar found at the southwest corner of said Lot 1, Block 487, Horizon City Unit Sixty Three, and lying on the east ROW of Dunnsville Street (60' wide unimproved ROW), from which a 1/2" rebar found at the southeast corner of said Lot 2 lies North 89°56'48" East a distance of 231.86' (bearing basis), and being the "Point Of Beginning";

Thence, with said east R.O.W. of Dunnsville Street, North 00°33'12" West a distance of 167.70' to a 5/8" rebar found for the point of curvature of this parcel;

Thence, with the arc of a curve to the right a distance of 31.59', having a central angle of 90°30'00", a radius of 20.00' and a chord that bears North 44°41'48" East a distance of 28.41' to a 5/8" rebar with cap stamped "5372" set on the south ROW of Horizon Boulevard (130' wide);

Thence, with said south R.O.W. of Horizon Boulevard, North 89°56'48" East a distance of 211.68' to a 1/2" rebar found at the northeast corner of said Lot 2;

Thence, with the east lot line of said Lot 2, South 00°33'12" East a distance of 187.88' to said 1/2" rebar found at the southeast corner of Lot 2;

Thence, with the south boundary line of said Lots 1 & 2, South 89°56'48" West a distance of 231.86' to the "Point Of Beginning" and containing 43,472 sq. ft. or 0.9980 acres.

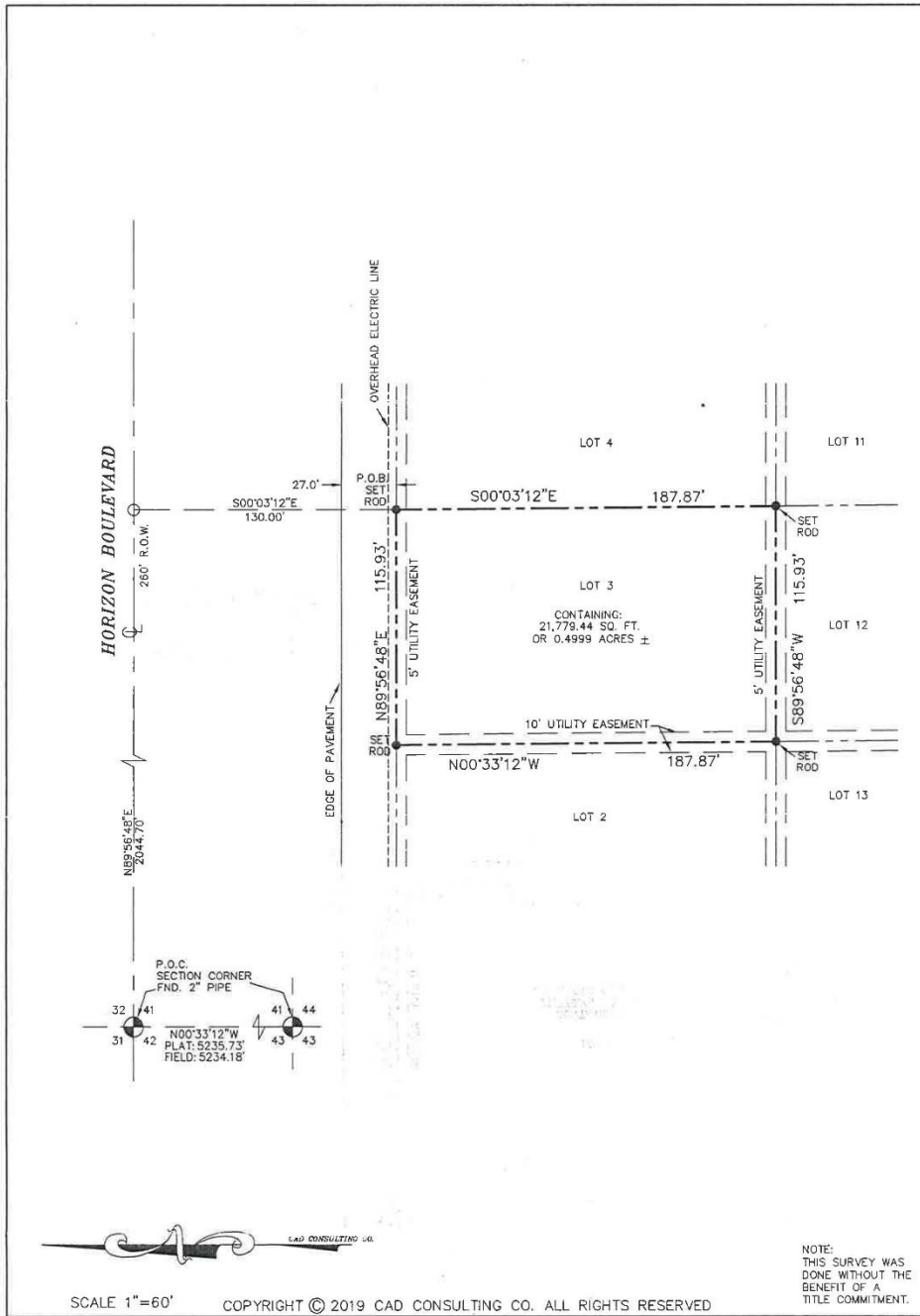
Based on a field survey performed under my supervision and dated 10/14/2019.


