



**HORIZON CITY**

**Incorporated 1988**

**AGENDA  
PUBLIC MEETING  
REGULAR CITY COUNCIL MEETING  
THE TOWN OF HORIZON CITY, TEXAS  
Tuesday, February 14, 2023, 5:30 PM**

Notice is hereby given that a Regular City Council Meeting of the Town of Horizon City, Texas will be held on **Tuesday, February 14, 2023 at 5:30 PM** at City Council Chambers Room, 15001 Darrington Road, Horizon City, TX 79928, at which time the following will be discussed and considered:

- 1. Call to order; Pledge of Allegiance; Establishment of Quorum**
- 2. PRESENTATION:**  
Mayor/Congresswoman Veronica Escobar  
Regarding FY2023 Community Project Funding - Congresswoman Veronica Escobar (TX-16).
- 3. 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.*

- 4. Approval of Minutes from:** **4**  
Mayor/City Clerk  
1/10/2023 Regular City Council Meeting.
- 5. Discussion and Action:** **8**  
Mayor/CIP Manager  
On an update on the Capital Improvement Program.
- 6. Discussion and Action:** **30**  
Mayor/Planner  
On a request for an extension to submit the recording plat for Horizon Crossing Unit 3 in accordance with Section 4.11.2 - "Expiration of Final Plat Approval" of Subdivision Ordinance (No. 0035).
- 7. Discussion and Action:** **31**  
Mayor/Planner  
On the acceptance of the roadway and drainage improvements as constructed with the Rancho Desierto Bello Unit 15 Phase 2 subdivision for maintenance and to accept the required maintenance bond.
- 8. Discussion and Action:** **32**  
Mayor/Planner  
On a request for an extension to submit the recording plat for Horizon Town Center Unit 4 in accordance with Section 4.11.2 - "Expiration of Final Plat Approval" of Subdivision Ordinance (No. 0035).
- 9. Discussion and Action:** **33**  
Mayor/Public Works Director  
On the approval of the Town of Horizon City's Phase II MS4 Annual Report for the 2022 calendar year and authorize the Mayor to sign the report and transmittal letter, all to be submitted to the Texas Commission on Environmental Quality.
- 10. Discussion and Action:** **57**

Mayor/EDC Executive Director

On the appointment of Attorney, Jaimer Alvarado to the Horizon City Economic Development Corporation Board of Directors.

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

**12. Approval of Consent Agenda Items:**

**REGULAR AGENDA**

**13. Discussion and Action:**

**59**

Mayor/Centennial Lions Club Secretary

On resolution authorizing the Mayor to sign an Agreement between the Town of Horizon City, Texas and the El Paso Centennial Lions Club, Inc. for a Christmas Tree Lighting Ceremony on Dec. 1, 2023, and a Christmas Parade on Dec. 2, 2023, and under the terms of the Agreement, the City Council finds that the promotion and conducting of these events will provide cultural and recreational activities for the residents and visitors of the City and the City is willing to expend the funds to pay for the costs of the time for City staff and police, traffic control assistance, and cleanup costs for the events.

**14. Discussion and Action:**

**60**

Mayor/CIP Manager

On a resolution authorizing the Mayor to sign an Amendment to the Advance Funding Agreement for N. Darrington Reconstruction, CSJ 0924-06-608 to increase the project budget.

**15. Discussion and Action:**

**65**

Mayor/CIP Manager

On an update regarding pending capital projects and financing options.

**16. Discussion and Action:**

Mayor/City Clerk

On a proposal to consider the closure of City Hall and Courts Administrative offices on December 27, 28 & 29 2023.

**17. Discussion and Action:**

**68**

Mayor/Chief Vargas

On a presentation and acceptance of the annual 2022 police and racial profiling report.

**18. Executive Session**

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

Adjournment:

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

Dated this

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

I, the undersigned authority, hereby certify that the above notice of the Regular City Council Meeting of the Town of Horizon City, Texas is a correct copy of this notice, and that I posted this notice at least seventy-two (72) hours

preceding the scheduled meeting at the City Hall Bulletin Boards of the Town of Horizon City, Texas on this by 5:00 p.m.

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

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

**MINUTES  
AGENDA  
PUBLIC MEETING  
REGULAR CITY COUNCIL MEETING  
THE TOWN OF HORIZON CITY, TEXAS  
Tuesday, January 10, 2023, 6:00 PM**

Notice is hereby given that a Regular City Council Meeting of the Town of Horizon City, Texas was held on **Tuesday, January 10, 2023 at 6:00 PM**, at City Council Chambers Room, 15001 Darrington Road, Horizon City, TX 79928, at which time the following was discussed and considered:

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

Meeting called to order at 6:00 pm. 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. Approval of Minutes from:**

Mayor/City Clerk  
12/13/2022 Regular City Council Meeting.

**4. Discussion and Action:**

Mayor/CIP Manager  
On an update on the Capital Improvement Program.

**5. Discussion and Action:**

Mayor/EDC Executive Director  
On the appointment of Ruby Maldonado to the Horizon City Economic Development Corporation Board of Directors.

**6. Discussion and Action:**

Mayor/EDC Executive Director  
On the re-appointment of Dean Hulsey to the Horizon City Economic Development Corporation Board of Directors.

**7. Discussion and Action:**

Mayor/Planner  
On the recording plat application for Horizon Town Center Unit 2 Replat "A", legally described as being a Replat of Lots 4, 5, and 6, Block 25 Horizon Town Center unit Two Replat "A". Application submitted by: CAD Consulting.

**8. Discussion and Action:**

Mayor/Planner  
On the recording plat application for Horizon Town Center Unit 2 Replat "B", legally described as being a Replat of Lots 3, 4, and 5, Block 21 Horizon Town Center unit Two Replat "B". Application submitted by: CAD Consulting.

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

10. **Approval of Consent Agenda Items:**

A motion was made by Alderwoman Corral and seconded by Alderman Duran to pull item #4 from Consent and approve the remainder of the Consent Agenda. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

**REGULAR AGENDA**

4. **Discussion and Action:**

Mayor/CIP Manager

On an update on the Capital Improvement Program.

CIP Manager, Terry Quezada spoke regarding this item.

A motion was made by Alderwoman Corral and seconded by Alderman Duran to accept the update as presented. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

11. **Discussion:**

Mayor/ESD1 Fire Chief

On a presentation from the Emergency Services District #1 (ESD) on achieving an ISO Rating of 1 for the ESD's service area to include the Town of Horizon City.

El Paso County ESD1 Fire Chief, Kris Menendez spoke regarding this item.

12. **Discussion and Action:**

Mayor/EDC Executive Director

On a quarterly update of the Horizon City Economic Development Corporation.

EDC Executive Director, Eddie Garcia spoke regarding this item.

A motion was made by Alderman Duran and seconded by Alderman Renteria to accept the update as presented. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

13. **PUBLIC HEARING:**

Mayor/Planning Director

**2nd Reading of Ordinance No. 0102, Amendment No. 036,** An ordinance amending the Municipal Code of The Town of Horizon City, Texas, Chapter 14 (Zoning), Exhibit A (Zoning Ordinance), to revise and amend the following: Chapter 6 (General Commercial Districts), Section 602.2 (Bulk Standards) Subsection 602.2.2 (Setback Requirements), amending Table in C-1 (General Commercial) and C-2 (Heavy Commercial) Zoning Districts, front with parking and side abutting street with parking setback and Chapter 7 (Industrial Districts), Section 702.3 (Height and Bulk Standards), Subsection 702.3.1 (Minimum Setback Standards), adding tables in M-1 (Light Industrial) and M-2 (Heavy Industrial) Zoning Districts front and side with parking; and providing for the following: findings of fact; enactment; repealer; severability; codification; proper notice and hearing; and effective date; the penalty being as provided in section 810 of the Zoning Ordinance (No. 0102) of the Town of Horizon City, Texas, creating a misdemeanor punishable by a fine not to exceed \$2,000.00.

Planning Director, Michelle Garcia spoke regarding this item. No one from the public spoke.

**14. Discussion and Action:**

Mayor/Planning Director

**2nd Reading of Ordinance No. 0102, Amendment No. 036,** An ordinance amending the Municipal Code of The Town of Horizon City, Texas, Chapter 14 (Zoning), Exhibit A (Zoning Ordinance), to revise and amend the following: Chapter 6 (General Commercial Districts), Section 602.2 (Bulk Standards) Subsection 602.2.2 (Setback Requirements), amending Table in C-1 (General Commercial) and C-2 (Heavy Commercial) Zoning Districts, front with parking and side abutting street with parking setback and Chapter 7 (Industrial Districts), Section 702.3 (Height and Bulk Standards), Subsection 702.3.1 (Minimum Setback Standards), adding tables in M-1 (Light Industrial) and M-2 (Heavy Industrial) Zoning Districts front and side with parking; and providing for the following: findings of fact; enactment; repealer; severability; codification; proper notice and hearing; and effective date; the penalty being as provided in section 810 of the Zoning Ordinance (No. 0102) of the Town of Horizon City, Texas, creating a misdemeanor punishable by a fine not to exceed \$2,000.00.

A motion was made by Alderman Padilla and seconded by Alderwoman Corral to approve Ordinance No. 102, Amendment No. 36, amending the Municipal Code of The Town of Horizon City, Texas, Chapter 14 (Zoning), Exhibit A (Zoning Ordinance), to revise and amend the following: Chapter 6 (General Commercial Districts), Section 602.2 (Bulk Standards) Subsection 602.2.2 (Setback Requirements), amending Table in C-1 (General Commercial) and C-2 (Heavy Commercial) Zoning Districts, front with parking and side abutting street with parking setback and Chapter 7 (Industrial Districts), Section 702.3 (Height and Bulk Standards), Subsection 702.3.1 (Minimum Setback Standards), adding tables in M-1 (Light Industrial) and M-2 (Heavy Industrial) Zoning Districts front and side with parking. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

**15. Discussion and Action:**

Mayor/CIP Manager

Regarding pending capital projects and financing options.

CIP Manager, Terry Quezada spoke regarding this item.

A motion was made by Alderman Miller and seconded by Alderwoman Corral to accept the presentation and direct staff to move forward with the next steps to determine the fiscal impact of financing the priority projects, coordinate with bond counsel, financial advisors and other Horizon City staff and consultants, and develop the necessary documents to allow for the advertising and bidding of the Municipal Facilities Phase 1 (PD Headquarters, Council Chambers/Municipal Court and Public Works offices) project. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

**16. Discussion and Action:**

Mayor/Chief Vargas

Regarding a Resolution authorizing the Mayor to sign the Memorandum of Understanding between El Paso MHMR D/B/A Emergence Health Network and the Town of Horizon City for the Clinician-Officer Remote Evaluation ("CORE") Program.

Police Chief, Marco Vargas spoke regarding this item.

A motion was made by Alderman Duran and seconded by Alderman Renteria to accept the Resolution authorizing the Mayor to sign the Memorandum of Understanding between El Paso MHMR D/B/A Emergence Health Network and the Town of Horizon City for the Clinician-Officer Remote Evaluation ("CORE") Program. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

17. **Discussion and Action:**

Mayor/Asst. City Atty

On a Resolution ordering an election by the qualified voters of the Town of Horizon City, Texas on May 6, 2023 for the purpose of electing a Mayor and three Aldermen places 3, 5, and 7 to four-year terms.

Asst. City Atty, Sylvia Firth spoke regarding this item.

A motion was made by Alderman Miller and seconded by Alderman Renteria to approve the Resolution ordering an election by the qualified voters of the Town of Horizon City, Texas on May 6, 2023 for the purpose of electing a Mayor and three Aldermen places 3, 5, and 7 to four-year terms. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

18. **Discussion and Action:**

Mayor/Asst. City Atty

On the Contract for Election Services with the El Paso County Elections Administrator for the May 6, 2023, General Election.

Asst. City Atty, Sylvia Firth spoke regarding this item.

A motion was made by Alderman Miller and seconded by Alderwoman Corral to approve the Contract for Election Services with the El Paso County Elections Administrator for the May 6, 2023, General Election. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

19. **Discussion and Action:**

Mayor/Asst. City Atty

On the appointment of the election officials and election judges for the General Election on May 6, 2023.

Asst. City Atty, Sylvia Firth spoke regarding this item.

A motion was made by Alderman Duran and seconded by Alderman Quiroz to approve the appointment of the election officials and election judges for the General Election on May 6, 2023. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

20. **Executive Session**

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

**ADJOURNMENT**

A motion was made by Alderman Renteria and seconded by Alderman Duran to adjourn at 7:23 PM.

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

**Attest:**

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

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

# Town of Horizon City Capital Improvement Program

February 14, 2023  
Council Meeting

# Oxbow & Pawling Street Improvements

- Preparing contract documents
- Construction start in early 2023

# Municipal Facilities – Phase 1

- Part of FY 2023 CIP and Certificate of Obligation Issuance
- Preparing to advertise in March 2023
- Construction Award scheduled for summer 2023

# Municipal Facilities – Phase 1



Rendering from Exigo Architecture – December 2020

# Golden Eagle Park

## Construction

- Pump is operational as of late October 2022
- Construction elements deemed complete as of November 25, 2022
- Working on administrative project closeout

# Regional Park

- Preparing to appraise proposed park site
- Design for regional recreation facility is proposed as part of 2023 Certificate of Obligation Issuance

# Street Maintenance Fund

---

# 2022-2023 Street Maintenance Program

- City staff evaluating scope and estimates to determine final scope of work
- Design and bid preparation during spring 2023
- Construction mid-2023

# Federally- & State-Funded Project Updates

---

# N. Darrington Reconstruction

- Project scheduled for construction award in **FY 2023**
- Town staff continues working with TXDOT and design team to develop project
- Town staff and TXDOT working on Utility Coordination
- Transportation Policy Board has approved an additional \$4.5 million of federal funds to match current project estimate
- Amendment to Advance Funding Agreement (AFA) for additional funding to be considered by Council today
- ROW acquisition activities underway through CRRMA interlocal agreement

# N. Darrington Reconstruction – ROW Acquisition

- Offer letters sent to most property owners
- Researching contact information for 2 out-of-country property owners.

# Safety Projects

- **S. Darrington Safety Lighting** from Alberton to LTV Rd. – FY 2023
- **Project start – mid-2023**
- **N. Kenazo Safety Lighting** from Eastlake to Horizon Blvd. – FY 2022
- **Project start – April 2023**

**Delays in project starts are due to long lead times for lighting fixture poles.**

# Funding Updates

---

# November 2022 Submittals

<b>Project Name</b>	<b>Limits</b>	<b>FY</b>	<b>Requested Funding Amount</b>
<b>N. Darrington Reconstruction</b>	Eastlake Blvd. to Oxbow Drive	2023	\$ 4,500,000
<b>Dilley Road and Delake St. Construction</b>	Darrington Rd. to Rodman St.	2025	\$ 6,193,514
<b>Horizon City Transit Plaza</b>	Bordered by Darrington Rd. and Rodman St.	2025	\$ 3,299,196
<b>Horizon City to UTEP Express Route</b>	Horizon City to Glory Rd. Transit Terminal	2024	\$ 743,778

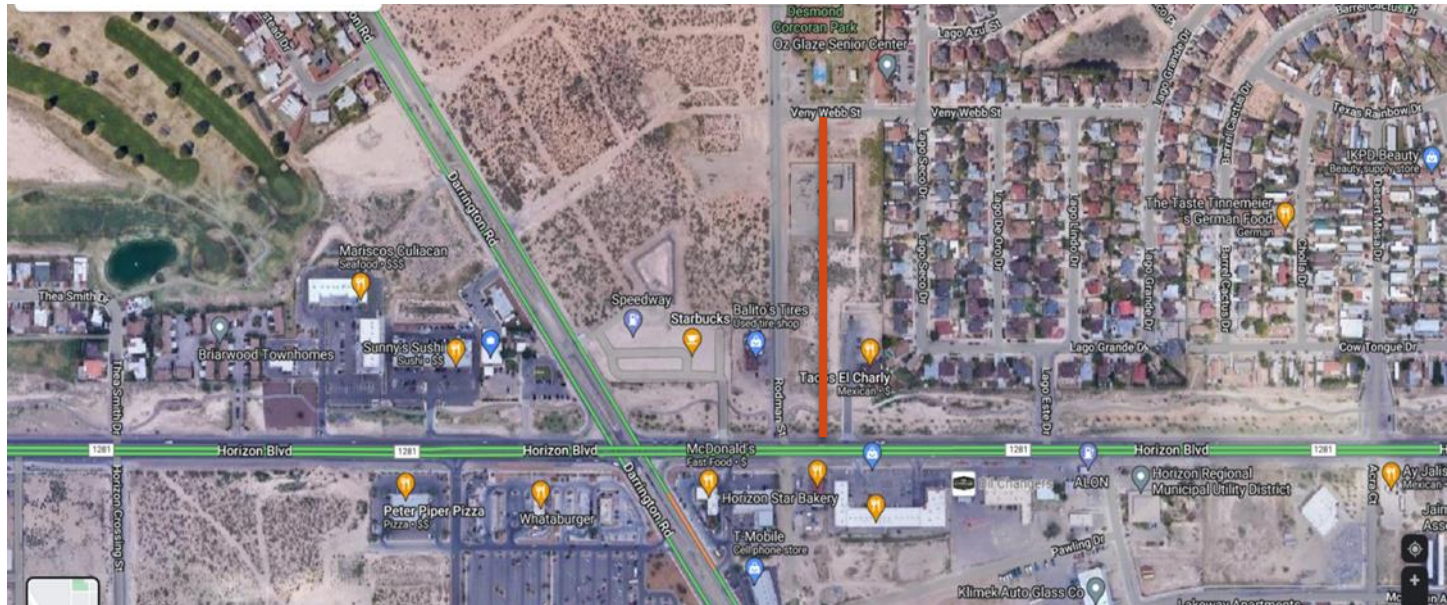
# November 2022 Submittals

Project Name	Limits	FY	Requested Funding Amount
South Darrington Rd. Repaving	Oxbow to Alberton	2025	\$ 5,180,963
N. Kenazo Ave. Reconstruction	Eastlake Blvd. to FM 1281 (Horizon Blvd.)	2024	\$ 762,188
Alberton Ave./Antwerp Rd. Construction	FM1281 (Horizon Blvd.) to Darrington Rd.	2025	\$ 709,806
Horizon City - Socorro Bus Circulator	Horizon City to Socorro	2026	\$ 895,950

# Transportation Alternative Set-Aside (TASA)

- Rodman multi-use path from Horizon Blvd. to Veny Webb approved for TASA funding by the Transportation Policy Board.

# Rodman Multi-Use Path



# TIRZ/TOD Update

---

# Transit Updates

- LGC contribution had increased from approximately \$60,000 to approximately \$90,000
- Request for additional funds through MPO appears forthcoming – no additional funds should be necessary
- Working with County to program additional federal funds through MPO

# TOD Updates

## Community Project Funding

- Funding for design of Dilley and Delake streets and Transit Plaza approved by Congress – December 2022.

## Removing Barriers Grant

- Submitted grant application to conduct housing supply and planning and zoning study in TOD area in October 2022. <sup>27</sup>

# TIRZ Participation Agreements

## HRMUD

- Initial discussions - July 6, 2022, HRMUD Board meeting
- Working with HRMUD legal counsel and engineering consultant

# Town of Horizon City Capital Improvement Program

February 14, 2023  
Council Meeting



December 13, 2022

Michelle Garcia  
c/o Art Rubio  
Town of Horizon - Planning Division  
14999 Darrington Road  
Horizon City, Texas 79928

**RE: Horizon Crossing Unit 3**


Dear Michelle,

On behalf of Camino Real Investment Properties, LLC, we want to thank you for all your assistance regarding the processing of the above referenced project. This letter is to request per Section 4.11.2 "Expiration of Final Plat approval" to request Town Council to reaffirm their approval of the Final Plat and to allow a single extension of the deadline for the recording plat for a period not longer then six months. The extension is needed due to delays caused by water and sewer design coordination.

If you have any questions or need any additional information, please feel free to contact us at our office 915-592-0283.

Sincerely,

**CONDE, INC.**



Conrad Conde

ENGINEERING/PLANNING/SURVEYING

8080 SURETY DR., SUITE 100 / EL PASO, TEXAS 79905 / (915) 592-0283 / FAX (915) 592-0286

February 6, 2023

Honorable Mayor Ruben Mendoza  
Town of Horizon City  
14999 Darrington Road  
Horizon City, Texas 79928

**Re: Subdivision Acceptance—Rancho Desierto Bello, Unit 15 Phase 2**

Dear Mayor Mendoza,

As of January 31, 2023, the improvements for the subdivision referenced above have been completed. As Town Engineer, Huitt-Zollars recommends the final acceptance of the subdivision and the public improvement.

Please do not hesitate to call us at (915) 587-4339, if we can be of further assistance.

Sincerely,

**HUITT-ZOLLARS, INC.**



Roxanna R. Medina, PE  
Project Manager

CC: Michelle Garcia—Director of Planning, Town of Horizon City  
Arturo Rubio—Planner, Town of Horizon City  
Albert Valle, CFM—Public Works Director, Town of Horizon City  
Elvia Schuller—City Clerk, Town of Horizon City  
Robert Romero, PE—TRE & Associates, Inc.



December 13, 2022

Michelle Garcia  
c/o Art Rubio  
Town of Horizon - Planning Division  
14999 Darrington Road  
Horizon City, Texas 79928

**RE: Horizon Town Center Unit 4**


Dear Michelle,

On behalf of Camino Real Investment Properties, LLC, we want to thank you for all your assistance regarding the processing of the above referenced project. This letter is to request per Section 4.11.2 "Expiration of Final Plat approval" to request Town Council to reaffirm their approval of the Final Plat and to allow a single extension of the deadline for the recording plat for a period not longer then six months. The extension is needed due to delays caused by a potential large commercial user that did not come to fruition.

If you have any questions or need any additional information, please feel free to contact us at our office 915-592-0283.

Sincerely,

**CONDE, INC.**



Conrad Conde

ENGINEERING/PLANNING/SURVEYING

6080 SURETY DR., SUITE 100 / EL PASO, TEXAS 79905 / (915) 592-0283 / FAX (915) 592-0286

February 14, 2023

Texas Commission on Environmental Quality  
Stormwater & Pretreatment Team Leader (MC-148)  
P.O. Box 13087  
Austin, Texas 78711-3087

Re: Phase II MS4 Annual Report Transmittal for Town of Horizon City  
TPDES Authorization: TXR040057

Dear Team Leader:

This letter serves to transmit the required annual report for the Texas Pollutant Discharge Elimination System Small Municipal Separate Storm Sewer System General Permit, Authorization Number TXR040057 for the Town of Horizon City.

The annual report is for Year 4. The reporting period's beginning 01/01/2022 and ending 12/31/2022.

A separate Notice of Change has not been submitted based on the fact that changes have not been proposed for the next permit year.

As required by the general permit, a copy of the report has been mailed to the TCEQ's regional office 6 in El Paso, Texas.

Sincerely,

Ruben Mendoza  
Mayor  
Town of Horizon City  
Horizon City, Texas 79928

c: Section Manager, Air/Waste/Water  
TCEQ Region 6 Office  
401 E. Franklin Ave., Suite 560  
El Paso, TX 79901



**TOWN OF HORIZON CITY  
MEMORANDUM**

**Date:** February 14, 2023

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

**From:** Albert Valle, Public Works Director

**SUBJECT:** That the City Council approve the Town of Horizon City's Phase II MS4 Annual Report for the 2022 calendar year and authorize the Mayor to sign the report and transmittal letter, all to be submitted to the Texas Commission on Environmental Quality.

---

The attached report is proposed to be submitted to the Texas Commission on Environmental Quality (TCEQ) in order to satisfy the annual reporting requirements, set by the Commission for those entities operating a municipal separate storm sewer system (MS4) management program.

The City's MS4 program was submitted in June of 2019 and is pending approval from TCEQ for the renewal of the next 5-year permit. The attached report describes the activities performed in the fourth year (2022 calendar year) of the pending permit.

After coordinating with TCEQ regarding the pending status of the submitted MS4, staff has determined that the report should be submitted, upon approval from City Council, in an effort to maintain compliance with the Commission's reporting requirements.

Staff recommends that the City Council accept the annual report as submitted and authorize the Mayor to sign the required documents that are to be submitted to TCEQ.

# Phase II (Small) MS4 Annual Report Form

TPDES General Permit Number **TXR040000**

## A. General Information

Authorization Number: TXR0400057

Reporting Year (year will be either 1, 2, 3, 4, or 5): 4

Annual Reporting Year Option Selected by MS4:

Calendar Year: 2022

Permit Year: 4

Fiscal Year: 2021-2022 Last day of fiscal year: ( 09/30/2022 )

Reporting period beginning date: (month/date/year) 01/01/2022

Reporting period end date: (month/date/year) 12/31/2022

MS4 Operator Level: II Name of MS4: Town of Horizon City

Contact Name: Albert Valle, CFM Telephone Number: 915-852-1046

Mailing Address: 14999 Darrington Road, Horizon City, TX 79928

E-mail Address: avalle@horizoncity.org

A copy of the annual report was submitted to the TCEQ Region: YES  NO

Region the annual report was submitted to: TCEQ Region 6

## B. Status of Compliance with the MS4 GP and SWMP

1. Provide information on the status of complying with permit conditions:  
(TXR040000 Part IV.B.2)

	Yes	No	Explain
Permittee is currently in compliance with the SWMP as submitted to and approved by the TCEQ.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Yes, Horizon City is currently in compliance with the SWMP as documentation has been submitted and received by TCEQ.

Permittee is currently in compliance with recordkeeping and reporting requirements.	✓		Yes, recordkeeping and reporting requirements ensures the Town is compliant with TCEQ standards. Documentation has been submitted in the past and will continue to be submitted upon request by TCEQ.
Permittee meets the eligibility requirements of the permit (e.g., TMDL requirements, Edwards Aquifer limitations, compliance history, etc.).	✓		Yes, without this requirement, Horizon City would not be able to implement effective pollution prevention control measures.
Permittee conducted an annual review of its SWMP in conjunction with preparation of the annual report	✓		Yes, Horizon City conducted an annual review of its SWMP in conjunction with preparation of the annual report. This allows for compliance and efficiency to both entities.

2. Provide a general assessment of the appropriateness of the selected BMPs. You may use the table below to meet this requirement (**see Example 1 in instructions**):

MCM(s)	BMP	BMP is appropriate for reducing the discharge of pollutants in stormwater (Answer Yes or No and explain)
<i>Please see attachment.</i>		

3. Describe progress towards achieving the goal of reducing the discharge of pollutants to the MEP. If no progress was made or the BMP did not result in a reduction in pollutants, provide an explanation. Use the table below to meet this requirement (**see Example 2 in instructions**):

MCM	BMP	Information Used	Quantity	Units	Does the BMP Demonstrate a Direct Reduction in Pollutants? (Answer Yes or No and explain)
<i>Please see attachment.</i>					

4. Provide the measurable goals for each of the MCMs, and an evaluation of the success of the implementation of the measurable goals (**see Example 3 in instructions**):

MCM(s)	Measurable Goal(s)	Explain progress toward goal or how goal was achieved. If goal was not accomplished, please explain.
<i>Please see attachment.</i>		

## **C. Stormwater Data Summary**

Provide a summary of all information used, including any lab results (if sampling was conducted) to assess the success of the SWMP at reducing the discharge of pollutants to the MEP. For example, did the MS4 conduct visual inspections, clean the inlets, look for illicit discharge, clean streets, look for flow during dry weather, etc.?

The Public Works Crew performs daily visual inspections of city streets to ensure their cleanliness. During the 2019 calendar year, no illicit discharges were identified.

Each identified outfall was visually inspected once during the 2019 calendar year and during dry and wet weather. No illicit discharges were identified.

The Public Works maintenance crew and the compliance inspector also conducted regular inspections of retention ponds to ensure that proper cleaning and maintenance is conducted by the maintenance contractor.

## **D. Impaired Waterbodies**

Identify whether an impaired water within the permitted area was added to the latest EPA-approved 303(d) list or the Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d). List any newly-identified impaired waters below by including the name of the water body and the cause of impairment.

*No*

1. If applicable, explain below any activities taken to address the discharge to impaired waterbodies, including any sampling results and a summary of the small MS4's BMPs used to address the pollutant of concern.

*Not Applicable*

2. Describe the implementation of targeted controls if the small MS4 discharges to an impaired water body with an approved TMDL.

*Not Applicable*

3. Report the benchmark identified by the MS4 and assessment activities:

<b>Benchmark Parameter</b> <i>(Ex: Total Suspended Solids)</i>	<b>Benchmark Value</b>	<b>Description of additional sampling or other assessment activities</b>	<b>Year(s) conducted</b>
<i>Not Applicable.</i>			

4. Provide an analysis of how the selected BMPs will be effective in contributing to achieving the benchmark:

<b>Benchmark Parameter</b>	<b>Selected BMP</b>	<b>Contribution to achieving Benchmark</b>
<i>Please see attachment.</i>		

6. If applicable, report on focused BMPs to address impairment for bacteria:

<b>Description of bacteria-focused BMP</b>	<b>Comments/Discussion</b>
<i>Not Applicable</i>	


7. Assess the progress to determine BMP’s effectiveness in achieving the benchmark.

For example, the MS4 may use the following benchmark indicators:

- number of sources identified or eliminated;
- number of illegal dumpings;
- increase in illegal dumping reported;
- number of educational opportunities conducted;
- reductions in sanitary sewer flows (SSOs); /or
- increase in illegal discharge detection through dry screening.

<b>Benchmark Indicator</b>	<b>Description/Comments</b>
<i>Not Applicable</i>	

**E. Stormwater Activities**

Describe activities planned for the next reporting year:

MCM(s)	BMP	Stormwater Activity	Description/Comments
<i>Please see attachment.</i>			

## F. SWMP Modifications

1. The SWMP and MCM implementation procedures are reviewed each year.

Yes \_\_\_ No

2. Changes have been made or are proposed to the SWMP since the NOI or the last annual report, including changes in response to TCEQ's review.

\_\_\_ Yes  No

If "Yes," report on changes made to measurable goals and BMPs:

MCM(s)	Measurable Goal(s) or BMP(s)	Implemented or Proposed Changes (Submit NOC as needed)
<i>Not Applicable</i>		


**Note:** If changes include additions or substitutions of BMPs, include a written analysis explaining why the original BMP is ineffective or not feasible, and why the replacement BMP is expected to achieve the goals of the original BMP.

3. Explain additional changes or proposed changes not previously mentioned (i.e. dates, contacts, procedures, annexation of land, etc.).

*Not Applicable*

### G. Additional BMPs for TMDLs and I-Plans

Provide a description and schedule for implementation of additional BMPs that may be necessary, based on monitoring results, to ensure compliance with applicable TMDLs and implementation plans.

<b>BMP</b>	<b>Description</b>	<b>Implementation Schedule (start date, etc.)</b>	<b>Status/Completion Date (completed, in progress, not started)</b>
<i>Not Applicable</i>			

## H. Additional Information

1. Is the permittee relying on another entity to satisfy any permit obligations?

Yes  No

If "Yes," provide the name(s) of other entities and an explanation of their responsibilities (add more spaces or pages if needed).

Name and Explanation:

*Not Applicable*

2.a. Is the permittee part of a group sharing a SWMP with other entities?

Yes  No

2.b. If "yes," is this a system-wide annual report including information for all permittees?

Yes  No

If "Yes," list all associated authorization numbers, permittee names, and SWMP responsibilities of each member (add additional spaces or pages if needed):

Authorization Number: \_\_\_\_\_ Permittee: \_\_\_\_\_

## I. Construction Activities

1. The number of construction activities that occurred in the jurisdictional area of the MS4 (Large and Small Site Notices submitted by construction site operators):

\_\_\_\_\_14\_\_\_\_\_

2a. Does the permittee utilize the optional seventh MCM related to construction?

Yes  No

2b. If "yes," then provide the following information for this permit year:

<b>The number of municipal construction activities authorized under this general permit</b>	
The total number of acres disturbed for municipal construction projects	<i>Not applicable</i>

**Note:** *Though the seventh MCM is optional, implementation must be requested on the NOI or on a NOC and approved by the TCEQ.*

## J. Certification

If this is this a system-wide annual report including information for all permittees, each permittee shall sign and certify the annual report in accordance with 30 TAC §305.128 (relating to Signatories to Reports).

*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

Name (printed): Ruben Mendoza Title: Mayor

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of MS4 Town of Horizon City

**If you have questions on how to fill out this form or about the Stormwater Permitting program, please contact us at 512-239-4671.**

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512-239-3282.

**Attachment for Section B, No. 2:**

**BMP Status**

<b>MCM(s)</b>	<b>BMP</b>	<b>BMP is appropriate for reducing the discharge of pollutants in stormwater (Answer Yes or No, and explain.)</b>
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-1:</b> Educational materials and distribution	Yes, the public is responsible for reporting illegal dumping and illicit discharges. Without teaching the public how to detect these activities, reporting cannot take place.
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-2:</b> Articles in the <i>West Texas County Courier</i>	Yes, the public is responsible for reporting illegal dumping and illicit discharges. Without teaching the public how to detect these activities, reporting cannot take place. The <i>West Texas County Courier</i> reaches people that do not typically visit civic buildings or have children that are school age.
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-3:</b> Horizon City website	Yes, this allows the public to be involved in Horizon City’s Stormwater Management Program (SWMP). A copy of the SWMP is available on the town’s website along other stormwater educational information.
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-4:</b> Annual event or festival	Yes, the public is responsible for reporting illegal dumping and illicit discharges. Without teaching the public how to detect these activities, reporting cannot take place. Events allow a broad range of people to be educated and informed.
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-5:</b> Public notice for meetings	Yes, as this allows the public to be educated and involved in the SWMP.
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-6:</b> Stormwater reporting telephone number	Yes, the public is responsible for reporting potential stormwater issues, including illegal dumping. Reductions in illegal dumping can reduce pollutants entering into the stormwater system.
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-7:</b> Annual public cleanup event	Yes, the public is responsible for reporting illegal dumping and illicit discharges. Without teaching the public how to detect these activities, reporting cannot take place. Events allow a broad range of people to be educated and informed. Horizon City did not host a cleanup event in 2022 due to Covid19 Pandemic and due to staff illness.

<p>Illicit Discharge <b>2:</b> Detection and Elimination</p>	<p>Ordinance <b>2-1:</b> prohibiting illicit discharges</p>	<p>Yes, after daily inspections pollutants entering the storm water system were diminished.</p>
<p>Illicit Discharge <b>2:</b> Detection and Elimination</p>	<p><b>2-2:</b> MS4 mapping</p>	<p>Yes, Updating the MS4 map allows for inspectors and code enforcement staff to inspect the correct areas. No additional outfalls were added during the past permit year.</p>
<p>Illicit Discharge <b>2:</b> Detection and Elimination</p>	<p><b>2-3:</b> Staff training</p>	<p>Yes, training sessions of the how to prevent illicit discharge and how to detect and eliminate such discharges allow a broad range of people to be educated and informed.</p>
<p>Illicit Discharge <b>2:</b> Detection and Elimination</p>	<p><b>2-4:</b> System inspections</p>	<p>Yes, inspecting outfalls allows civic employees to detect illicit discharges in a timely manner. Several inspections were conducted and no signs of illicit discharges reported.</p>
<p>Illicit Discharge <b>2:</b> Detection and Elimination</p>	<p><b>2-5:</b> Public reporting of illicit discharges</p>	<p>Yes, a telephone number for the reporting of potential illicit discharges was established for public use and the number was advertised. Without the phone number the public would not know how to quickly report potential issues. No calls were received during the past permit year.</p>
<p>Illicit Discharge <b>2:</b> Detection and Elimination</p>	<p><b>2-6:</b> On-site sewage disposal system</p>	<p>No activities were scheduled for the past permit year.</p>

<p>Construction <b>3:</b> Site Stormwater Runoff Control</p>	<p>Ordinance requiring <b>3-1:</b> construction site controls</p>	<p>Yes, without this requirement, Horizon City would not be able to review construction SWP3s prior to implementation. This would allow the potential for ineffective construction pollution prevention controls.</p>
<p>Construction <b>3:</b> Site Stormwater Runoff Control</p>	<p><b>3-2:</b> Plan review</p>	<p>Yes, reviewing development plans for proper SWP3s ensures that contractors are aware of requirements and compliant. This decreases the potential for sediment loading into the stormwater system. Reviews include Residential Subdivisions/Commercial plans.</p>
<p>Construction <b>3:</b> Site Stormwater Runoff Control</p>	<p><b>3-3:</b> Construction site inspections</p>	<p>Yes, inspections of construction sites for SWP3 compliance potentially decrease sediment loading into the stormwater system by ensuring that BMPs and engineering controls are working properly.</p>
<p>Construction <b>3:</b> Site Stormwater Runoff Control</p>	<p>Public reporting of <b>3-4:</b> construction discharges</p>	<p>Yes, illicit discharge indicators materials allow the public to be involved.</p>
<p>Construction <b>3:</b> Site Stormwater Runoff Control</p>	<p><b>3-5:</b> Construction site operator education</p>	<p>Yes, informing operators of the requirements and proper control measures has the potential to reduce sediment loading from construction sites. Training will continue to be provided to construction site operators and educational material.</p>
<p>Construction <b>3:</b> Site Stormwater Runoff Control</p>	<p><b>3-6:</b> MS4 staff training</p>	<p>Yes, awareness training facilitates the identification of construction site discharges via inspection and enforcement training. Staff will continue to receive Stormwater, Floodplain Management and OSHA safety trainings. Certified Floodplain Manager CEC'S were renewed.</p>

<p>Post-Construction Stormwater Management in New Development</p> <p><b>4:</b></p>	<p><b>4-1:</b> Ordinance requiring retention</p>	<p>Yes, the ordinance allows to enforce the construction of retention structures which decreases sediment loading during a rain event and reduces any flooding adverse impact throughout the community.</p>
<p>Post-Construction Stormwater Management in New Development</p> <p><b>4:</b></p>	<p><b>4-2:</b> Construction inspection of retention structures</p>	<p>Yes, an approved retention structure will decrease sediment loading during a rain event as well as allow for a reduction in velocity. Two public ponds were accepted for maintenance and were inspected.</p>
<p>Post-Construction Stormwater Management in New Development</p> <p><b>4:</b></p>	<p><b>4-3:</b> Retention structure inventory</p>	<p>Public pond inspections were conducted. City pond list has been updated. New Ponds may be identified with the new Improvement Plans.</p>
<p>Post-Construction Stormwater Management in New Development</p> <p><b>4:</b></p>	<p><b>4-4:</b> Maintenance of private retention structures</p>	<p>Several inspections were scheduled for the past permit year. Regular inspections will be completed as the Compliance Inspector will oversee this duty.</p>
<p>Post-Construction Stormwater Management in New Development</p> <p><b>4:</b></p>	<p><b>4-5:</b> Maintenance of public retention structures</p>	<p>Yes, inspecting and maintaining retention structures decreases sediment loading within the stormwater system during rain events. Maintenance is completed on each pond at least once a year and an inspection of such maintenance is completed upon completion.</p>

<p>Pollution Prevention/ <b>5:</b> Good Housekeeping for Municipal Operations</p>	<p><b>5-1:</b> Pollution prevention measures</p>	<p>Yes, pollution prevention measures were drafted for municipal operations. Facilities began preventing or reducing pollutants entering the stormwater system by implementing best practices. Regular inspections of backflow preventers, inlets, and other drainage infrastructure have been incorporated with the Public Works crew members to ensure that such structures are kept clear of debris and other pollutants.</p>
<p>Pollution Prevention/ <b>5:</b> Good Housekeeping for Municipal Operations</p>	<p><b>5-2:</b> Employee training and education</p>	<p>Yes, training employees allows for a daily reduction of potential pollutants entering the stormwater system. Employee training will continue to be provided accordingly.</p>
<p>Pollution Prevention/ <b>5:</b> Good Housekeeping for Municipal Operations</p>	<p><b>5-3:</b> Contractors SWMP compliance</p>	<p>Yes, Horizon City will contractually obligate contractors to comply with all stormwater control measures, pollution prevention measures, and facility-specific stormwater management operating procedures.</p>
<p>Pollution Prevention/ <b>5:</b> Good Housekeeping for Municipal Operations</p>	<p><b>5-4:</b> Waste disposal procedures</p>	<p>Ongoing tracking of the type and amount of waste removed from the MS4 was conducted and information has been documented on the forms Waste Disposal Procedures for The Town of Horizon City. This helps keep track of the amount and type of waste that is present in the MS4.</p>
<p>Pollution Prevention/ <b>5:</b> Good Housekeeping for Municipal Operations</p>	<p><b>5-5:</b> Vehicle maintenance</p>	<p>Routine vehicle and Equipment maintenance was conducted throughout the year and helps to reduce the amount of pollutants the entity's vehicles emit.</p>

**Attachment for Section B, No. 3:**

**Pollutant Reduction Analysis**

MCM	BMP	Information Used	Quantity	Units	Does BMP Demonstrate a Direct Reduction in Pollutants? (Answer Yes or No, and explain.)
<p><b>1:</b> Public Education, Outreach, and Involvement</p>	<p><b>1-7:</b> Host a “Keep Horizon City Beautiful” event</p>	<p>Trash and debris collected</p>	<p>0</p>	<p>Tons</p>	<p>Yes, trash and debris have the potential to house pollutants such as pesticides, herbicides, and animal wastes. During a rain event, stormwater can come in contact with the debris and these pollutants released into the waterways. Removing the items decreases the potential for these pollutants to come in contact with stormwater. Horizon City did not host a cleanup event in 2022 due to Covid19 Pandemic restrictions and staff illness.</p> <p style="text-align: right;">50</p>
<p><b>1:</b> Public Education, Outreach, and Involvement</p>	<p><b>1-7:</b> Host a “Keep Horizon City Beautiful” event</p>	<p>Used tires</p>	<p>0</p>	<p>Number of tires</p>	<p>Yes, used tires have the potential to house oil. During a rain event, stormwater can come in contact with the interior of the tire, where oil can be housed. The oil can be released into the stormwater, releasing a pollutant. Removing the tires decreases the potential for these pollutants to come in contact with stormwater. Horizon City did not host a cleanup event in 2022 due to Covid19 Pandemic restrictions and staff illness. However, 137 tires were collected through the city’s tire disposal contracted company.</p>

2: Illicit Discharge Detection and Elimination	2-1: Ordinance prohibiting Illicit Discharges	Number of enforcement actions	8	Violations issued	Yes, ordinance allows for inspections to be conducted and enforcement actions taken. Associating a cost with illicit discharge helps dissuade violators.
2: Illicit Discharge Detection and Elimination	2-4: Visual inspections of outfalls	Number of times outfall was inspected	2	Inspections	Yes, discharges were not observed during the inspections. All the outfalls were inspected 2 times during the year. In effect, this shows a decrease in illicit discharges.
2: Illicit Discharge Detection and Elimination	2-4: Visual inspections of outfalls	Number of illicit discharges observed	0	Discharges	Yes, if a discharge was observed, the source of the release could be found easily and the illicit discharge would be addressed accordingly, improving water quality.
2: Illicit Discharge Detection and Elimination	2-5: Continue to distribute educational material to the community that includes the stormwater reporting telephone number	Number of calls received via stormwater reporting telephone number	0	Calls	No, the public should be afforded a reliable and simple way to contact the appropriate entity concerning stormwater issues. If the process is complex, the ability to report issues will decrease. The Town will continue to distribute educational material to the community. 51
3: Construction Site Stormwater Runoff Control	3-2: Continue to utilize the SWP3 Review Checklist for homebuilders, commercial, and residential development plans	Number of Grading and Clearing Permits Submitted	18	Plans submitted and reviewed	No, allows for a proactive approach, preventing illicit discharges. This is accomplished by performing inspections of required BMPs and engineering controls. The Town will continue to review homebuilders, commercial, and residential development plans.
3: Construction Site Stormwater Runoff Control	3-3: Implement construction site SWP3 inspection program	Number of inspections conducted	5	Inspections	Yes, allows for a proactive approach, preventing illicit discharges. This is accomplished by performing inspections of required BMPs and engineering controls. The Town will continue to inspect homebuilders, commercial, and residential development plans.

<p><b>4:</b> Post-Construction Stormwater Management in New Development and Redevelopment</p>	<p><b>4-2:</b> Continue the construction inspection program to verify retention structures are built according to plans</p>	<p>Number of retention structure plans reviewed</p>	<p>8</p>	<p>Plans submitted and reviewed</p>	<p>No, allows for a proactive approach, preventing failures of the retention structures. Failures would allow elevated levels of sediment into the stormwater system, degrading water quality. The Town will continue to inspect construction inspection to verify retention structures are built per plans.</p>
<p><b>4:</b> Post-Construction Stormwater Management in New Development</p>	<p><b>4-2:</b> Construction inspection of retention structures</p>	<p>Number of inspections conducted</p>	<p>8</p>	<p>Inspections</p>	<p>Yes, the correct and approved retention structure will decrease sediment loading during a rain event. The Town will continue to inspect construction inspection to verify retention structures are built per plans.</p>
<p><b>4:</b> Post-Construction Stormwater Management in New Development and Redevelopment</p>	<p><b>4-5:</b> Post-construction stormwater management in new development</p>	<p>Number of inspections and maintenance activities</p>	<p>8</p>	<p>Inspections and maintenance activities</p>	<p>Yes, inspecting and maintaining retention structures decreases sediment loading within the stormwater system during rain events. The structures are inspected during the final walkthrough and will be re-inspected during the 1year warranty walkthrough.</p>

**Attachment for Section B, No. 4:  
Measurable Goals Status**

<b>MCM(s)</b>	<b>Measurable Goal(s)</b>	<b>Explain progress toward goal or how goal was achieved</b>
<p><b>1:</b> Public Education, Outreach, and Involvement</p>	<p>Publish two stormwater articles in the <i>Courier</i>, including one related to high-priority community-wide issues.</p>	<p>Goal Met. Two stormwater related articles were published in the Courier on 3-03-2022 and 8-4-2022</p>
<p><b>1:</b> Public Education, Outreach, and Involvement</p>	<p>Post annual report and any newly developed stormwater related materials.</p>	<p>Goal Met. The annual report was presented to the City Council in March 8, 2022 and was uploaded as part of the agenda. Moreover, on December 13, 2022, Desierto Bonito Dr. Ponding Area rehabilitation project and RDB U-15 subdivision drainage improvements were presented and uploaded as part of the agenda.</p>
<p><b>1:</b> Public Education, Outreach, and Involvement</p>	<p>Distribute educational stormwater material at one festival or event.</p>	<p>Goal was met for one event only. Distributed stormwater material for National Night Out event on October 4, 2022</p>
<p><b>1:</b> Public Education, Outreach, and Involvement</p>	<p>Host a “Keep Horizon City Beautiful” event.</p>	<p>Goal Not met due to Covid19 Pandemic restrictions and staff safety.</p>
<p><b>2:</b> Illicit Discharge Detection and Elimination</p>	<p>Add new outfalls to the MS4 Map that result from redevelopment</p>	<p>Goal met as the new outfalls were updated/ added due to drainage improvement as part of new development.</p>
<p><b>2:</b> Illicit Discharge Detection and Elimination</p>	<p>Conduct annual in-house training for employees involved in illicit discharge detection</p>	<p>Goal Not met due to staff illness, Covid19 Pandemic restrictions and staff safety. Employees were able to train and recertify as stormwater inspectors and plan reviewers virtually.</p>
<p><b>2:</b> Illicit Discharge Detection and Elimination</p>	<p>Visually inspect each outfall for illicit discharges twice.</p>	<p>Goal met. Each outfall was inspected two times in April and July 2022.</p>
<p><b>2:</b> On-Site Sewage Disposal System</p>	<p>Obtain a map of sewer coverage from HRMUD to determine where on-site sewage systems may exist.</p>	<p>Goal met. Map was created with information provided by the HRMUD and the District’s engineer.</p>

<p><b>3:</b> Construction Site Stormwater Runoff Control</p>	<p>Provide 8 to 16 hours of commercially available training in SWP3 review and inspection to new staff who perform these duties.</p>	<p>Goal met as Employees who perform these duties were able to train and/or recertify virtually.</p>
<p><b>3:</b> Construction Site Stormwater Runoff Control</p>	<p>Conduct 1-hour of in-house, construction stormwater awareness training for employees who visit construction sites.</p>	<p>Goal met as Employees were able to train and/or recertify virtually.</p>
<p><b>4:</b> Post-Construction Stormwater Management in New Development and Redevelopment</p>	<p>Create a map of public and private retention structures within the corporate limits.</p>	<p>Goal Met. The map has been created to include a listing of all the retention structures. The map was created using this information in the 2018 program year and updated annually.</p>
<p><b>5:</b> Pollution Prevention/ Good Housekeeping for Municipal Operations</p>	<p>Conduct self-inspection to determine if pollution prevention measures are effective and sufficient.</p>	<p>Goal Met. Inspections for vehicles and equipment was conducted throughout the 2022.</p>
<p><b>5:</b> Pollution Prevention/ Good Housekeeping for Municipal Operations</p>	<p>Conduct 1-hour of in-house training on pollution prevention measures relevant to employees' duties.</p>	<p>Goal met as Employees were able to train/recertify as stormwater inspectors/plan reviewers, and stormwater pollution prevention measures virtually.</p>
<p><b>5:</b> Pollution Prevention/ Good Housekeeping for Municipal Operations</p>	<p>Develop contract clauses and written procedures for ensuring Horizon City's contractors comply with requirements established by the SWMP.</p>	<p>Goal met. Forms were developed/updated for plan review and inspections of drainage infrastructure outfalls. Moreover, Capital improvement project specification books address SWMP.</p>

**Attachment for Section E:  
Stormwater Activities**

<b>MCM(s)</b>	<b>BMP</b>	<b>Stormwater Activity</b>	<b>Description/Comments</b>
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-1:</b> Educational materials and distribution	Continue to distribute existing educational material and newly developed material to the community, businesses, homebuilders, and construction companies.	Topics included, trash and debris, illegal dumping into the stormwater system, and pollutants that constrict and damage stormwater infrastructure.
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-3:</b> Horizon City website	Continue to operate and maintain stormwater information on the Horizon City Website.	Will continue to update the Webpage monthly and links will be added on the website for people to access the SQPO along with an electronic copy of the SWMP.
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-5:</b> Public notice for meetings	Post public notice when a stormwater item is on the City Council agenda.	Public notice will be published and updated on the City website and at City Hall as necessary. 55
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-6:</b> Stormwater reporting telephone number	Continue to include information about the Stormwater Reporting Telephone Number in educational materials.	The phone number included on the materials is 877-ID-FLOWS (877-433-5697).
Illicit Discharge <b>2:</b> Detection and Elimination	<b>2-1:</b> Ordinance prohibiting illicit discharges	Continue enforcing discharge prohibitions and tracking enforcement actions.	The SQPO will be reviewed and revised to meet the requirements of Part III.A.3.(a) of the Small MS4 General Permit
Illicit Discharge <b>2:</b> Detection and Elimination	<b>2-5:</b> Public reporting of illicit discharges	Continue to distribute educational material to the community that includes the Stormwater Reporting Telephone Number.	Educational materials publicizing the phone number include information about the types of discharges that are prohibited will generated.
Construction <b>3:</b> Site Stormwater Runoff Control	<b>3-1:</b> Ordinance requiring construction site controls	Continue to utilize the SQPO to reduce the discharge of pollutants from construction sites.	The SQPO is a means to reduce pollutants entering the MS4 from construction activities.
Construction <b>3:</b> Site Stormwater Runoff Control	<b>3-2:</b> Plan review	Continue to utilize the SWP3 review checklist for homebuilders, commercial and residential development plans.	Review includes verifying that a SWP3 is in the plan set by utilizing a review checklist.

Construction <b>3:</b> Site Stormwater Runoff Control	<b>3-3:</b> Construction site inspections	Continue to implement the construction site SWP3 inspection program.	Inspections will be conducted compliance and additional inspections will be conducted based on reports and complaints.
Construction <b>3:</b> Site Stormwater Runoff Control	<b>3-4:</b> Public reporting of construction discharges	Continue responding to public reports.	The stormwater reporting telephone number will continue to be publicized to facilitate reporting of problems the public observes at construction sites.
Construction <b>3:</b> Site Stormwater Runoff Control	<b>3-5:</b> Construction site operator education	Continue to distribute educational material during plan submittal and request for a building permit.	Educational material will continue to be distributed to all building permit applicants.
Post-Construction Stormwater Management in New Development <b>4:</b>	<b>4-1:</b> Ordinance requiring retention	Continue to utilize ordinances to require retention structures that are designed to meet Horizon City's standards.	The retention must be designed with capacity to hold both the volume of stormwater generated by a 100 year Storm (one percent probability storm event) and a 10-year accumulation of silt.
Post-Construction Stormwater Management in New Development <b>4:</b>	<b>4-2:</b> Construction inspection of retention structures	Continue the construction inspection program to verify retention structures are built according to plans.	Construction inspector does not accept the development or redevelopment as final unless the retention structure is constructed according to the plans.
Post-Construction Stormwater Management in New Development <b>4:</b>	<b>4-5:</b> Maintenance of public retention structures	Continue implementing inspection and maintenance of public retention structures on a 10-year cycle.	Structures are to be regularly inspected for maintenance and to perform maintenance on the structures, as needed.
Pollution Prevention/ <b>5:</b> Good Housekeeping for Municipal Operations	<b>5-4:</b> Waste Disposal Procedures	Continue to manage and track waste removed from the MS4.	The developed forms will be used to track the types and quantities of waste being removed.
Pollution Prevention/ <b>5:</b> Good Housekeeping for Municipal Operations	<b>5-5:</b> Vehicle maintenance	Continue to perform maintenance of municipal cars and light duty trucks only at authorized commercial facilities.	No maintenance of vehicles or equipment is allowed on municipal property; vehicles and equipment are taken to an authorized facility.

## MEMORANDUM

**TO:** Honorable Mayor and Council Members of the Town of Horizon City

**Cc:** Veronica Rojas, Horizon City EDC Executive Assistant

**FROM:** Eddie Garcia, Horizon City EDC Executive Director

**DATE:** February 8, 2023

**RE:** Request for Consideration of Horizon City Economic Development Corporation Board Member Appointment: Jaime Alvarado

---

As allowed by the bylaws governing the activities of the Horizon City Economic Development Corporation Board and with the recommendation of the Horizon City EDC Director, staff is requesting an approval recommendation for the appointment of Mr. Jaime Alvarado to the Horizon City Economic Development Corporation Board.

Mr. Alvarado has been practicing law for over 20 years. Mr. Alvarado has a bachelor's degree in Business Administration and completed his education in law by receiving his Juris Doctorate from the Texas Southern University School of Law. In his many years of experience, Mr. Alvarado has represented and helped many people with complex laws.

The Economic Development Corporation recommends approval of the appointment of Mr. Jaime Alvarado based on his noted professional qualifications and his fulfillment of the requirements for qualification as a member of the Horizon City Economic Development Corporation Board, described below, with a specific focus on qualification point number four (4).

*Members must reside within the Town of Horizon City and each director shall meet **at least one** of the following qualifications:*

- 1. Shall possess experience in management or in an executive capacity.*
- 2. Shall have experience in the evaluation of financial and business records and projections.*
- 3. Shall have experience in economic development matters.*
- 4. Possess education, training or experience useful to the corporation's purposes.*

In accordance with the bylaws governing the activities of the Horizon City Economic Development Corporation Board, Mr. Jaime Alvarado's term shall last 2 years commencing on April 2023.

---

**Eddie Garcia**  
*EDC Executive Director*

---

**Date**

**RESOLUTION**

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

That the Mayor be authorized to sign an Agreement between the Town of Horizon City, Texas and the El Paso Centennial Lions Club, Inc. for a Christmas Tree Lighting Ceremony on Dec. 1, 2023, and a Christmas Parade on Dec. 2, 2023, and under the terms of the Agreement, the City Council finds that the promotion and conducting of these events will provide cultural and recreational activities for the residents and visitors of the City and the City is willing to expend the funds to pay for the costs of the time for City staff and police, traffic control assistance, and clean-up costs for the events in form and substance substantially similar to the contract signed for the event in 2022 .

**Passed and adopted February 14, 2023.**

**Town of Horizon City**

**By: \_\_\_\_\_  
Ruben Mendoza, Mayor**

**ATTEST:**

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

**APPROVED AS TO FORM:**

**By: \_\_\_\_\_  
Sylvia Borunda Firth  
Assistant City Attorney**



**TOWN OF HORIZON CITY  
MEMORANDUM**

**Date:** February 12, 2023

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

**From:** Teresa Quezada, CIP Manager *T. Quezada 2/12/23*

**SUBJECT:** Discussion and Action on a Resolution authorizing the Mayor to sign an Amendment to the Advance Funding Agreement for North Darrington Road Reconstruction Project (CSJ #0924-06-587) to increase the project budget

---

The resolution presented to Council authorizes the Mayor to sign an amendment to the Advance Funding Agreement with the Texas Department of Transportation (TXDOT) for N. Darrington Reconstruction from Eastlake Blvd. to Oxbow Drive project.

The amendment changes the construction funding from \$12.5 million to \$17.0 million. Changes to the project budget, including the increase to the City's required match are reflected in the amended Attachment B-1. The City's match increases from \$758,354 to \$1,118,354.

All other provisions of the original agreement approved in August 2022 by Council remain in effect.

Staff recommends approval of the resolution.

**RESOLUTION**

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

That the Mayor be authorized to sign an Amendment to the Advance Funding Agreement for N. Darrington Reconstruction Project (CSJ # 0924-06-608) by and between the Town of Horizon City, Texas and the State of Texas, acting by and through the Texas Department of Transportation, to increase the project budget.

**PASSED AND ADOPTED** this \_\_\_\_ day of February, 2023.

**THE TOWN OF HORIZON CITY**

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

**ATTEST:**

\_\_\_\_\_  
Elyia Schuller  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Sylvia Borunda Firth  
Assistant City Attorney

<b>TxDOT:</b>				<b>Federal Highway Administration:</b>	
<b>CSJ #</b>	0924-06-587 RCSJ # 0924-06-608			<b>CFDA No.</b>	20.205
<b>District #</b>	24 ELP	<b>AFA ID</b>	Z00001589	<b>CFDA Title</b>	Highway Planning and Construction
<b>Code Chart 64 #</b>	19745				
<b>Project Name</b>	North Darrington Road Reconstruction				<i>AFA Not Used For Research &amp; Development</i>

**STATE OF TEXAS           §**

**COUNTY OF TRAVIS       §**

**ADVANCE FUNDING AGREEMENT  
AMENDMENT #1**

**THIS AMENDMENT** is made by and between the State of Texas, acting through the Texas Department of Transportation, called the State, and the Town of Horizon City, acting by and through duly authorized officials, called the Local Government.

**WITNESSETH**

**WHEREAS**, the State and the Local Government executed a contract on 14 of September 2022 to effectuate their agreement to Reconstruct Darrington Road from Eastlake Boulevard to Oxbow Drive; and,

**WHEREAS**, it has become necessary to amend that contract;

**NOW THEREFORE**, in consideration of the premises and of the mutual covenants and agreements of the parties, the State and the Local Government do agree as follows:

**A G R E E M E N T**

**1. Description of Amended Items**

Attachment B: Project Budget is deleted in its entirety and replaced with the attached Attachment B-1: Project Budget to account for additional funding awarded by the El Paso MPO. Construction funding is increased by \$4,500,000; funding is changed from \$12,500,000 to \$17,000,000.

Attachment C: Resolution, Ordinance, or Commissioners Court Order is deleted in its entirety and replaced with the attached Attachment C-1: Resolution, Ordinance, or Commissioners Court Order.

All other provisions of the original contract are unchanged and remain in full force and effect.

**2. Signatory Warranty**

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

<b>TxDOT:</b>				<b>Federal Highway Administration:</b>	
<b>CSJ #</b>	0924-06-587 RCSJ # 0924-06-608			<b>CFDA No.</b>	20.205
<b>District #</b>	24 ELP	<b>AFA ID</b>	Z00001589	<b>CFDA Title</b>	Highway Planning and Construction
<b>Code Chart 64 #</b>	19745				
<b>Project Name</b>	North Darrington Road Reconstruction				<b><i>AFA Not Used For Research &amp; Development</i></b>

Each party is signing this amendment on the date stated under that party's signature.

**THE LOCAL GOVERNMENT**

\_\_\_\_\_  
Signature

Ruben Mendoza  
\_\_\_\_\_  
Typed or Printed Name

Mayor Town of Horizon City  
\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**THE STATE OF TEXAS**

\_\_\_\_\_  
Kenneth Stewart  
Director of Contract Services  
Texas Department of Transportation

\_\_\_\_\_  
Date

<b>TxDOT:</b>				<b>Federal Highway Administration:</b>		
<b>CSJ #</b>	0924-06-587			<b>CFDA No.</b>	20.205	
<b>District #</b>	24 ELP	<b>AFA ID</b>	Z00001589	<b>CFDA Title</b>	Highway Planning and Construction	
<b>Code Chart 64 #</b>	19745					
<b>Project Name</b>	North Darrington Road Reconstruction				<i>AFA Not Used For Research &amp; Development</i>	

### ATTACHMENT B-1 PROJECT BUDGET

Except for Indirect State Costs, all other costs will be allocated based on 80% Federal funding and 20% (before EDC adjustment) Local Government funding until the federal funding reaches the maximum obligated amount. The Local Government will then be responsible for 100% of the costs.

Description	Total Estimated Cost	Federal Participation		State Participation			Local Participation		
		%	Cost	% Before EDC Adj.	% After EDC Adj.	Cost After EDC Adj.	% Before EDC Adj.	% After EDC Adj.	Cost After EDC Adj.
Engineering (by State)	\$2,266,000	0%	\$0	100%		\$2,266,000	0%	0%	\$0
Environmental (by State)	\$205,000	0%	\$0	100%		\$205,000	0%	0%	\$0
Construction (by State)									
Category 7-STP-MM	\$13,816,919	80%	\$11,053,535	0%	12%	\$1,658,030	20%	8%	\$1,105,354
Category 7-CRRSA	\$3,183,081	100%	\$3,183,081	0%	0%	\$0			\$0
<b>Subtotal</b>	<b>\$19,471,000</b>		<b>\$14,236,616</b>			<b>\$4,129,030</b>	<b>0%</b>	<b>0%</b>	<b>\$1,105,354</b>
Environmental Direct State Costs	\$3,089	0%	\$0	0%	0%	\$0	100%	100%	\$3,089
Right of Way Direct State Costs	\$618	0%	\$0	0%	0%	\$0	100%	100%	\$618
Engineering Direct State Costs	\$3,707	0%	\$0	0%	0%	\$0	100%	100%	\$3,707
Utility Direct State Costs	\$1,262	0%	\$0	0%	0%	\$0	100%	100%	\$1,262
Construction Direct State Costs	\$4,324	0%	\$0	0%	0%	\$0	100%	100%	\$4,324
Indirect State Costs	\$482,760	0%	\$0	100%	100%	\$482,760	0%	0%	\$0
<b>TOTAL</b>	<b>\$19,966,760</b>	<b>0%</b>	<b>\$14,236,616</b>	<b>0%</b>	<b>0%</b>	<b>\$4,611,790</b>	<b>0%</b>	<b>0%</b>	<b>\$1,118,354</b>

Initial payment by the Local Government to the State: \$8,676

Payment by the Local Government to the State before construction: \$1,109,678

Total payment by the Local Government to the State: \$1,118,354

The total amount of Local Government participation shall not exceed the amount appearing above.



**TOWN OF HORIZON CITY  
MEMORANDUM**

**Date:** February 12, 2023  
**To:** Honorable Mayor and Members of City Council  
**From:** Teresa Quezada, CIP Manager *T. Quezada 2/12/2023*  
**SUBJECT:** Discussion regarding pending capital projects and financing options

---

City staff continues developing the listing of high priority CIP projects and financing options. These projects are part of the adopted 2023-2025 CIP and are at various stages of development. Design is underway or complete for some projects such as the Police Headquarters and N. Darrington Reconstruction. Other projects will require additional development and are short-term needs and priorities. {Project listing attachment}

Per Council direction, staff has begun coordinating with Horizon City's Financial advisor to develop a calendar for the first issuance of Certificates of Obligation to address the highest priority capital improvement needs for Horizon City. {Calendar attachment}

Preliminary estimates, assuming certificates of obligation are issued in 2023 to fund high priority projects and in 2025 to fund regional recreation facilities and the second phase of high priority projects indicated that the debt service rate will peak \$0.4359/\$100 of valuation in 2028. This rate assumes an annual growth in the Total Assessed Valuation of 3%, tax collections of 97% and an interest rate cost of 5.5%.

Attachments as indicated



**Town of Horizon City  
Preliminary Listing  
FY 2023 - 2026 Priority Capital Projects**

Updated: January 19, 2023

Project Category/Project	Totals	FY 2023 Projected Expenditures	FY 2024 Projected Expenditures	FY 2023 Issuance	FY 2025 Projected Expenditures	FY 2026 Projected Expenditures	Future Issuance	Notes
<b>Street and Infrastructure Projects</b>								
N. Darrington Reconstruction Gap	\$ 2,000,000	\$ 2,000,000		\$ 2,000,000	\$ -	\$ -	\$ -	Assumes a 20% match to additional federal funding approved by MPO (\$900K) and contingency for project. Reduction of \$2.5 million from November 2022 estimate.
Match for TXDOT Projects	\$ 3,000,000	\$ 1,000,000	\$ 1,000,000	\$ 2,000,000	\$ 1,000,000	\$ -	\$ 1,000,000	Plan for additional matches (Dilley & Delake and Transit Projects, match for TASA projects and others.)
Street and Drainage projects	\$ 3,250,000	\$ 500,000	\$ 1,000,000	\$ 1,500,000	\$ 1,000,000	\$ 750,000	\$ 1,750,000	Specific projects to be identified. Added \$250k to match potential city/developer agreements.
<b>Total Street and Infrastructure</b>	<b>\$ 8,250,000</b>	<b>\$ 3,500,000</b>	<b>\$ 2,000,000</b>	<b>\$ 5,500,000</b>	<b>\$ 2,000,000</b>	<b>\$ 750,000</b>	<b>\$ 2,750,000</b>	
Regional Recreation Facility	\$ 22,000,000		\$ 2,500,000	\$ 2,500,000	\$ 12,000,000	\$ 7,500,000	\$ 19,500,000	Changed cashflow to allow for design and preliminary work in FY 2023 and FY 2024 and construction starting in FY 2025.
ADA Implementation	\$ 5,000,000	\$ 500,000	\$ 2,000,000	\$ 2,500,000	\$ 1,500,000	\$ 1,000,000	\$ 2,500,000	
Municipal Facilities - Phase 1	\$ 15,000,000	\$ 10,000,000	\$ 5,000,000	\$ 15,000,000	\$ -	\$ -	\$ -	
<b>Totals</b>	<b>\$ 50,250,000</b>	<b>\$ 14,000,000</b>	<b>\$ 11,500,000</b>	<b>\$ 25,500,000</b>	<b>\$ 15,500,000</b>	<b>\$ 9,250,000</b>	<b>\$ 24,750,000</b>	

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

**Preliminary Schedule of Events**

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

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

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

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

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

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

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

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

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

# Horizon City Police Department

## 2022 Annual Racial Profiling Report



# Table of Contents

LETTER TO MAYOR AND CITY COUNCIL.....	3
POLICY .....	4-9
INTERPRETATION OF DATA AND INTRODUCTION.....	10
ANALYSIS.....	11-16
COMPLAINTS.....	17
SUMMARY CHECKLIST .....	18





# Horizon City Police Department

14999 Darrington Road, Horizon City, TX 79928 - 915-852-1047  
www.horizoncitypd.com  
Chief of Police, Marco A. Vargas. MPS, MS FBI NA 244



January 31, 2023

Dear Distinguished Mayor and Members of City Council,

In 2001, the Texas Legislature enacted the Racial Profiling Law (S.B. 1074) aimed at addressing issues which arose from perceived racial profiling by police officers to certain members of the general public. In the interest of a sound and biased free public service, the Horizon Police Department has been and will continue to be dedicated to not only ensuring compliance with SB 1074 but engaging in objective policing.

Throughout the year, the Horizon City Police Department collects contact data on every traffic stop and general contact they make. They do this through a systematic method incorporated in our handheld ticket writers. The information is collected and transposed in to an analytical report breaking down the specific percentages of traffic contacts by gender and race. This process is in place to assure the community the Horizon City Police Department does not engage in biased based policing.

In this report, you will find information on citation-based contact data along with other documentation that aimed at supporting the fact that the Horizon City Police Department complies with The Texas Racial Profiling Law. Included in the this report is the report submitted to the State of Texas as required by law. It furthermore illustrates the specific analysis of breakdown of contacts as compared to the actual racial breakdown of Horizon City as per the most current census. It also includes our policy and the training material used to ensure our police department does not engage in racial profiling.

The data and supporting documentation presented in this report clearly indicate that the Horizon City Police Department does not engage in racial profiling. Our police department will continue to strive to ensure we do not engage in racial profiling.

Sincerely,  
Chief Marco A. Vargas

## Report & Analysis

Article 2.132 of the Texas Code of Criminal Procedure requires that each law enforcement agency have a detailed written policy in regard to the topic of racial profiling. That policy must define racial profiling, prohibit the act of racial profiling, implement a complaint process, provide for public education, require corrective action if racial profiling occurs, require collection of data, and require the submission of an annual report.

The policy issued by the Horizon City Police Department in May 2016, fully complies with Article 2.132. The policy is set forth below in its entirety.

### I. POLICY

We are committed to a respect for constitutional rights in the performance of our duties. Our success is based on the respect we give to our communities, and the respect members of the community observe toward law enforcement. To this end, we shall exercise our sworn duties, responsibilities, and obligations in a manner that does not discriminate on the basis of race, sex, gender, sexual orientation, national origin, ethnicity, age, or religion. Respect for diversity and equitable enforcement of the law are essential to our mission.

All enforcement actions shall be based on the standards of reasonable suspicion or probable cause as required by the Fourth Amendment to the U. S. Constitution and by statutory authority. In all enforcement decisions, officers shall be able to articulate specific facts, circumstances, and conclusions that support probable cause or reasonable suspicion for arrests, searches, seizures, and stops of individuals. Officers shall not stop, detain, arrest, search, or attempt to search anyone based solely upon the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.

All departmental orders are informed and guided by this directive. Nothing in this order limits non-enforcement contacts between officers and the public.

### II. PURPOSE

The purpose of this order is to provide general guidance on reducing the presence of bias in law enforcement actions, to identify key contexts in which bias may influence these actions, and emphasize the importance of the constitutional guidelines within which we operate.

### III. DEFINITIONS

Most of the following terms appear in this policy statement. In any case, these terms

appear in the larger public discourse about alleged biased enforcement behavior and in other orders. These definitions are intended to facilitate on-going discussion and analysis of our enforcement practices.

- A. Bias: Prejudice or partiality based on preconceived ideas, a person's upbringing, culture, experience, or education.
- B. Biased policing: Stopping, detaining, searching, or attempting to search, or using force against a person based upon his or her race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.
- C. Ethnicity: A cluster of characteristics that may include race but also cultural characteristics or traits that are shared by a group with a common experience or history.
- D. Gender: Unlike sex, a psychological classification based on cultural characteristics or traits.
- E. Probable cause: Facts or apparent facts and circumstances within an officer's knowledge and of which the officer had reasonable, trustworthy information to lead a reasonable person to believe that an offense has been or is being committed, and that the suspect has committed it.
- F. Race: A category of people of a particular decent, including Caucasian, African, Hispanic, Asian, Middle Eastern, or Native American descent. As distinct from ethnicity, race refers only to physical characteristics sufficiently distinctive to group people under a classification.
- G. Racial profiling: A law-enforcement initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.
- H. Reasonable suspicion: Articulate, objective facts that lead an experienced officer to suspect that a person has committed, is committing, or may be about to commit a crime. A well-founded suspicion is based on the totality of the circumstances and does not exist unless it can be articulated. Reasonable suspicion supports a stop of a person. Courts require that stops based on reasonable suspicion be "objectively reasonable."
- I. Sex: A biological classification, male or female, based on physical and genetic characteristics.
- J. Stop: An investigative detention. The detention of a subject for a brief period of time, based on reasonable suspicion.

## IV. PROCEDURES

### A. General responsibilities

1. Officers are prohibited from engaging in bias-based profiling or stopping, detaining, searching, arresting, or taking any enforcement action including seizure or forfeiture activities, against any person based solely on the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. These characteristics, however, may form part of reasonable suspicion or probable cause when officers are seeking a suspect with one or more of these attributes. (TBP: 2.01)
2. Investigative detentions, traffic stops, arrests, searches, and property seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution. Officers must be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, subject stops, arrests, nonconsensual searches, and property seizures. Except as provided in number 3 below, officers shall not consider race/ethnicity in establishing either reasonable suspicion or probable cause. Similarly, except as provided below, officers shall not consider race/ethnicity in deciding to initiate even those nonconsensual encounters that do not amount to legal detentions or to request consent to search.
3. Officers may take into account the reported race or ethnicity of a specific suspect or suspects based on trustworthy, locally relevant information that links a person or persons of a specific race/ethnicity to a particular unlawful incident(s). Race/ethnicity can never be used as the sole basis for probable cause or reasonable suspicion. Except as provided above, race/ethnicity Reasonable suspicion or probable cause shall form the basis for any enforcement actions or decisions. Individuals shall be subjected to stops, seizures, or detentions only upon reasonable suspicion that they have committed, are committing, or are about to commit an offense. Officers shall document the elements of reasonable suspicion and probable cause in appropriate reports.
4. Officers shall observe all constitutional safeguards and shall respect the constitutional rights of all persons.
  - a. As traffic stops furnish a primary source of bias-related complaints, officers shall have a firm understanding of the warrantless searches allowed by law, particularly the use of

consent. How the officer disengages from a traffic stop may be crucial to a person's perception of fairness or discrimination.

- b. Officers shall not use the refusal or lack of cooperation to justify a search of the person or vehicle or a prolonged detention once reasonable suspicion has been dispelled.
  2. All personnel shall treat everyone with the same courtesy and respect that they would have others observe to department personnel. To this end, personnel are reminded that the exercise of courtesy and respect engenders a future willingness to cooperate with law enforcement.
    - a. Personnel shall facilitate an individual's access to other governmental services whenever possible, and shall actively provide referrals to other appropriate agencies.
    - b. All personnel shall courteously accept, document, and forward to the Chief of Police any complaints made by an individual against the department. Further, officers shall provide information on the complaint's process and shall give copies of "How to Make a Complaint" when appropriate.
  3. When feasible, personnel shall offer explanations of the reasons for enforcement actions or other decisions that bear on the individual's well-being unless the explanation would undermine an investigation or jeopardize an officer's safety.
  4. When concluding an encounter, personnel shall thank him or her for cooperating.
  5. When feasible, all personnel shall identify themselves by name. When a person requests the information, personnel shall give their departmental identification number, name of the immediate supervisor, or any other reasonable information.
  6. All personnel are accountable for their actions. Personnel shall justify their actions when required.

#### B. Supervisory responsibilities

1. Supervisors shall be held accountable for the observance of constitutional safeguards during the performance of their duties. Supervisors shall identify and correct instances of bias in the work of their subordinates.

2. Supervisors shall use the disciplinary mechanisms of the department to ensure compliance with this order and the constitutional requirements of law enforcement.
3. Supervisors shall be mindful that in accounting for the actions and performance of subordinates, supervisors are key to maintaining community trust in law enforcement. Supervisors shall continually reinforce the ethic of impartial enforcement of the laws, and shall ensure that personnel, by their actions, maintain the community's trust in law enforcement.
4. Supervisors are reminded that biased enforcement of the laws engenders not only mistrust of law enforcement, but increases safety risks to personnel. Lack of control over bias also exposes the department to liability consequences.
5. Supervisors shall be held accountable for repeated instances of biased enforcement of their subordinates.
6. Supervisors shall ensure that all enforcement actions are duly documented per departmental policy. Supervisors shall ensure that all reports show adequate documentation of reasonable suspicion and probable cause, if applicable.
7. Supervisors shall facilitate the filing of any complaints about law-enforcement service.

C. Disciplinary consequences

Actions prohibited by this order shall be cause for disciplinary action, up to and including dismissal.

A. Training (TBP: 2.01)

Officers shall complete all training required by state law regarding bias-based profiling.

**V. COMPLAINTS**

- A. The department shall publish "How to Make a Complaint" folders and make them available at all city facilities and other public locations throughout the city. The department's complaint process and its bias-based profiling policy will be posted on the department's website. Whenever possible, the media will be used to inform the public of the department's policy and complaint process.
- B. Complaints alleging incidents of bias-based profiling will be fully investigated as described under Policy 2.4.
- C. Complainants will be notified of the results of the investigations when the investigation is completed.

## **VI. RECORD KEEPING**

- A. The department will maintain all required records on traffic stops where a citation is issued or where an arrest is made subsequent to a traffic stop pursuant to state law.
- B. The information collected above will be reported to the city council annually.
- C. The information will also be reported to TCOLE in the required format.



## Introduction and Interpretation of Data

In 2001 the Texas government set into law Senate Bill 1074 which related to the prevention of racial profiling by certain peace officers. It further mandated law enforcement agencies in the State of Texas comply with the provisions set forth in Articles 2.132, 2.133 and 2.134 of the Texas Code of Criminal Procedure.

In ensuring the fulfillment of Senate Bill 1074. The Horizon Police Department adopted a policy and implemented procedures to collect the data necessary to show our agency was in compliance with the factors relevant to the prevention of racial profiling. This data is electronically collected through the current ticket system we have in place. The company which serves as the custodian and collects this information ensures that the information is collected and transposed into a template which meets the necessary requirements stipulated by law.

As the graphs below will show, the Horizon City Police Department is in line with the expectations of the state as the percentages of contacts coincides with the breakdown of our population according to the census report. Preliminarily, the below chart illustrates the specific breakdown of contacts by race as compared to census numbers.

Race or Ethnicity	Racial Profiling Report numbers	Racial Profiling Report Percentages	Census Numbers
American Indian	17	.39%	.6%
Asian/Pacific Islander	6	.14%	.0%
Black	80	1.83%	3.2%
Hispanic/Latino	3,369	76.92%	90.1%
White	908	20.73%	74.4%

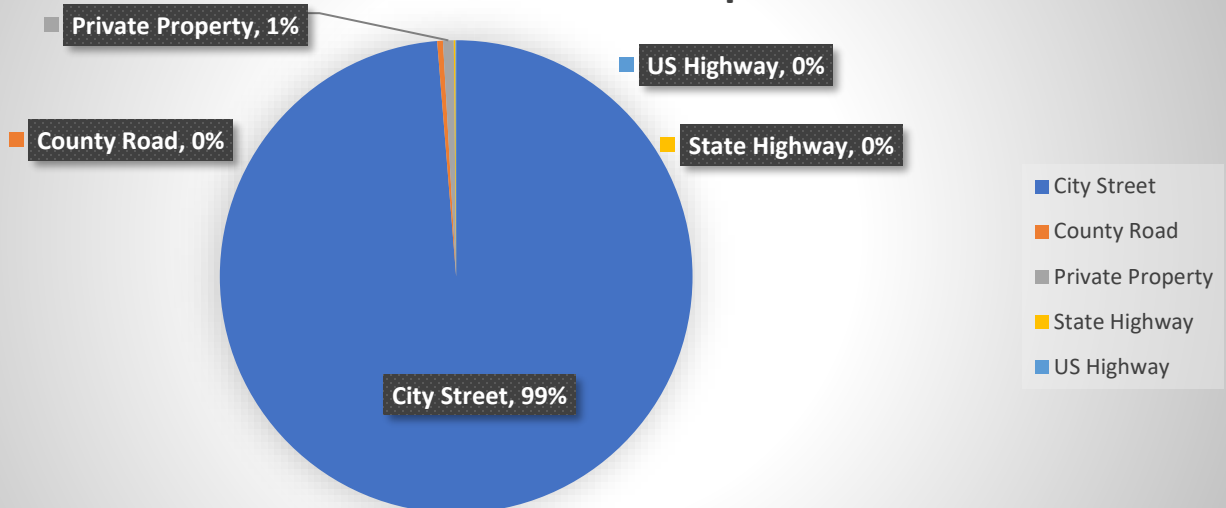
## 2022 Racial Profiling Report & Analysis

In 2022, our officers did 4,380 traffic contacts. The racial profiling requires we report 13 specific areas of data we must collect and examine. The following charts indicate a comparison between actual traffic stops and the most recent comparable census data.

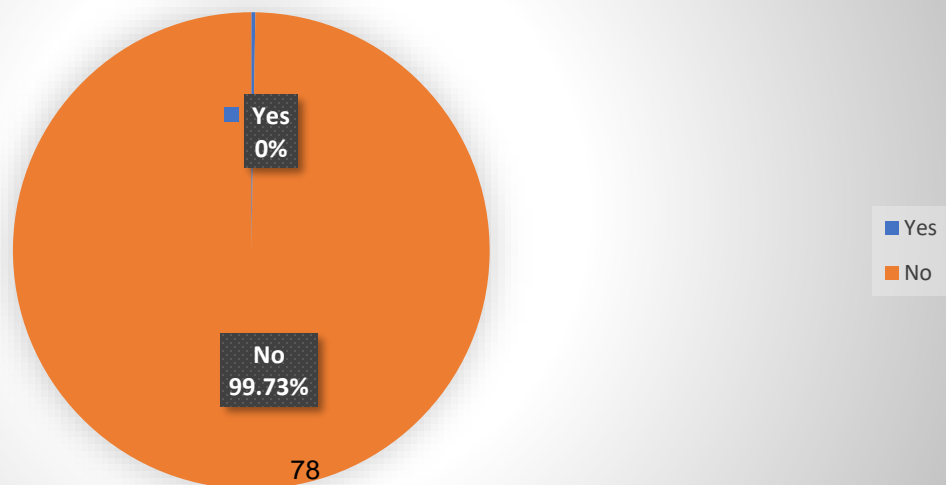
### Question 1 – Total Traffic Stops

4,380

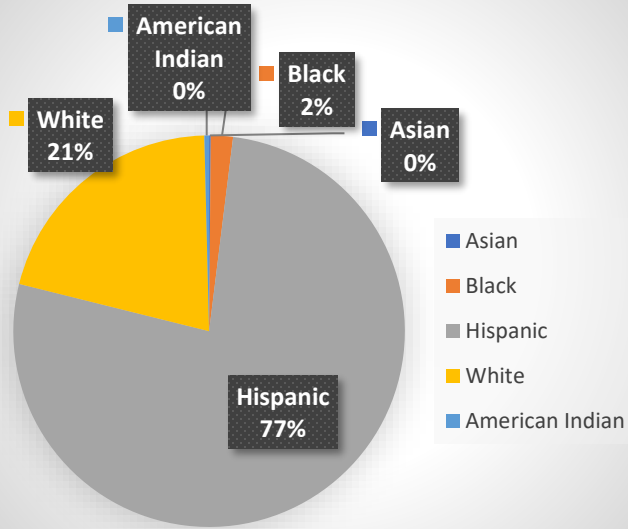
#### 2. Location of Stop



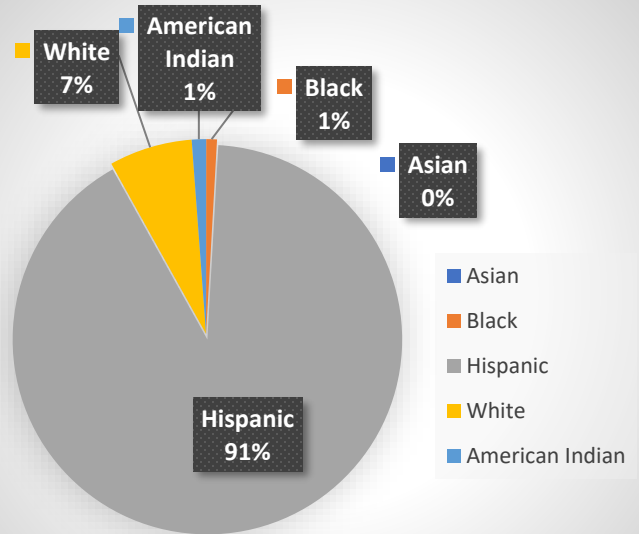
#### 3. Knew Race/Ethnicity Prior to Stop



