



HORIZON CITY

Incorporated 1988

**AGENDA
PUBLIC MEETING
ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS MEETING
THE TOWN OF HORIZON CITY, TEXAS
Wednesday, April 19, 2023, 6:30 PM**

Notice is hereby given that a ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS MEETING of the Town of Horizon City, Texas will be held on **Wednesday, April 19, 2023 at 6:30 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; Establishment of Quorum**
- 2. **Open Forum:**
- 3. **Approval of Minutes from:** March 15, 2023 Regular Board Meeting. **3**
- 4. **Discussion:**
Presenter: EDC Executive Director
On recent activities and BR&E update by the Horizon City Economic Development Corporation.
- 5. **Discussion and Action:** **5**
Presenter: EDC Executive Director
Regarding a Resolution authorizing the President of the EDC to sign an agreement of participation with the Alliance for Regional Military Support Group in regional efforts to generate commercial activity related to Department of Defense operations.
- 6. **Executive Session**
The Economic Development Corporation Board of Directors of the Town of Horizon City may recess into EXECUTIVE SESSION pursuant to the Texas Government Code, Chapter 551, Subchapter D, under Article 551.071 – Consultation with Attorney; 551.072 – Deliberation Regarding Real Property; 551.073 – Deliberation Regarding Gifts and Donations; 551.074 – Personnel Matters; 551.076 – Deliberation Regarding Security Devices and 551.087 – Deliberation Regarding Economic Development Negotiations.
- 7. **Adjournment:**

Adjournment:

Motion to Adjournment: _____ 2nd _____

Dated this Friday, April 14, 2023

By: _____
Elvia Schuller, City Clerk

I, the undersigned authority, hereby certify that the above notice of the ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS MEETING of the Town of Horizon City, Texas is a correct copy of this

notice, and that I posted this notice at least seventy-two (72) hours preceding the scheduled meeting at the City Hall Bulletin Boards of the Town of Horizon City, Texas on this Friday, April 14, 2023 by 5:00 p.m.

Agenda Removed: _____ Time _____ By _____

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



**MINUTES
PUBLIC MEETING
ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS MEETING
THE TOWN OF HORIZON CITY, TEXAS
Wednesday, March 15, 2023, 6:30 PM**

Notice is hereby given that a ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS MEETING of the Town of Horizon City, Texas was held on **Wednesday, March 15, 2023 at 6:30 PM**, at City Council Chambers Room, 15001 Darrington Road, Horizon City, TX 79928, at which time the following was discussed and considered:

Participation by members of the public is welcome during the Open Forum portion of the agenda. To participate in public comment, interested members of the public **MUST** sign up prior to the meeting by emailing vrojas@horizedc.com or calling (915) 852-1046, EXT #113. Comments will be limited to 3 minutes per speaker.

An electronic copy of the meeting agenda materials will be posted on our City Website at the following link: <https://meetings.boardbook.org/Public/Organization/928>.

1. Call to order; Establishment of Quorum

Meeting called to order at: 6:31 pm. Quorum established.

Board Members Present: Walter Miller, Sandra Esqueda, Jerry Garcia, Aurelio Sillas

Board Members Absent: Dean Hulse, Kevin Richardson, Ruby Maldonado

2. Open Forum:

No audience present.

3. Approval of Minutes from: January 18, 2023 Regular Board Meeting

The above-stated minutes were approved on a motion by Board Member, Jerry Garcia and seconded by Board Member, Aurelio Sillas. Motion Carried Unanimously (4-0)

4. Discussion and Action:

Regarding a Resolution authorizing the President of the EDC to sign an agreement of participation with the Alliance for Regional Military Support Group in regional efforts to generate commercial activity related to Department of Defense operations.

Presenter: EDC Executive Director

This Item was tabled at the March 15, 2023, Regular Economic Development Corporation Board of Directors Meeting.

5. Discussion and Action:

Regarding a Resolution authorizing the President of the EDC to sign a Memorandum of Understanding between the Town of Horizon City's Economic Development Corporation and the Workforce Solutions Bordperplex to collaborate on the creation of jobs, capital investment and quality of life in the Town of Horizon City.