John A. Eby, Texas R.P.L.S. 5372 NM PLS 17779

Paso Del Norte Surveying Inc.
13998 Bradley Road
El Paso, TX. 79938
915-241-1841
TBPEPS FIRM #10001200



Attachment 5: Survey with Metes and Bounds (Lot 3)



<p>CERTIFICATION</p> <p>I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY SURVEY WAS MADE ON THE GROUND AND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THAT THERE ARE NO ENCROACHMENTS KEPT AS SHOWN HEREON.</p> <p>2020</p> <p>CAD CONSULTING COMPANY</p> <p>CARLOS M. JIMENEZ R.P.L.S. No. 3950</p>	<p>JOB # 19-1791 DATE: 09-25-19 FIELD: JM OFFICE: JR FILE: NET:\JORGE\2019\19-1791</p>
	<p>LOCATED IN ZONE x PANEL # 480212-0250-B DATED 09-04-91</p>
	<p>RECORDED IN VOLUME 20 PAGE 18 , PLAT RECORDS, EL PASO COUNTY, TX</p>
<p>FIRM# 10099300</p>	<p>HORIZON BOULEVARD LOT 3, BLOCK 487 (SEE EXHIBIT "A") HORIZON CITY UNIT SIXTY THREE EL PASO COUNTY, TEXAS</p> <p>CAD CONSULTING COMPANY 1790 LEE TREVINO DRIVE SUITE 503 EL PASO, TEXAS 79936 (915) 633-6422</p>

Lot 3, Block 487,
Horizon City Unit Sixty Three,
El Paso County, Texas
September 25, 2019

METES AND BOUNDS DESCRIPTION
Exhibit "A"

FIELD NOTE DESCRIPTION of Lot 3, Block 487, Horizon City Unit Sixty Three, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a found 2" pipe located at the common section corner of Sections 31, 32, 41 and 42, Texas and Pacific Railroad Company Surveys, same being the centerline intersection of Horizon Boulevard and Antwerp Drive; **THENCE**, leaving said common section corner and centerline intersection and along the common section line of Sections 32 and 41 and the centerline of Horizon Boulevard, North 89°56'48" East, a distance of 2044.70 feet to a point; **THENCE**, leaving said common section line and centerline of Horizon Boulevard, South 00°03'12" East, a distance of 130.00 feet to a set iron rod for corner at the southerly right-of-way line of Horizon Boulevard and the **POINT OF BEGINNING** of the herein described parcel;

THENCE, leaving said southerly right-of-way line of Horizon Boulevard, South 00°03'12" East, a distance of 187.87 feet to a set iron rod for corner at the common boundary corner of Lots 3, 4, 11 and 12;

THENCE, leaving said common boundary corner, South 89°56'48" West, a distance of 115.93 feet to a set iron rod for corner;

THENCE, North 00°33'12" West, a distance of 187.87 feet to a set iron rod for corner at the southerly right-of-way line of Horizon Boulevard;

THENCE, along said southerly right-of-way line of Horizon Boulevard, North 89°56'48" East, a distance of 115.93 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 21,779.44 square feet or 0.4999 acres of land more or less.

CAD Consulting Co.
1790 Lee Trevino Drive, Suite 503
El Paso, Texas 79936
(915) 633-6422
I:\M&B\2019\19-1791.wpd

Attachment 6: Application (Lots 1 & 2)



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: Horizon Growth Properties, LLC
 5336 Corinthian Bay Drive, Dallas, Texas 75093
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant Horizon Growth Properties, LLC Is applicant also the Owner? Yes No
 Contact Person Terry McLachlan
 5336 Corinthian Bay Drive, Dallas, Texas 75093
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

3. PARCEL ONE
 Site Address/Location Unit 63 Horizon Boulevard
 Legal Description: Lot 1, Block 487, Horizon City (Unit Sixty Three) an addition to El Paso County, Texas
 (Lot) (Block) (Subdivision Name)

PARCEL TWO
 Site Address/Location Unit 63 Horizon Boulevard
 Legal Description: Lot 2, Block 487, Horizon City (Unit Sixty Three) an addition to El Paso County, Texas
 (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? Owner intends to sell to neighboring landowner which will build a commercial structure on Lots 1-2 & adjacent tracts

5. Land's Present Use: N/A - vacant lots; Lot 1 .4980 acres; Lot 2 .4999 acres Zone _____
 Land Vacant Lot size _____ Structure Structure's size _____ Last known date the structure was occupied? _____
 Land's Proposed Use: future site of a funeral home Proposed Zone Use commercial

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 [Signature]

6. Signatures: [Signature] Terry McLachlan, Manager
 (OWNER'S SIGNATURE) (OWNER'S PRINTED NAME)

[Signature] Terry McLachlan, Manager
 (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: _____
 P&Z Scheduled Mtg. Date: _____
 City Council Scheduled Date: _____
 Application Received By: _____
 Date Application Rec'd: _____



ORDINANCE NO. _____

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING TWO PARCELS FROM R-2, RESIDENTIAL, TO C-2, COMMERCIAL, FOR COMMERCIAL USE, CONTAINING APPROXIMATELY .499 ACRES; BEING LOT 3, BLOCK 487, HORIZON CITY UNIT SIXTY THREE, EL PASO COUNTY, TEXAS, LOCATED SOUTH AND WEST OF THE INTERSECTION OF HORIZON BOULEVARD AND EASTLAKE BOULEVARD; 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; and

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

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; and

WHEREAS, the Planning and Zoning Commission has recommended that the zoning on the parcel of property be rezoned to C-2, Commercial; and

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; and

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

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

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

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

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; and

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

WHEREAS, the Town 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 R-2 (Residential) to C-2 (Commercial), within the meaning of the Zoning Ordinance, No. 0102, as amended, for approximately .499 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 _____, 2020, 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:

Bertha A. Ontiveros, Assistant City Attorney

First Reading: 09/15/2020
Second Reading: 10/13/2020



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: September 11, 2020

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

SUBJECT: On a Specific Use Permit (#SUP002447-2020) application request to approve the temporary placement of a trailer in an R-2 (Residential) zone, for a property legally described as a one acre, more or less, portion of Section 32, Block 78, Township 3, El Paso, County, Texas. (Property ID #60908). Application submitted by: Horizon Regional Municipal Utility District.

This application was originally scheduled to be presented to the Planning and Zoning Commission at their regular August 17, 2020 meeting; however, quorum was not obtained and the agenda items were rescheduled for a special meeting of the Commission on September 14, 2020. Therefore, the recommendation from the Planning and Zoning Commission will be presented to the City Council at their special meeting on September 15, 2020.

Attached for your review is the staff report that will be presented to the Planning and Zoning Commission.



TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report

Case No.: SUP-002447-2020
Application Type: Specific Use Permit
P&Z Hearing Date: August 17, 2020
Staff Contact: Michelle Padilla, Planning Director
[915-852-1046 ext.105](tel:915-852-1046); mpadilla@horizoncity.org

Address/Location: Northside of Horizon Blvd. Approximately .33 miles west of Eastlake Blvd.
Legal Description: One-acre tract described as a portion of Section 32, Block 78, Township 3, El Paso County, Texas
Property ID: 60908 (parcel is not platted)
Acreage: Approximately 1 Acre
Existing Use: HRMUD's Elevated Water Tank
Existing Zoning: R-2 (Residential)
Request: Specific Use Permit in an R-2 zone is to allow for a temporary trailer on a residentially zoned parcel
Owner: Horizon Regional Municipal Utility District (District)
Applicant: TRE & Associates, Linda Troncoso

Surrounding Zoning and Land Use:

North: R-2 (Residential)-Single Family Units
South: R-2 (Residential) and C-1 & C-2 Commercial (Recently Rezoned)
East: R-2 (Residential)-Single Family Units
West: R-2 (Residential)-Single Family Units

Future Land Use Designation: Commercial Use
Nearest Park: David Ortiz Park
Nearest School: Horizon High School

Application Description:

This case was not presented or acted on at the regular August 17, 2020 Planning and Zoning Commission Meeting due to lack of quorum.

The applicant is requesting a Specific Use Permit to allow for the temporary placement of a trailer within the fenced area of the District's existing elevated storage water tank which is currently zoned R-2 (Residential).

Although this request does not specifically meet the allowable uses by Specific Use Permit within a residential zone, it does closely fall within the allowable accessory uses described in Section 807.1 of the Zoning Ordinance (Exhibit A to Chapter 14 of the Municipal Code). Section 807.1.K allows for a temporary structure, including mobile units, to be placed on

property that is within a development and requires that they be removed upon completion of the construction of the development or at the end of a two-year period from the time of placement of the temporary unit, whichever comes sooner.

This temporary placement of the trailer is being requested in conjunction with the District's future bond issuance for the surrounding future development.

Given the uniqueness of this request, staff recommended that a Specific Use Permit be requested in order to specify what is being requested and to place a timeframe on the use, should it be approved. A similar request was made for the Rancho Desierto Bello Development in 2018.

Notice:

In accordance with Section 211.007 of the Texas Local Government Code, notices of the August 17, 2020 public hearing were sent to those property owners within 200 feet of the subject property on July 31, 2020.

To date, staff has not received any correspondence in support nor in opposition of the request.

Staff Recommendation:

Staff recommends **approval** of the request for a Specific Use Permit for placement of a temporary trailer in a residential zone with the following conditions:

1. The temporary unit shall be removed from the property not later than November 23, 2020.
2. The temporary unit shall be placed on a paved or cemented area.
3. Platting the parcel is recommended for the issuance of an official address.

Planning Comments:

Should building permits be required, the property will be required to be platted in accordance with the City's Municipal Code.

Building Official Comments:

If the temporary trailer is designed to be mobile and has self-contained water & septic tanks, no permits will be required. However, if the temporary trailer or mobile home requires water or sewer connections, permits will be required.

Shaping Our Horizon 2030 – Future Land Use Map Designation:

The Future Land Use Map designates this area as Commercial, the land use classification includes related accessory and ancillary uses.