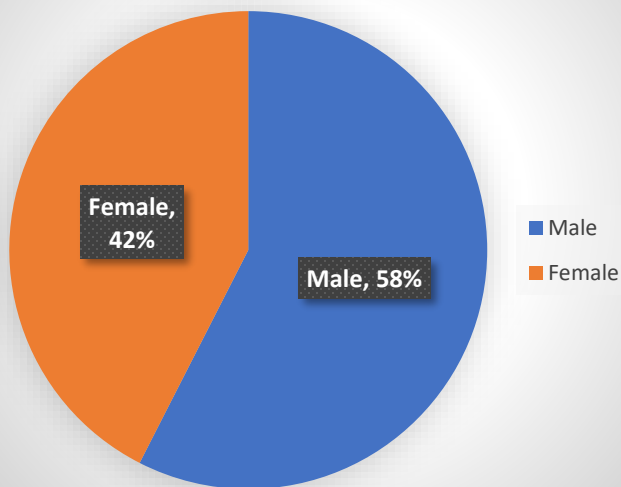
#### 4. Ethnicity by Traffic Stops



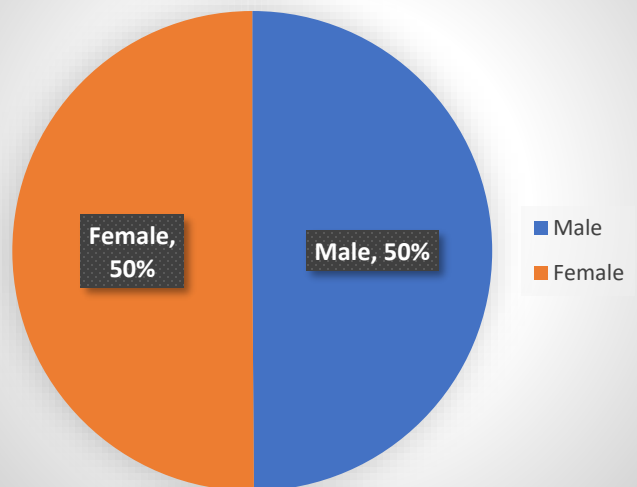
#### Ethnicity by Census



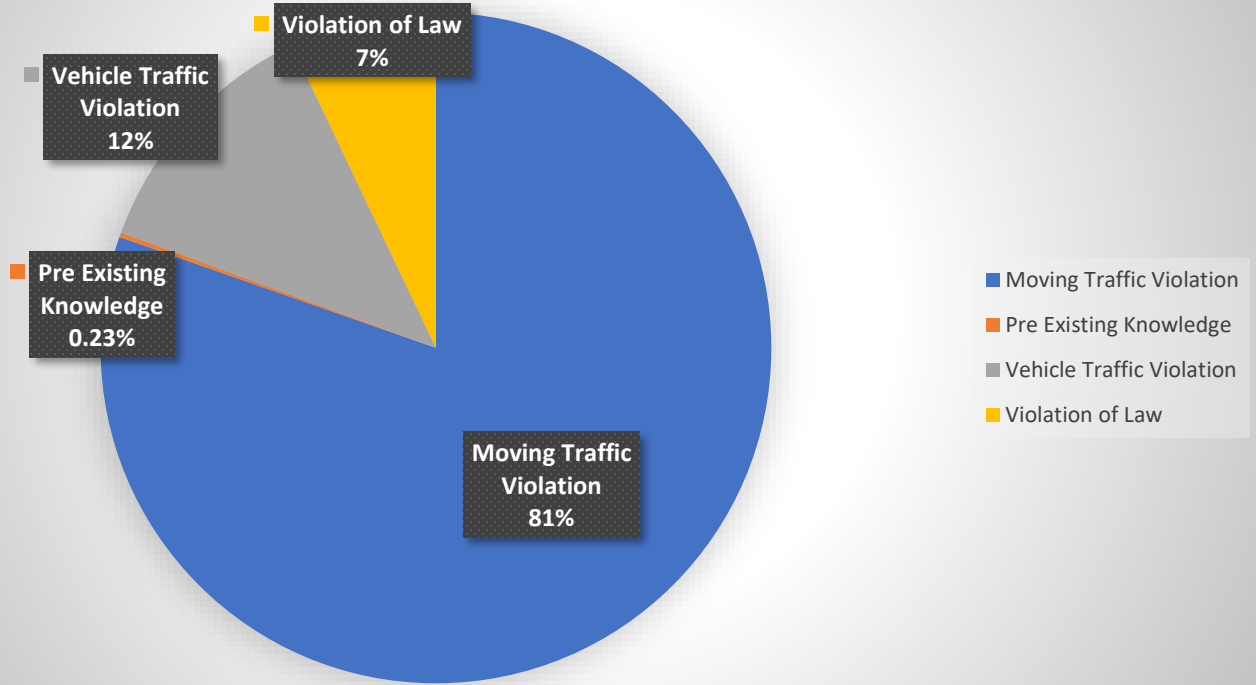
#### 5. Gender by Traffic Stops



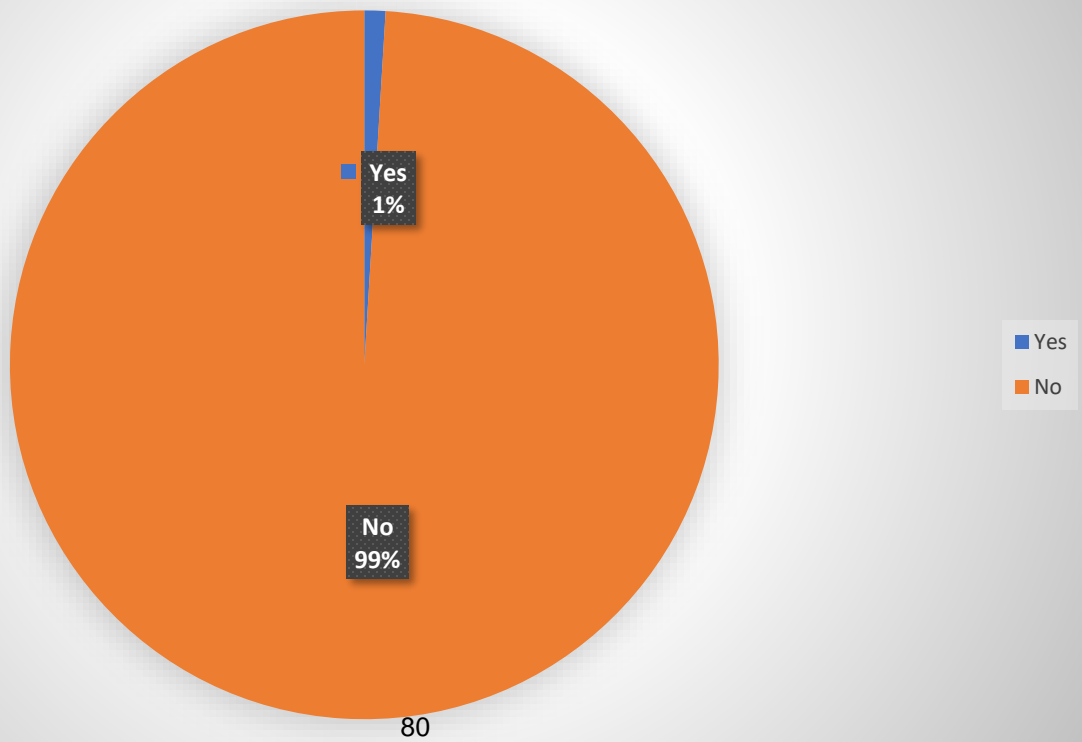
#### Gender by Census



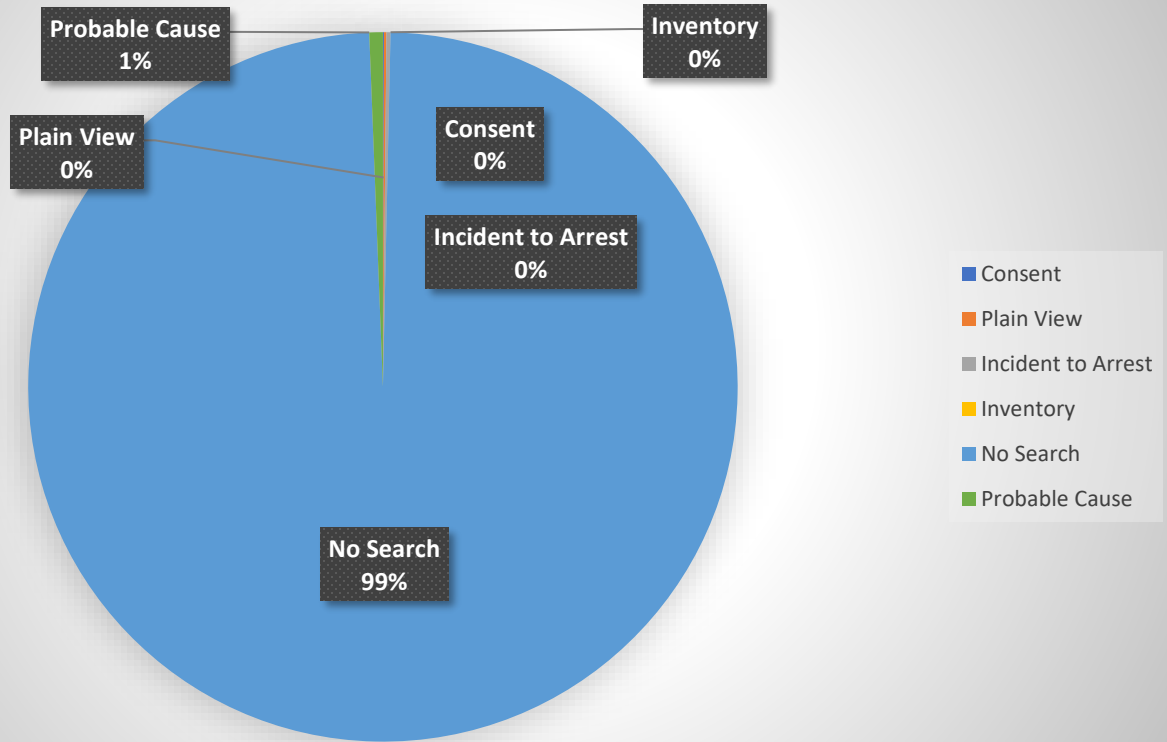
## 6. Reason for the Stop



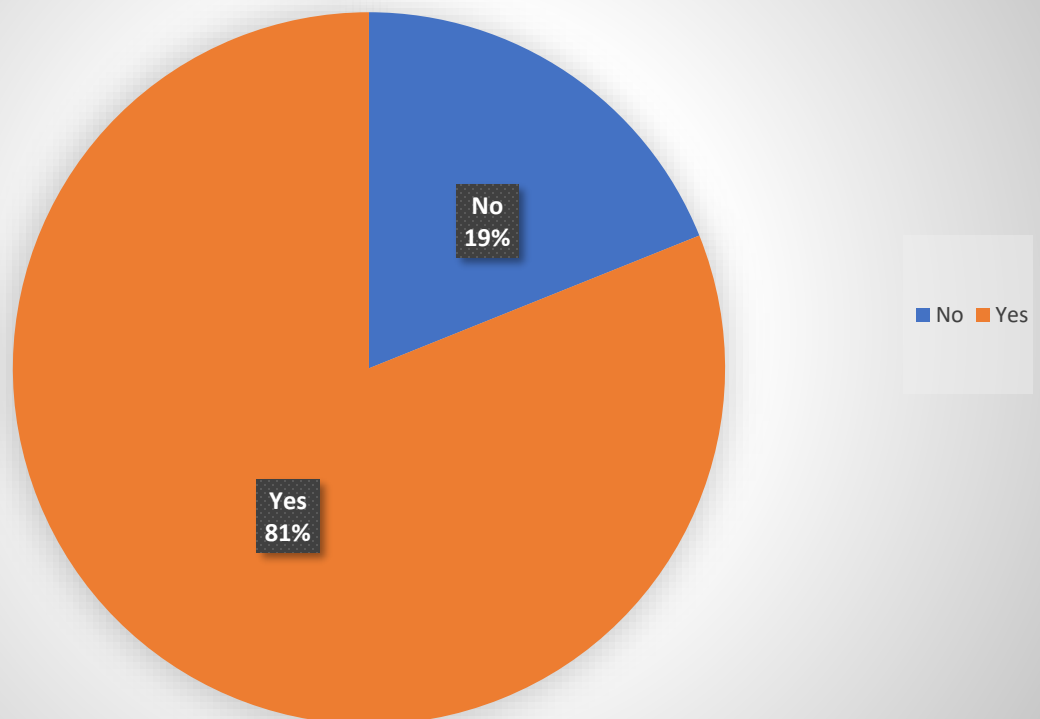
## 7. Was a Search Conducted?



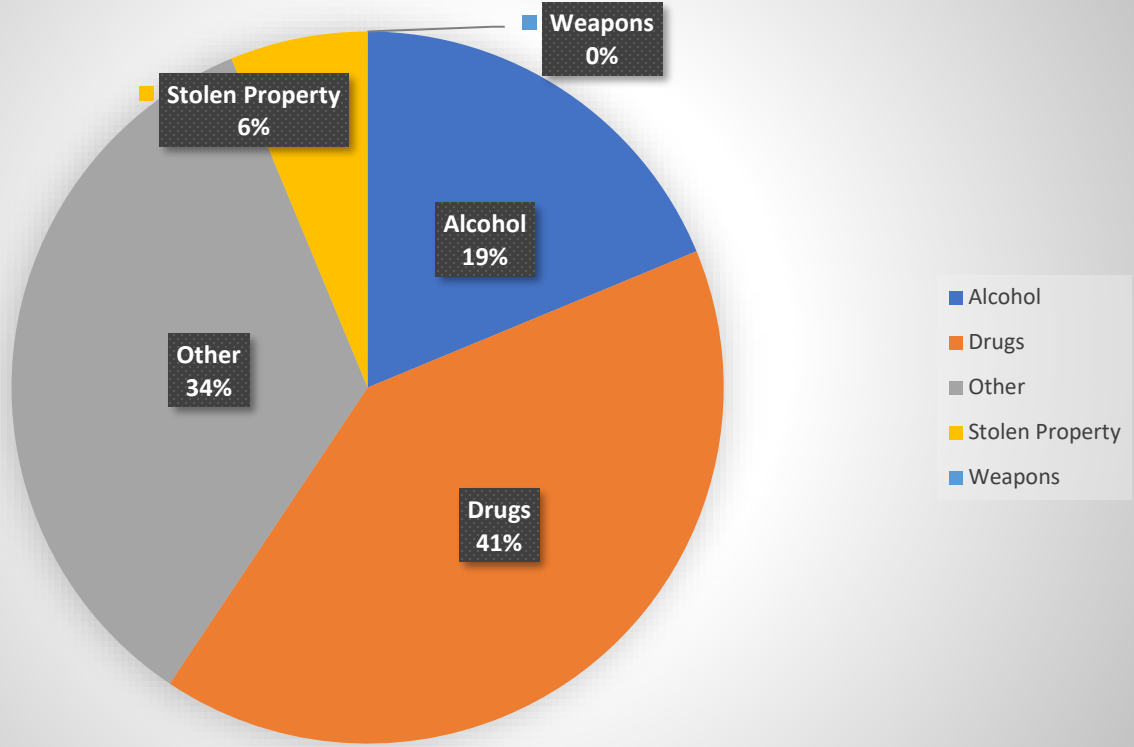
## 8. Reason for the Search?



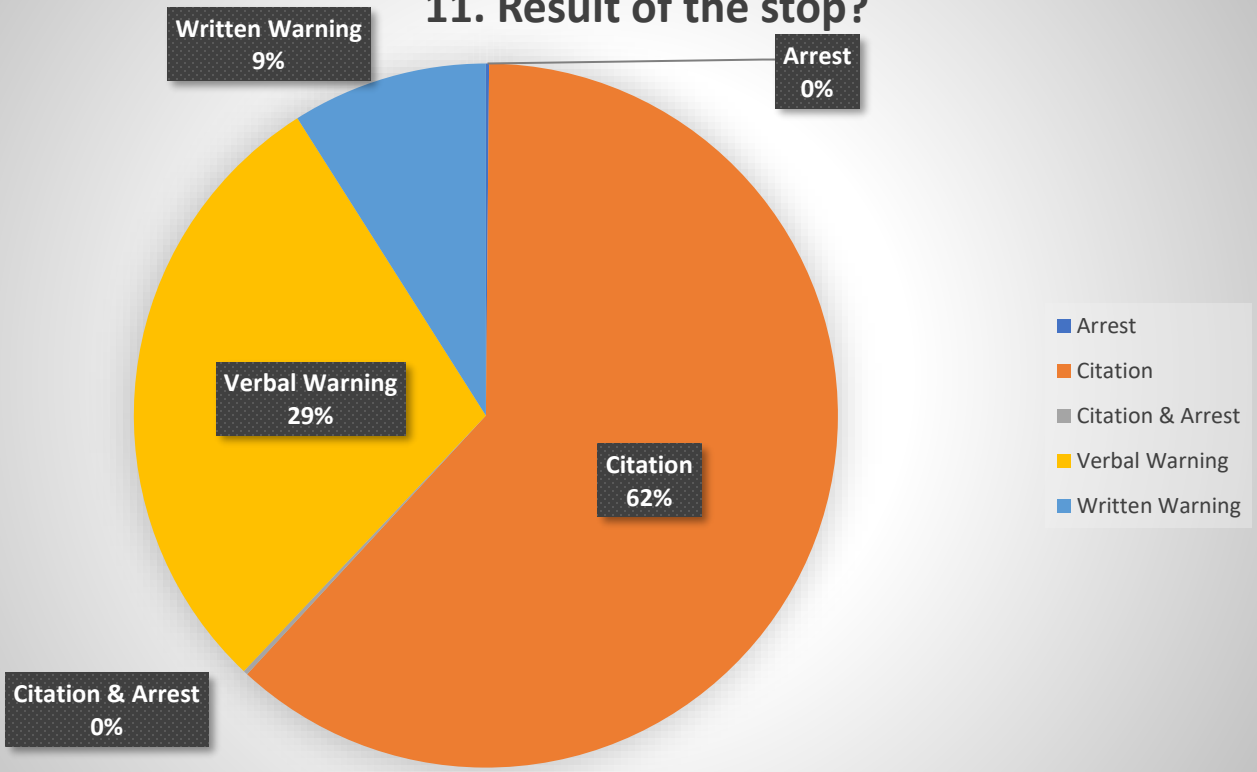
## 9. Was contraband discovered?



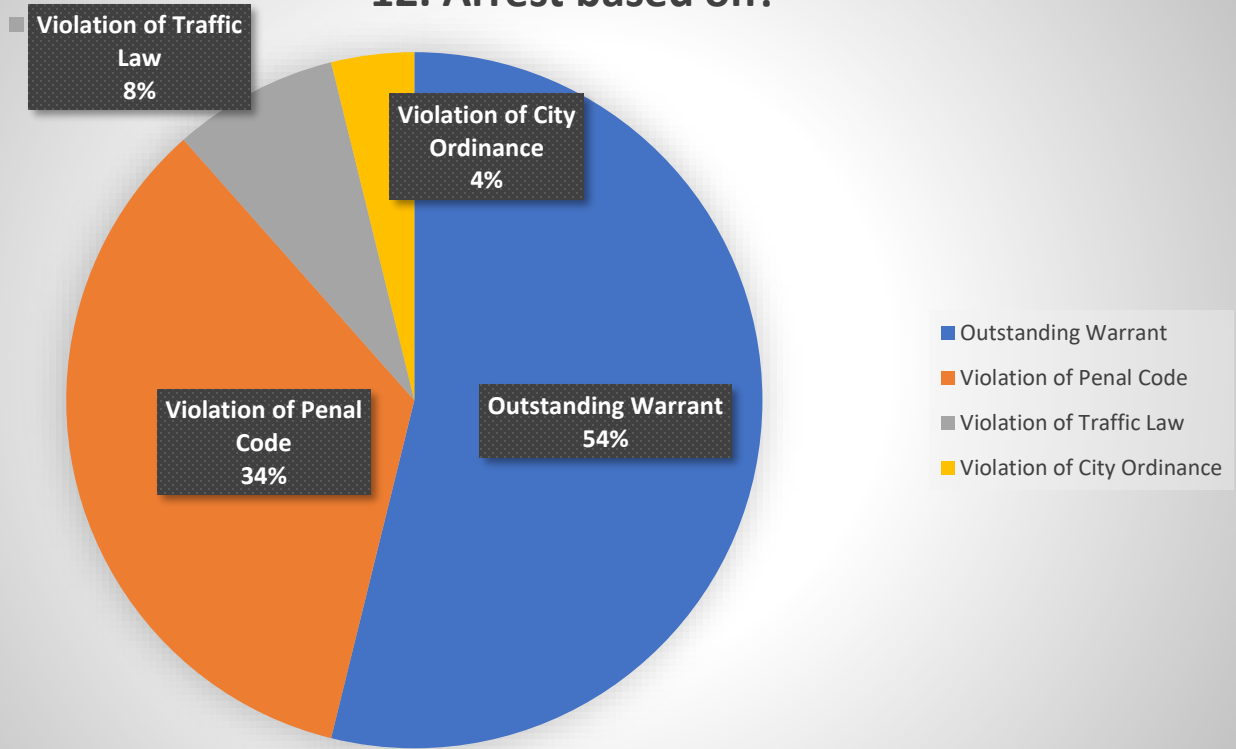
### 10. Description of contraband?



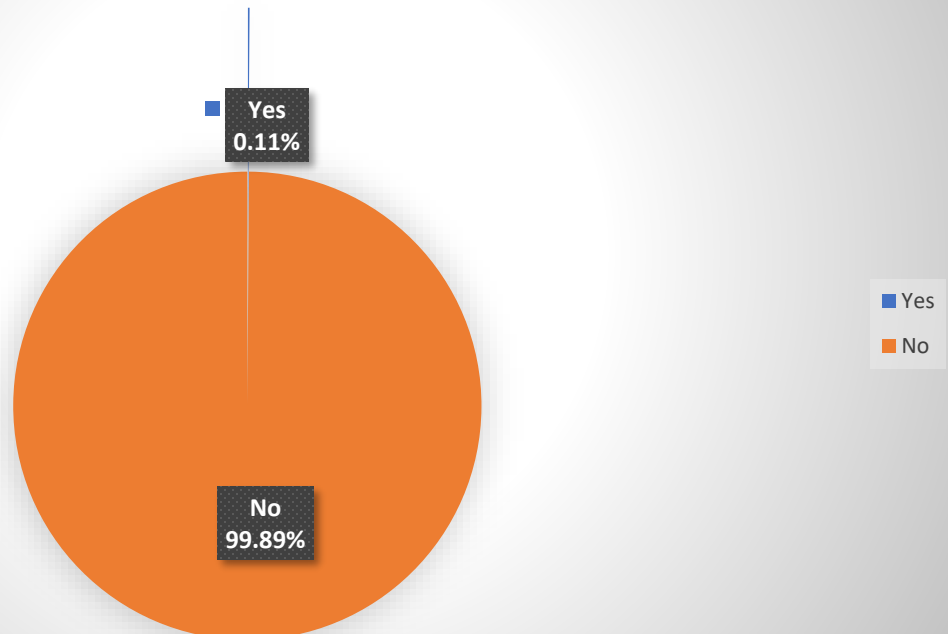
### 11. Result of the stop?



## 12. Arrest based on?



## 13. Was physical force used resulting in bodily injury used during the stop?



### Racial Profiling Complaints

The following table contains data regarding officers who have been the subject of a racial profiling complaint during the time period of January 1, 2022, to December 31, 2022, based on allegations related to possible violations of the Texas Racial Profiling Law. The final disposition of the case is also included.

A check above indicates that the Horizon City Police Department has not received any complaints, as outlined in the law, on any members of its police force, for having violated the Texas Racial Profiling Law during the time period of January 1, 2022, to December 31, 2022.

Complaints Filed for Possible Violations of The Texas Racial Profiling Law.

Complaint No.	Alleged Violation			Disposition of the Case

**Additional Comments:**

---



---

## SB 1074 Summary Checklist

The following requirements **were** met by the Horizon City Police Department in accordance with Senate Bill 1074:

- Clearly defined act or actions that constitute racial profiling
- Statement indicating prohibition of any peace officer employed by the Horizon City Police Department from engaging in racial profiling
- Implement a process by which an individual may file a complaint regarding racial profiling violations
- Provide public education related to the complaint process
- Implement disciplinary guidelines for officer found in violation of the Texas Racial Profiling Law
- Collect data that includes information on
  - a) Race and ethnicity of individual detained
  - b) Whether a search was conducted
  - c) If there was a search, whether it was a consent search or a probable cause search
  - d) Whether a custody arrest took place
- Indicate total number of officers who knew and did not know, the race/ethnicity of individuals before being detained.
- Produce an annual report on police contacts and present this to local governing body and TCOLE by March 1, 2023.
- Adopt a policy, if video/audio equipment is installed, on standards for reviewing video and audio documentation

### Contact Information

For additional questions regarding the information presented in this report, please contact:

**Horizon City Police Department**  
**14999 Darrington Road**  
**Horizon City, Texas 79928**  
**(915) 852-1047**  
**Chief of Police**  
**Marco A. Vargas**

# Racial Profiling Report | Full

---

Agency Name: HORIZON CITY POLICE DEPT.  
Reporting Date: 01/20/2023  
TCOLE Agency Number: 141211

Chief Administrator: MARCO A. VARGAS

Agency Contact Information:  
Phone: (915) 852-1047  
Email: mvargas@horizoncity.org

Mailing Address:  
14999 DARRINGTON RD  
Horizon City, TX 79928

This Agency filed a full report

HORIZON CITY POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the HORIZON CITY POLICE DEPT. from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the HORIZON CITY POLICE DEPT. if the individual believes that a peace officer employed by the HORIZON CITY POLICE DEPT. has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the HORIZON CITY POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the HORIZON CITY POLICE DEPT. policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or citation is issued and to arrests made as a result of those stops, including information relating to:
  - a. the race or ethnicity of the individual detained;
  - b. whether a search was conducted and, if so, whether the individual detained consented to the search;
  - c. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
  - d. whether the peace officer used physical force that resulted in bodily injury during the stop;
  - e. the location of the stop;
  - f. the reason for the stop.
- 7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
  - a. the Commission on Law Enforcement; and
  - b. the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The HORIZON CITY POLICE DEPT. has satisfied the statutory data audit requirements as prescribed in Article

2.133(c), Code of Criminal Procedure during the reporting period.

Executed by: MARCO A. VARGAS  
Chief

Date: 01/20/2023

# Total stops: 4380

---

## Street address or approximate location of the stop

City street	4305
US highway	0
County road	17
State highway	5
Private property or other	53

## Was race or ethnicity known prior to stop?

Yes	12
No	4368

## Race / Ethnicity

Alaska Native / American Indian	17
Asian / Pacific Islander	6
Black	80
White	908
Hispanic / Latino	3369

## Gender

<b>Female</b>	<b>1861</b>
Alaska Native / American Indian	8
Asian / Pacific Islander	5
Black	26
White	375
Hispanic / Latino	1447
<b>Male</b>	<b>2519</b>
Alaska Native / American Indian	9
Asian / Pacific Islander	1
Black	54
White	533
Hispanic / Latino	1922

## Reason for stop?

<b>Violation of law</b>	<b>615</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	10
White	528

Hispanic / Latino	553
<b>Preexisting knowledge</b>	<b>68</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	3
White	9
Hispanic / Latino	56
<b>Moving traffic violation</b>	<b>3209</b>
Alaska Native / American Indian	17
Asian / Pacific Islander	6
Black	57
White	718
Hispanic / Latino	2411
<b>Vehicle traffic violation</b>	<b>488</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	10
White	129
Hispanic / Latino	349
<b>Was a search conducted?</b>	
<b>Yes</b>	<b>42</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	9
Hispanic / Latino	32
<b>No</b>	<b>4338</b>
Alaska Native / American Indian	17
Asian / Pacific Islander	6
Black	79
White	899
Hispanic / Latino	3337
<b>Reason for Search?</b>	
<b>Consent</b>	<b>2</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0 89

Hispanic / Latino	2		
<b>Contraband</b>	<b>5</b>		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	1		
Hispanic / Latino	4		
<b>Probable</b>	<b>27</b>		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	1		
White	8		
Hispanic / Latino	18		
<b>Inventory</b>	<b>0</b>		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	0		
Hispanic / Latino	0		
<b>Incident to arrest</b>	<b>8</b>		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	0		
Hispanic / Latino	8		
<b>Was Contraband discovered?</b>			
<b>Yes</b>	<b>30</b>	<b>Did the finding result in arrest?</b>	
		(total should equal previous column)	
Alaska Native / American Indian	0	Yes 0	No 0
Asian / Pacific Islander	0	Yes 0	No 0
Black	1	Yes 0	No 1
White	8	Yes 0	No 8
Hispanic / Latino	21	Yes 4	No 17
<b>No</b>	<b>12</b>		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	1		
Hispanic / Latino	11		

<b>Description of contraband</b>	
<b>Drugs</b>	<b>13</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	4
Hispanic / Latino	9
<b>Weapons</b>	<b>0</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
<b>Currency</b>	<b>0</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
<b>Alcohol</b>	<b>6</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	2
Hispanic / Latino	4
<b>Stolen property</b>	<b>2</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	2
<b>Other</b>	<b>11</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	2
Hispanic / Latino	8
<b>Result of the stop</b>	
Verbal warning	<b>1685</b>

Alaska Native / American Indian	0
Asian / Pacific Islander	4
Black	50
White	263
Hispanic / Latino	1368
<b>Written warning</b>	<b>524</b>
Alaska Native / American Indian	17
Asian / Pacific Islander	0
Black	7
White	190
Hispanic / Latino	304
<b>Citation</b>	<b>2149</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	2
Black	23
White	449
Hispanic / Latino	1676
<b>Written warning and arrest</b>	<b>1</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	1
<b>Citation and arrest</b>	<b>3</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	3
<b>Arrest</b>	<b>18</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	18
<b>Arrest based on</b>	
<b>Violation of Penal Code</b>	<b>5</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0

Black	0
White	0
Hispanic / Latino	5
<b>Violation of Traffic Law</b>	<b>2</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	2
<b>Violation of City Ordinance</b>	<b>1</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	1
<b>Outstanding Warrant</b>	<b>14</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	14

**Was physical force resulting in bodily injury used during stop?**

<b>Yes</b>	<b>5</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	5
<b>Resulting in Bodily Injury To:</b>	
Suspect	5
Officer	0
Both	0
<b>No</b>	<b>4375</b>
Alaska Native / American Indian	17
Asian / Pacific Islander	6
Black	80
White	908
Hispanic / Latino	3364

**Number of complaints of racial profiling**

Total	0
Resulted in disciplinary action	0
Did not result in disciplinary action	0

**Comparative Analysis**

Use TCOLE's auto generated analysis	<input type="checkbox"/>
Use Department's submitted analysis	<input checked="" type="checkbox"/>

**Optional Narrative**

N/A

Submitted electronically to the



The Texas Commission on Law Enforcement