Presenter: EDC Executive Director

A motion was made by Board Member, Jerry Garcia to authore the President of the EDC to sign a Memorandum of Understanding between the Town of Horizon City's Economic Development Corporation and the Workforce Solutions Bordperplex to collaborate on the creation of jobs, capital investment and quality of life in the Town of Horizon City and seconded by Board Member Sandra Esqueda.
Motion Carried Unanimously (4-0)

6. Executive Session

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

7. Adjournment:

ADJOURNMENT

A motion was made by Board Member Jerry Garcia and seconded by Board Member, Aurelio Sillas to adjourn at 6:51 PM.

Approved this _____ day of _____, 20__.

Attest:

Veronica Rojas, Board Secretary

Board President

STATE OF TEXAS) **AGREEMENT FOR SERVICES**
) **(Alliance for Military Support)**
COUNTY OF EL PASO)

This Agreement for Services ("Agreement") is entered into by and between the **Horizon City Economic Development Corporation**, a Texas nonprofit economic development corporation organized under the Development Corporation Act, Chapter 505 of the Texas Local Government Code ("Corporation" or "EDC") and the **Alliance for Regional Military Support** ("ARMS"), a Texas-based nonprofit corporation, and (collectively, the "Parties") on this the ___day of April 2023,

RECITALS:

WHEREAS, the Horizon City Economic Development Corporation was organized and was approved by the voters of the Town of Horizon to promote economic development within the city limits of the Town of Horizon City; and

WHEREAS, both the Corporation and ARMS support regional economic development efforts by promoting growth in the defense and aerospace industries and the Corporation believes such efforts will benefit the growth of economic development within the Town; and

WHEREAS, the Horizon City Economic Development Corporation recognizes that the agreement with Cypress and ARMS supports and potentially will benefit economic development in the White Sands, Holloman, and Fort Bliss region and Horizon City in particular; and

WHEREAS, the Horizon City EDC desires to contract with ARMS which will coordinate with Cypress and pay all of the amounts paid by the EDC to Cypress to assist in supporting and fostering such economic development efforts in Horizon City; and

WHEREAS, the ARMS desires to contract with the Horizon City Economic Development Corporation and ensure that services provided in the agreement with Cypress for the benefit of Horizon City.

NOW, THEREFOR, ARMS and the Horizon City Economic Development Corporation hereby mutually agree to the following:

AGREEMENT

1. **Term.** The Term of this Agreement is for a period beginning April _19_, 2023 ("Effective Date") and ending April 1, 2024.

2. **Obligation of the Horizon City Economic Development Corporation.** For the services described in this Agreement, the EDC shall pay ARMS the sum of \$10,000 annually. The initial amount shall be paid within 30 days of the date of execution of this Agreement.
3. The funds paid to ARMS will be used exclusively to pay for the contract professional services with Cypress.
4. **Manner of Payment.** The Horizon City EDC will provide two equal semi-annual payments of \$5,000.00 each, to ARMS with the first payment due on the effective date of this Agreement.

Payment shall be mailed to:

Alliance for Regional Military Support
1460 Common Drive
El Paso, TX 79936

5. **Obligations of ARMS.**

- A. ARMS will coordinate the Horizon City EDC, its Executive Director and/or its designee on at least a monthly basis and shall brief the EDC Board of Directors on a semi-annual basis about the direction and efforts of ARMS.
- B. ARMS will cause Cypress International to work collaboratively with the Horizon City EDC's Executive Director to execute on Horizon's priorities.
- C. ARMS will ensure that the Horizon City EDC is provided with the opportunity to participate in phone calls, visits, and meetings with Cypress that are organized by the ARMS and that the concerns, information, advice and assessment gathered by Cypress for the purpose of increasing regional defense and aerospace industries is shared with Horizon City EDC.
- D. ARMS and the Horizon City Economic Development Corporation agree to collaborate and share information on all activities related to the Military that are deemed to be relevant by the Horizon City Economic Development Corporation to their stated priorities.
- E. ARMS acknowledges that, as the contracting party with Cypress, is solely responsible for payments to be made pursuant to its Professional Services Agreement with Cypress.
- F. The Town of Horizons City's Economic Development Corporation (HCEDC) and ARMS agree to collaborate in recruiting aerospace and defense companies to Horizon City. This collaboration will take the form of HCEDC identifying land within the Town of Horizon City that is most suited for the utilization of aerospace and defense operations. Once the property is identified, ARMS will collaborate with HCEDC to make introductions to possible aerospace and defense companies. HCEDC will contact and coordinate with Horizon City property owners and the leadership of identified aerospace and defense companies for the ultimate purpose of locating company operations within Horizon City.