Options available to the Planning and Zoning Commission:

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

1. Recommend approval of the request for Specific Use Permit in an R-2 Zoning District as stated.

2. Recommend approval of the request for Specific Use Permit in an R-2 Zoning District as stated, including any modifications to bring the Specific Use Permit into conformance with the Horizon City Municipal Code and Shaping Our Horizon 2030: Comprehensive and Strategic Plan.
3. Recommend denial of the Applicant's request for Specific Use Permit finding that it is not in conformance with the Horizon City Municipal Code and/or Shaping Our Horizon 2030: Comprehensive and Strategic Plan.

Attachments:

Attachment 1 – Zoning Designation

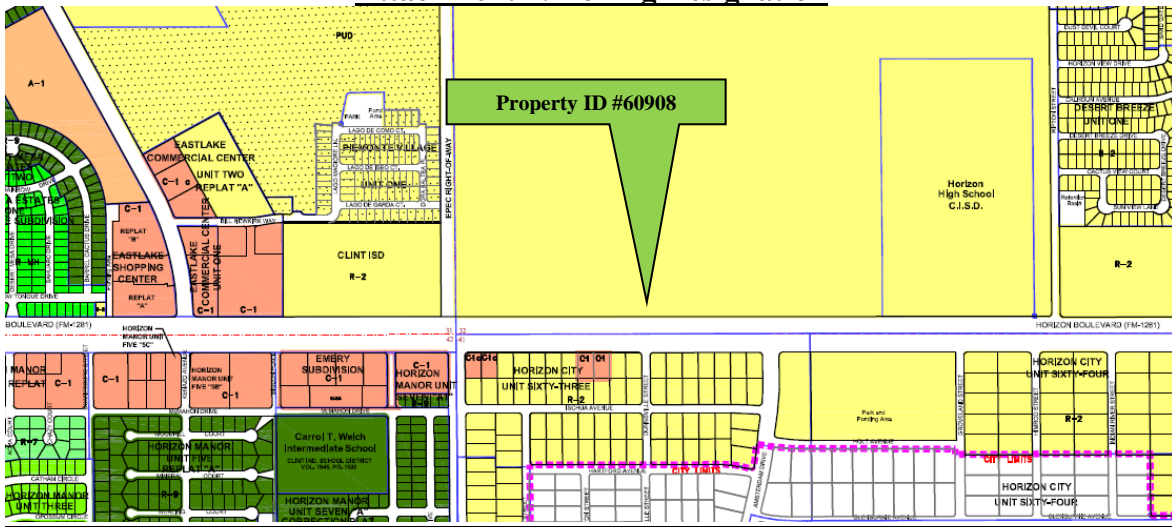
Attachment 2 – Aerial

Attachment 3 – Site Plan

Attachment 4 – Letter from Applicant

Attachment 5 – Application

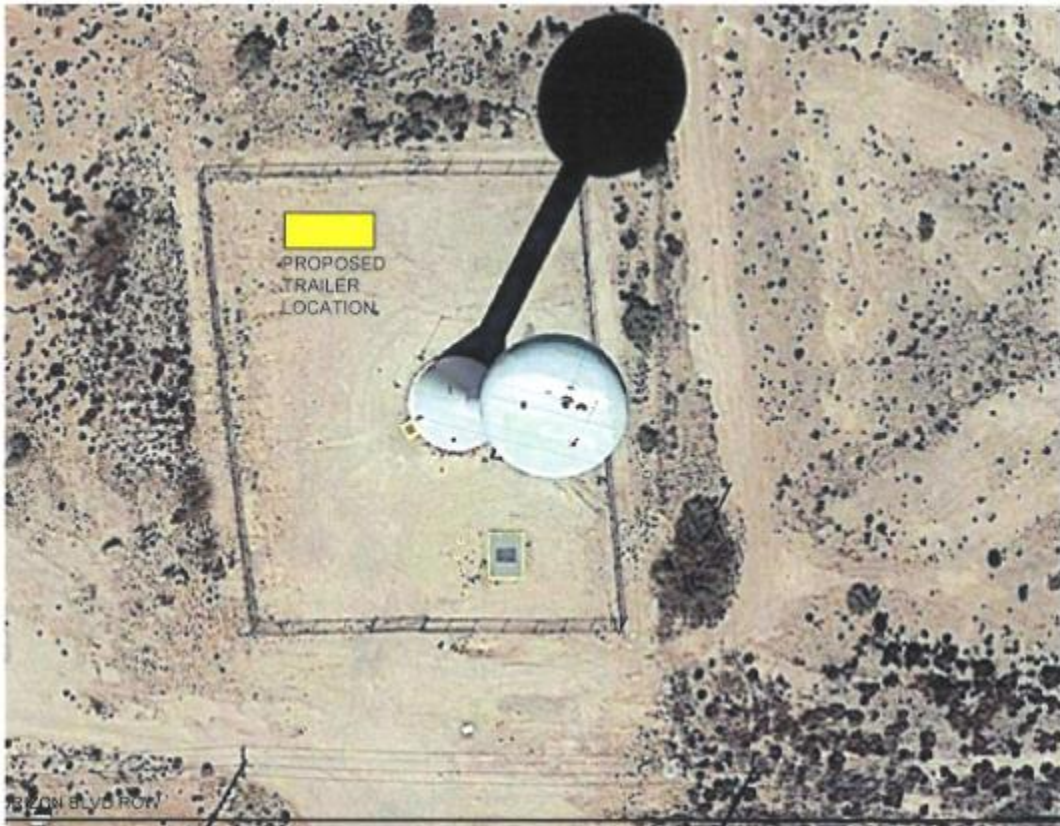
Attachment 1: Zoning Designation



Attachment 2: Aerial



Attachment 3: Site Plan



Attachment 4: Applicant's Letter



Engineering Solutions

July 24, 2020

Ms. Michelle Padilla
Planning Director
Town of Horizon City
14999 Darrington Road
Horizon City, Texas 79928

**Re: Special Use Permit for 14351 Horizon Boulevard, Horizon City, Texas 79928
Use Description**

Dear Ms. Padilla:

Horizon Regional Municipal Utility District, the property owner of 14351 Darrington Road, Horizon City, Texas, is respectfully requesting the ability to place a trailer (recreational vehicle) within the fenced area of the District's Elevated Storage Tank Number 1 facility. The trailer will be utilized by a temporary resident for the purposes of conducting an election to create a Defined Area within the limits of Horizon Regional Municipal Utility District's boundary limits. The resident will be housed at this location from mid-September 2020 through the November 3, 2020 election. We anticipate removal of the trailer by November 23, 2020.

This property is a 1 acre tract of land situated in Section 32, Block 78, Township 3, Texas and Pacific Railway Company Survey. Should you have any questions, Please do not hesitate to contact me at 915-852-9093.

Sincerely,

TRE & Associates, LLC

A handwritten signature in black ink, appearing to read 'Linda C. Troncoso', written in a cursive style.

Linda C. Troncoso, P.E.
President

Cc: Mr. Carlos McGinnis; Horizon Regional Municipal Utility District

110 Mesa Park Drive, Ste. 200 El Paso, Texas 79912 P (915) 852-9093 F (915) 629-8506
5101 W. Courtyard Drive, Bldg. One, Ste. 100 Austin, Texas 78730 P (512) 358-4049 F (512) 366-5374
www.tr-eng.com T8PE Firm No. 13987

Attachment 5: Application

SUP-002447-2020



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

SPECIFIC USE PERMIT APPLICATION

1. **Property Owner of Record:** Horizon Regional Municipal Utility District

14100 Horizon Boulevard, Horizon City, Texas 79928 915-852-3917 Carlos.McGinnis@inframark.com
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

2. **Applicant** Horizon Regional Municipal Utility District Is applicant also the Owner? Yes No
 Contact Person Linda C. Troncoso, P.E. (TRE & Associates, LLC) Is applicant also the Contractor? Yes No

110 Mdsa Park Drive, Suite 200, El Paso, Texas 79912 915-852-9093 ltroncoso@tr-eng.com
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

3. **Contractor**

(ADDRESS) (ZIP) (PHONE) (EMAIL)

4. **Site Address/Location** 14351 Horizon Boulevard, Horizon City, Texas 79928

Legal Description: A one acre portion of Section 32, Block 78, Township 3, El Paso County, Texas *(Property ID # 60908)*
 (Lot) (Block) (Subdivision Name)

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

5. Briefly explain why you request a Specific Use Permit? The request is to place a trailer on site at the Elevated Storage Tank No. 1 property.

6. **Land's Presents Use:** Utility (Elevated Storage Tank) Zone R-2
 Land Vacant Lot size _____ Structure Structure's size _____ Last known date the structure was occupied? _____
Land's Proposed Use: Utility (Elevated Storage Tank) Proposed Zone Use R-2

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

Schedule appointment with Building Official

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

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

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

 Building Official Signature Date

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

8. Signatures: _____
 (OWNER'S SIGNATURE)

_____ *(Signature)*
 (APPLICANT'S SIGNATURE)

Gordon L. Jarvis, President
 (OWNER'S PRINTED NAME)

Linda C. Troncoso
 (APPLICANT'S PRINTED NAME)

FEES:

EL PASO TIMES PUBLISHING FEE	APPROXIMATELY \$280
ENGINEER FEES	\$60 PER EACH 1/2 HOUR

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

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

ORDINANCE NO. _____

BUDGET FOR FISCAL YEAR 2020-2021

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

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

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

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

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

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

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

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

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

1. FINDINGS OF FACT

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

2. ENACTMENT

- A. The Town of Horizon City's budget for Fiscal Year 2020-2021 shall read in accordance with *Attachment "A"*, which is attached hereto and incorporated into this Ordinance for all intents and purposes.
- B. The Street Fund, effective October 1, 2013 and reauthorized on November 7, 2017, is derived from Sales Tax revenue designated for making repairs and accomplishing maintenance and repair of streets existing within the Town of Horizon City as of November 2, 2010. Such funding shall be allocated and expended as provided by state statute.
- C. The Economic Development Fund, effective October 1, 2013, is derived from Sales Tax revenue designated for use by the Horizon City Type 4B Economic Development Corporation as operating and project funding in accordance with Chapter 505 of the Local Government Code. The Mayor is authorized to transfer funds in the Economic Development Fund to the Horizon City Type 4B Economic Development Corporation for the use by the Corporation as needed and appropriate, or to direct the expenditure of the funds on behalf of the Corporation in accordance with the Corporation's directives.
- D. The Mayor is hereby authorized to administratively make all necessary budget and fund transfers in conjunction with reimbursements made to the City by the Horizon City Type 4B Economic Development Corporation for the provision of City services to the Corporation.
- E. Department Heads are hereby authorized to make administrative budget transfers not to exceed Ten Thousand Dollars (\$10,000), provided that each transfer is within the same department. A budget transfer for personal services appropriations, capital acquisition appropriations, or impacting revenue accounts requires the approval of the Mayor.
- F. The Mayor is hereby authorized to make administrative budget transfers not to exceed Twenty-five Thousand Dollars (\$25,000) between departments and/or funds, to the extent permitted by law.
- G. Budget transfers not exceeding Fifty One Hundred Thousand Dollars (\$5100,000) may be authorized by a motion or resolution of the City Council at the same time as and in conjunction with the approval of any expenditure to include a contract, purchase order or other authorization to procure goods or services.
- H. The Mayor or his designee is hereby authorized to administratively establish budgets for grants and similar awards when the applications or agreements relating to the grant or award have been approved by the City Council.

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

~~I.~~ J. The Building Services Technology Fund is hereby established, and the Mayor or designee is authorized to deposit into a separate fund in the city treasury administered by or under the direction of the city council the Technology fee surcharge added to all building permits that are assessed and collected, which fee was authorized by the City Council Resolution on June 12, 2018 to enable the Building Services Department to collect a specified amount for the purpose of maintaining and upgrading their technology for the issues of permits and related Building Services.

3. FILING OF THE BUDGET

The City Clerk shall attach any required cover page to the adopted budget, file the budget in her office, and post a copy of the budget, including the cover page, on the website of the Town of Horizon City. The City Clerk shall post the record vote on the budget on the website until September 15, 2021

or such date as the budget for the next fiscal year has been approved by the City Council.

4. REPEALER

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

5. SEVERABILITY

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

6. EFFECTIVE DATE

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

7. PROPER NOTICE & MEETING

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

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

TOWN OF HORIZON CITY:

by: _____
Ruben Mendoza, Mayor

ATTEST:

Elvia Schuller, City Clerk

APPROVED AS TO FORM:

Bertha A. Ontiveros, Assistant City Attorney

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

NOTICE OF PUBLIC HEARING ON TAX INCREASE

A tax rate of 0.602607 per \$100 valuation has been proposed by the governing body of THE TOWN OF HORIZON CITY.

PROPOSED TAX RATE	\$0.602607 per \$100
NO-NEW REVENUE TAX RATE	\$0.592190 per \$100
VOTER-APPROVAL TAX RATE	\$0.602607 per \$100
DE MINIMIS RATE	\$0.642459 per \$100

The no-new-revenue tax rate is the tax rate for the 2020 tax year that will raise the same amount of property tax revenue for THE TOWN OF HORIZON CITY from the same properties in both the 2019 tax year and the 2020 tax year.

The voter-approval tax rate is the highest tax rate that THE TOWN OF HORIZON CITY may adopt without holding an election to seek voter approval of the rate, unless the de minimis rate for THE TOWN OF HORIZON CITY exceeds the voter-approval tax rate for THE TOWN OF HORIZON CITY.

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate for THE TOWN OF HORIZON CITY, the rate that will raise \$500,000, and the current debt rate for THE TOWN OF HORIZON CITY.

The proposed tax rate is greater than the no-new-revenue tax rate. This means that THE TOWN OF HORIZON CITY is proposing to increase property taxes for the 2020 tax year.

A public hearing on the proposed tax rate will be held on September 15, 2020 at 6:30 PM at Clint ISD Central Office Board Room 14521 Horizon Blvd Horizon City Texas 79928.

The proposed tax rate is not greater than the voter-approval tax rate. As a result, THE TOWN OF HORIZON CITY is not required to hold an election at which voters may accept or reject the proposed tax rate. However, you may express your support for or opposition to the proposed tax rate by contacting the members of the City Council of THE TOWN OF HORIZON CITY at their offices or by attending the public meeting mentioned above.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS FOLLOWS:

$$\text{property tax amount} = (\text{tax rate}) \times (\text{taxable value of your property}) / 100$$

The members of the governing body voted on the proposed tax increase as follows:

FOR:

Alderman Walter Miller
 Alderman Jerry Garcia
 Alderman John Duran
 Alderman Samantha Corral

Alderman Charlie Ortega
 Alderman Andy Renteria
 Alderman Rafael Padilla

AGAINST:

None

PRESENT and not voting:

Mayor Ruben Mendoza

ABSENT:

None

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

The following table compares the taxes imposed on the average residence homestead by THE TOWN OF HORIZON CITY last year to the taxes proposed to be imposed on the average residence homestead by THE TOWN OF HORIZON CITY this year:

	2019	2020	Change
Total Tax Rate (per \$100 of value)	\$0.595340	\$0.602607	<i>increase of</i> \$0.007267 OR 1.22%
Average homestead taxable value	\$121,544	\$122,509	<i>increase of</i> 0.79%
Tax on average homestead	\$724	\$738	<i>increase of</i> \$15 OR 2.02%
Total tax levy on all properties	\$5,482,547	\$5,632,124	<i>increase of</i> \$149,577 OR 2.73%

For assistance with tax calculations, please contact the tax assessor for THE TOWN OF HORIZON CITY at 915-212-0106 or citytaxoffice@elpasotexas.gov, or visit www.elpasotexas.gov/tax-office for more information.

**ORDINANCE NO. _____
2020 TAX LEVY ORDINANCE**

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

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

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

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

WHEREAS, a notice of the hearing on a proposed tax levy was published in the Town’s official newspaper on September 3, 2020, and hearings on the proposed tax levy were held on September 13, 2020 as noticed.

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

1. APPROVAL OF 2020 TAX RATE AND LEVY

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

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

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

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

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

AND

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.50 PERCENT (3.50%) AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$13.65.

2. ASSESSMENT AND COLLECTION OF TAXES; PENALTIES AND INTEREST

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

3. FINDINGS OF FACT

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

4. SEVERABILITY CLAUSE

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

5. SAVINGS CLAUSE

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

6. PUBLICATION CLAUSE

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

7. EFFECTIVE DATE

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

8. PROPER NOTICE & MEETING

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

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

TOWN OF HORIZON CITY, TEXAS:

by: _____
Ruben Mendoza, Mayor

ATTEST:

Elvia Schuller, TRMC, City Clerk

APPROVED AS TO FORM:

Bertha A. Ontiveros, Assistant City Attorney

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

**ORDINANCE NO. 0255
AMENDMENT NO. 03**

AN ORDINANCE AMENDING ORDINANCE NO. 0255 (AMENDMENT NO. 03) OF THE TOWN OF HORIZON CITY, ADOPTING THE MUNICIPAL BUDGET FOR THE 2019-2020 FISCAL YEAR, TO ALLOW FOR THE BUDGETING AND EXPENDITURE OF FUNDS FOR TRANSIT ORIENTED DEVELOPMENT PROJECT AND TAX INCREMENT REINVESTMENT ZONE PRELIMINARY PLANNING; AND PROVIDING FOR REPEALER AND SEVERABILITY CLAUSES.

- WHEREAS**, an Ordinance was enacted on the 10th day of September 2019, which adopted a budget for the fiscal year of October 1, 2019 to September 30, 2020 for the Town of Horizon City; and
- WHEREAS**, an amendment to the Ordinance (Amendment No. 01) was enacted on November 19, 2020 to amend said budget for municipal purposes to add the transfer of Prior Year Fund Surplus (Net Excess Revenues from FY2019 Budget) funds to increase by \$88,000 for Building Maintenance, Budgeting Software and General Contingency; and
- WHEREAS**, the Town of Horizon City has approved those certain municipal facilities (“Municipal Facilities”) on May 9, 2018 in the 2018 Capital Improvement Program which will be funded by additional public finance issuances and other available funding through future issuances; and
- WHEREAS**, an amendment to the Ordinance (Amendment No. 02) was enacted on May __, 2020 to amend said budget for municipal purposes to add the transfer of budget of Contingency Funds from FY2019-2020 Budget to increase the available funds by \$100,000 for Property Acquisition for the Municipal Facilities.
- WHEREAS**, it is now necessary to amend said budget for municipal purposes to add the transfer of funds from Public Services in the FY2019-2020 Budget to increase the available funds by \$88,000 for the City Engineer – Contracted line item in the Development Services Department Budget for the services relating to the Transit Oriented Development Project and Tax Oriented Reinvestment Zone preliminary planning services, as this funding and expenditures necessary to provide these services were not included in the budget.

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

1. FINDINGS OF FACT

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

2. BUDGET AMENDMENT

That funds shall be transferred, as set forth in Attachment A, for the above-stated purpose.

3. REPEALER

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

4. 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.

5. PROPER NOTICE & MEETING

This budget amendment shall be in file with the City Clerk for public inspection. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this, the ____ day of _____, 2020, by a vote of ____ (ayes) to ____ (nays) to ____ (abstentions) of the City Council of Horizon City, Texas.

TOWN OF HORIZON CITY:

by: _____
Ruben Mendoza, Mayor

[Signatures continued on following page]

ATTEST:

Elvia Schuller, City Clerk

APPROVED AS TO FORM:

Bertha A. Ontiveros, Assistant City Attorney

First Reading: September 1, 2020

Second Reading: September 15, 2020

DRAFT

MEMORANDUM

TO: Honorable Mayor Mendoza and Council Members

FROM: Pat Randleel, Finance Director

CC: File

DATE: August 19, 2020

RE: BUDGET FY2020 TRANSFER REQUEST - TIRZ

I am requesting to transfer, from one specific line item in the FY2020 General Fund Budget to another line item, the amount of **\$88,000** for expenses related to the development of the Tax Increment Reinvestment Zone 2020. These expenses will cover the cost of professional services. Due to planning delays with the County of El Paso, the funds will not be needed in FY2020

The amount is available line item 01-502-5105 Mass Transit. The amount of this line item can be reallocated as the purpose for which it was designated will not be fully realized until FY2021. Attached is the transfer memo indicating the "From" and "To" accounts.

MEMORANDUM

TO: Mayor Ruben Mendoza
FROM: Pat Randleel
DATE: August 19, 2020
RE: Request for Line Item Transfer of Budget Funds

As allowed by the City Charter, I am requesting a transfer of the following budgeted funds from the Public Service -Mass Transit line to the Planning . City Engineer line. The transfer is needed in order to facilitate the necessary work to develop the Town's Tax Increment Reinvestment Zone 2020.

From	Amount	To	Amount
01-502-5105	88,000.00	01-509-5160	88,000



August 19,2020

Department Head

Date



11675 Jollyville Road
Suite 300
Austin, Texas 78759

Phone: (512) 250-0411
Fax: (512) 250-0749
TexasMunicipalLawyers.com

August 31, 2020

Mayor Ruben Mendoza
Town of Horizon City

Mayor Dora Aguirre
Town of Clint

SUBJECT: Joint Representation

Mayor Mendoza and Mayor Aguirre:

It is my understanding that your two entities want to engage our law firm to represent you jointly regarding the project known as the *Interlocal Agreement regarding Vector Services*. As you know, our firm has long served as City Attorney for the Town of Clint and also for the Town of Horizon City.

Conditions. Although it is not common for a law firm to represent more than one party in a transaction, dual representation is permitted by professional ethics guidelines as long as *two conditions* are met.

First, the law firm must conclude, after a good-faith self-evaluation, that the law firm can adequately represent the interests of each client. The multiple representation should not adversely affect the attorney's independent professional judgment on behalf of any client. Second, all clients must consent to the multiple representation after full disclosure is given by the law firm.

The first condition has been satisfied because I believe that this firm can adequately represent each of you (although I hope you understand that we must reserve the right to withdraw from this dual representation if later events cause me in good faith to reach a different conclusion). This letter is intended to fulfill the second requirement mentioned above, that of disclosure and consent. Accordingly, I will review some of the possible effects that dual representation may have on you.

Conflicts of Interest. If I determine that, because of differences between the parties, I can no longer represent each of you impartially, I will inform you of the conflict, and I must then withdraw (at least partially) from representation. If this occurs, we will need to reassess the situation to determine how best obtain independent, outside counsel for one (or both) parties.

You would, of course, be responsible for payment of all accrued legal fees and any outstanding expenses up to the point we are replaced (if at all).

Scope of Representation. In regards to the Interlocal Agreement for Vector Services for which this Joint Representation will apply, our firm will be advising both entities regarding such areas of interlocal agreement for vector services, and related municipal services. The primary lawyer for our firm assigned to Horizon City for this limited time project is *Elaine Hengen*. The primary lawyer for our firm assigned to Horizon City for this limited time project is *Bertha Ontiveros*. *Bertha Ontiveros and Chris Gad* will continue to work primarily on general, City Attorney / Municipal Court matters.


Judgment Calls. In all real estate and development transactions, there are occasions they require our professional judgment in representing your sometimes-competing interests. There are of course potential problems that might develop in which your governing bodies may differ on which course to take or which potential outcome is preferable. Although we assure you that we will try to act as fairly as possible in judgment-call matters, it is certainly possible that one of you may not concur with my judgment. We will strive to keep you both informed throughout this process and to assist you in working together to achieve the best mutual outcomes.

Confidential Information. During the course of any representation, a lawyer generally becomes aware of confidential information regarding the client. Although I assure you that we will try to act discreetly within the bounds of fair dealing, it is certainly possible that either or both of you would prefer to eliminate any possibility of having your confidential information known by an attorney who is also representing the other party. Furthermore, neither of you will be protected by the attorney-client privilege concerning any information disclosed to me or another lawyer in this firm during our representation. The general rule is that, as between commonly represented clients, the privilege does not prevent mutual disclosure among the jointly-represented parties. Thus, confidential information that would be protected by the attorney-client privilege if we represented only one of you can be disclosed to the other party.

Of course, we would have declined the dual representation before now if we had not already concluded that we can adequately represent both of you in this transaction; however, we also understand that you may feel differently. Therefore, I would appreciate your giving careful thought to the matters discussed in this letter. If you consent to the multiple representation, please sign in the space below and return this letter to me. You should keep a copy of this letter for your records. I will be happy to answer any questions you might have.

Standard Terms of Engagement. The Town of Clint and the Town of Horizon City have already executed an agreement engaging our firm for general City Attorney services that predate this project (and will continue to govern our relationship afterward).

Sincerely,


Alan Bojorquez
Attorney at Law

TOWN OF HORIZON CITY:

Ruben Mendoza, Mayor

TOWN OF CLINT:

Dora Aguirre, Mayor