Further, ARMS will immediately notify the Horizon City EDC promptly if it will be making any changes to the Cypress agreement or amend any provision therein. ARMS shall facilitate the access of the EDC (or its auditor or other authorized agent) to review the invoices and financial records of Cypress with regard to the expenditure of the EDC funds.

6. Obligations of the Horizon City Economic Development Corporation.

- A. The Horizon City EDC will identify key focus areas and missions and be responsible for developing the tasks to support their local military installation or City projects for military growth, through interaction and dialogue with its installation's leadership with assistance from ARMS and Cypress International.
- B. The Horizon City EDC hereby appoints the Executive Director Officer or his designee to interface with both ARMS and Cypress.
- C. The Horizon City Economic Development Corporation agrees to collaborate and share information with ARMS on all activities related to the Military that are deemed to be relevant by the Horizon City EDC to their stated priorities.
- D. The Horizon City EDC acknowledges that ARMS, is the contracting party with Cypress, and is solely responsible for payments to be made pursuant to its Professional Services Agreement with Cypress.

7. No Partnership or Joint Venture. Nothing contained herein shall constitute a partnership between or joint venture by the Parties or constitute any party the agent of the others. No party shall hold itself out contrary to the terms of this paragraph and no party shall become liable by any representation, act or omission of the other contrary to the provisions hereof.

This Agreement is not for the benefit of any third party and shall not be deemed to give any right or remedy to any such party whether referred to herein or not.

8. Indemnity and Hold Harmless. ARMS agrees to indemnify and hold the EDC, the Town of Horizon City and its agents, officers, and employees harmless for any and all losses, claims, suits, actions, and liability, including any litigation costs, that arise from any act or omission of ARMS or any of its officers and employees, agents, contractors, assignees, and affiliates relating to the project for which this agreement is made regardless of whether the act or omission is related to the stated purpose of the agreement.

In addition, ARMS will make its best efforts to obtain a written agreement from Cypress indemnifying and holding the EDC and the Town harmless from as set forth in this paragraph in exchange for the use of the EDC funds for Cypress services.

9. Notices. Any notices required under this Agreement shall be sufficient if sent by Certified Mail postage prepaid, to ARMS at the following addresses:

ARMS: Alliance for Regional Military Support
1460 Common Drive
El Paso, Texas 79936

WITH COPY TO EDC:

Horizon City Economic Development Corporation
14999 Darrington Road
Horizon City, Texas 79928

- 10. Termination.** This Agreement shall terminate at the end of the Term or as otherwise agreed upon by the parties hereto in writing. Either party may terminate this Agreement for any reason after ninety (90) days written notice to the other party of the intention to terminate ("Notice Period"), or at any time by mutual agreement of the parties. If Horizon City Economic Development Corporation elects to terminate this Agreement for any reason prior to the end of the Term, the Horizon City Economic Development Corporation shall be responsible for the obligated amount for the year(s) prior to and including the year of termination.
- 11. Governing Law.** It is agreed that this Agreement is entered into in the City and County of El Paso, State of Texas, and shall be governed by the laws of the State of Texas. Venue shall be in the courts of El Paso County, Texas.
- 12. Complete Agreement.** This Agreement constitutes and expresses the entire agreement between the parties hereto in reference to the Memorandum of Understanding.

IN WITNESS WHEREOF, the Parties execute this Agreement:

HORIZON CITY ECONOMIC DEVELOPMENT CORPORATION

Walter Miller, President

Date: _____

ATTEST:

Veronica Rojas, Secretary

Approved as to Form:

Approved as to Content:

Sylvia Borunda Firth
Assistant City Attorney

Eduardo Garcia
Executive Director

[Signatures continue on following page]

STATE OF TEXAS)
)
COUNTY OF EL PASO)

AGREEMENT FOR SERVICES
(Alliance for Military Support)

[Signatures, continued]

ARMS:

Richard E. Dayoub
Chairman

Gustavo J. Rodriguez, Jr. 2023
2023 Treasurer

Lance Lehr
2023 Vice Chairman

John Baily
2023 Secretary

Date: