



**HORIZON CITY**

**Incorporated 1988**

**PUBLIC MEETING AGENDA  
ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS  
REGULAR BOARD MEETING  
THE TOWN OF HORIZON CITY, TEXAS  
Wednesday, October 18, 2023, 6:30 PM**

Notice is hereby given that Regular Economic Development Corporation Board of Directors Meeting of the Town of Horizon City, Texas will be held on **Wednesday, October 18, 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:

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@horizonedc.com](mailto:vrojas@horizonedc.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**
- 2. **Open Forum:**
- 3. **Approval of Minutes from:** August 16, 2023 Regular Board Meeting. **3**
- 4. **Discussion:**  
On recent activities and BR&E update by the Horizon City Economic Development Corporation.  
Presenter: EDC Executive Director
- 5. **Discussion and Action:** **5**  
On authorizing the Board President to execute an employment agreement with Rafael Arellano as Assistant Director for the Town of Horizon City Type 4B Economic Development Corporation.  
  
EDC Executive Director
- 6. **Discussion and Action:** **12**  
Regarding a resolution/request from MICBEC Investments, LLC ("Developer") to assign their right title and interests in the Chapter 380 and Economic Development Performance Agreement, and the Right of First Offer Agreement to Horizon Oxbow Development LLC. and approval of a Resolution authorizing the EDC Board President to sign a Consent to Assign document.  
Presenter: EDC Executive Director
- 7. **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.
- 8. **Adjournment:**

Adjournment:

Dated this Friday, October 13, 2023

By: \_\_\_\_\_  
Veronica Rojas, Board Secretary

I, the undersigned authority, hereby certify that the above notice of the Regular 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, October 13, 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, August 16, 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, August 16, 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@horizonedc.com](mailto:vrojas@horizonedc.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: 6:30 pm. Quorum established.

Board Members Present: Walter Miller, Jerry Garica, Kevin Richardson, Ruby Maldonado, Aurelio Sillas, James Montoya, Dean Hulseley

Board Members Absent: None

Staff: Eddie Garcia, EDC Executive Director; Rafael Arellano, EDC Business Development Manager; Lily Gaytan, Finance Director; Veronica Rojas, Board Secretary; Michael McBroom (guest)

**2. Approval of Minutes from:** July 19, 2023 Regular Board Meeting.

The above-stated minutes were approved on a motion by Board Member, James Montoya and seconded by Board Member, Dean Hulseley. Motion Carried Unanimously (7-0).

**3. Open Fourn:**

No audience present.

**4. Discussion:**

On an update by The Retail Coach on retail initiatives.

Presenter: Aaron Farmer, The Retail Coach

Mr. Aaron Farmer from The Reatil Coach gave an update on this item.

**5. Discussion and Action:**

Discussion, consideration, and possible action of a Chapter 380 Economic Development Performance Agreement between the Town of Horizon City, the Horizon City Economic Development Corporation and MICBEC Investments, LLC.

Presenter: EDC Executive Director

A motion to approve discussion, consideration, and possible action of a Chapter 380 Economic Development Performance Agreement between the Town of Horizon City, the Horizon City Economic

Development Corporation and MICBEC Investments, LLC was made by Board Member Jerry Garcia and seconded by Board Member Dean Hulsey. Motion Carried Unanimously (7 – 0).

**6. Discussion and Action:**

Discussion, consideration, and possible action of a Right of First Offer Agreement between the Horizon City Economic Development Corporation and MICBEC Investments, LLC.

Presenter: EDC Executive Director

A motion to approve discussion, consideration, and possible action of a Right of First Offer Agreement between the Horizon City Economic Development Corporation and MICBEC Investments, LLC was made by Board Member, Jerry Garcia and seconded by Board Member Dean Hulsey.

Motion Carried Unanimously (7 – 0).

**7. Discussion and Action:**

On a request from the Horizon Economic Development Corporation (EDC) that the EDC Board approve the expenditure of \$13,000.00 by the EDC to sponsor the Texas Governor’s Small Business Summit to be held in El Paso on September 7th.

Presenter: EDC Executive Director

A motion to approve request from the Horizon Economic Development Corporation (EDC) that the EDC Board approve the expenditure of \$13,000.00 by the EDC to sponsor the Texas Governor’s Small Business Summit to be held in El Paso on September 7<sup>th</sup> was made by Board Member, Jerry Garcia and seconded by Board Member, Aurelio Sillas. Motion Carried Unanimously (7 – 0).

**8. 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.

**9. Adjournment:**

**ADJOURNMENT**

A motion was made by Board Member, Jerry Garcia and seconded by Board Member, Kevin Richardson to adjourn at 7:25PM.

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

**Attest:**

\_\_\_\_\_  
Veronica Rojas, Board Secretary

\_\_\_\_\_  
Board President

## EMPLOYMENT AGREEMENT

**THIS EMPLOYMENT AGREEMENT** ("Agreement") is made and entered into by and between the **Horizon City Type 4B Economic Development Corporation a nonprofit corporation, (the "EDC")**, and **Rafael Arellano**, hereinafter called ("**Employee**"), collectively referred to as "Parties," upon the following terms, covenants and conditions:

**WHEREAS**, the EDC is a nonprofit corporation established under Chapter 505 of the Texas Local Government Code by Town of Horizon City Ordinance No. 0191 for the purpose of promoting economic development within the Town of Horizon City as permitted by Texas law;

**WHEREAS**, the EDC desires to retain the services of the Employee as its Assistant Economic Development Director pursuant to the terms of this Agreement;

**WHEREAS**, the Employee desires to work for the EDC as its Assistant Economic Development Director upon the terms and conditions set forth herein;

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

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

**TERM.** The EDC employs the Employee, and the Employee accepts employment with the EDC, in the capacity of Assistant Economic Development Director for a period of two years beginning on October 29 ,2023 and extending through October 29, 2025. The EDC Board of Directors shall have the option to extend the Term of this Agreement at the same level of compensation for an additional one-year term at the end of the initial term. In the event the EDC board of director does not extend this Agreement, it will end on October 29, 2025, and all obligations arising from this Agreement will cease.

Without regard to the date this Agreement is signed, the Commencement Date as referenced in this Agreement shall be October 29, 2023.

Either party may terminate this Agreement for any reason prior to the conclusion of

the term upon the giving of thirty (30) days written notice to the other Party.

**DUTIES.** Employee shall serve as the Assistant Economic Development Director for the EDC. The Employee shall report to the EDC Executive Director and perform the essential functions as set forth in the Job Description attached to this Agreement as “EXHIBIT A” which shall substantially include the following duties and responsibilities:

**ESSENTIAL DUTIES AND RESPONSIBILITIES** *(including but not limited to)*

- Assists in developing long and short-term objectives, strategic and operational plans.
- Acts as technical advisor to the Economic Development Board of Directors and the City Council.
- Assists with the preparation and administration of the EDC budget,
- Supervises and directs staff engaged in specialized Economic Development projects and business assistance.
- Other duties as assigned.

**WORKING HOURS.** Employee is a full-time exempt employee. The Parties anticipate that the Employee's weekly duties will be performed in approximately forty (40) hours per week and Employee's compensation under this Agreement is based on this expectation and appointment. The EDC Executive Director shall establish such working hours as are necessary and appropriate to accomplish the assigned tasks and such working hours may occasionally require work outside standard business hours, such as attending the meetings of the EDC Board, and Employee shall make such adjustments to this schedule.

**OUTSIDE EMPLOYMENT/ACTIVITIES.** The Employee shall devote best efforts to the financial affairs of the EDC and shall not accept any other employment during the term of this Agreement that will conflict with such efforts. Prior to accepting any outside employment, Employee shall seek the approval of the Executive Director who shall in his/her sole and absolute discretion approve or disapprove the additional work based upon his/her assessment that the outside employment is not in conflict with the job as Assistant Economic Development Director of the EDC and will not interfere with the Employee's ability to satisfactorily perform the job functions of the Assistant Economic Development Director of the

EDC.

**EMPLOYEE BENEFITS.** As of the Commencement Date of this Agreement, Employee shall be eligible for all employee benefits as granted to a full-time employee of the Town of Horizon City, and as specified in the City' s Employee Handbook; including, but not limited to, PTO, health, dental and vision benefit plans, life insurance and disability coverage, and participation in the City's retirement plan.

**COMPENSATION.** As compensation for the services to be performed by Employee pursuant to this Agreement, the EDC shall pay the Employee the annual salary of Seventy Thousand Dollars (\$76,000.00) paid on a bi-weekly basis in the same manner as the Town of Horizon City payroll is distributed. Employee shall also be entitled to salary adjustments equal to any across the board salary adjustments provided to non-uniformed employees of the Town of Horizon City that occur during the of the term of the Employment Agreement.

**VEHICLE ALLOWANCE.** During the term of this Agreement Employee will be paid a vehicle allowance in the amount of \$200.00 per month as total compensation for the use of his personal vehicle for employment purposes. Employee is responsible for payment of fuel and all maintenance expenses and for the cost of ensuring the vehicle for damage, personal injuries, and other casualties.

**MISCELLANEOUS.**

1. This Agreement shall be governed and construed in accordance with the substantive and procedural laws of the State of Texas.
2. As of the Commencement Date, this Agreement sets forth the entire agreement of the parties and supersedes and renders null and void any and all prior or contemporaneous oral or written understandings, statements, representations or promises.
3. If any provision of this Agreement is later deemed unenforceable, the remaining provisions will continue to be binding, and the arbitrator(s) making such a determination shall also have the limited authority to modify any clause solely to render the provision valid under applicable law.

**The parties have executed this Agreement on the \_\_\_\_ day of \_\_\_\_\_, 2023.**

(Signatures on Next Page)

EMPLOYER: **TOWN OF HORIZON CITY TYPE 4B  
ECONOMIC DEVELOPMENT CORPORATION**

By: \_\_\_\_\_  
Walter Miller  
Board President

EMPLOYEE: \_\_\_\_\_  
Rafael Arellano

# TOWN OF HORIZON CITY

**CLASS TITLE:** Assistant Director Horizon City Economic Development Corp.

**WC Class Code:** Clerical-8810

**DEPARTMENT:** 501-EDC-Administration FLSA: Exempt-Contractual

This information is intended to be descriptive of the key responsibilities of the position. The following examples do not identify all duties performed by any single incumbent.

## **GENERAL SUMMARY**

Under the direction of the Horizon City Economic Development Corporation (EDC) Executive Director and the EDC board, the incumbent will perform administrative work and will be responsible for assisting in planning and directing the general operations of the EDC. The employee is responsible for assisting the EDC Director in developing and implementing policies and procedures related to economic development programs for the Town of Horizon City.

## **SUPERVISION**

Under general supervision of the Executive Director of the EDC.

## **ESSENTIAL DUTIES AND RESPONSIBILITIES (including but not limited to)**

1. Assists in developing long and short-term objectives, strategic and operational plans..
2. Acts as technical advisor to the EDC Board of Directors and the City Council.
3. Assists with the preparation and administration of the EDC budget,
4. Supervises and directs staff engaged in specialized economic development projects and business assistance.
5. Implements business retention strategies for local businesses.
6. Coordinates and conducts training seminars for small businesses in the Town of Horizon City
7. Assists with the coordination of the EDC's community partners.
8. Assists with the management of the EDC's flexible office space.
9. Utilizes best practices to aid in business expansion.
10. Attends and represents the EDC at various conferences for purposes of recruiting retail, manufacturing and warehousing and other targeted industries to the Town of Horizon City.
11. Compiles and maintains a database with complete inventory of currently available commercial and industrial properties within the Town of Horizon City.
12. Works with the EDC Executive Director to respond to possible business recruitment leads in a timely and effective manner.
13. Conducts market and feasibility studies and cost benefit analyses.
14. Prepares reports and conduct presentations.
15. Serves as the point of contact for local businesses and developers to aid in the permitting process.
16. Develops economic development agreements for business retention, development and redevelopment projects.
17. Other duties as assigned.

## **MINIMUM JOB REQUIREMENTS**

## **EDUCATION AND EXPERIENCE**

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THIS DOCUMENT IS PROVIDED FOR YOUR REVIEW AND REVISION AS PART OF THE HORIZON CITY PERSONNEL/POSITION DESCRIPTION RESOURCE MATERIALS AND IS NOT INTENDED TO BE ALL INCLUSIVE OF THE DUTIES OF THIS POSITION.

Classification Status:

EG (09/14/2023), HR-EA (09/26/2023)

# TOWN OF HORIZON CITY

**CLASS TITLE:** Assistant Director Horizon City Economic Development Corp.

**WC Class Code:** Clerical-8810

**DEPARTMENT:** 501-EDC-Administration FLSA: Exempt-Contractual

A Bachelor's Degree in Economics, Business, Public Administration, Urban Planning or related field from an accredited college or university, plus six (6) years of professional and progressively responsible experience in redevelopment, economic development, urban planning, real estate, business, or marketing.

## LICENSES AND CERTIFICATES

A valid Texas Class "C" Driver's License or equivalent from another state.

Membership in related professional organizations is highly desirable.

Appropriate professional designations are highly desirable.

Accreditation as a Certified Economic Development Professional by the International Economic Development Council is highly desirable.

Maintains ED sales tax training requirements for Type B EDC's

## KNOWLEDGE, SKILLS AND ABILITIES

1. Knowledge of public and private sector redevelopment principles, practices, and techniques.
2. Knowledge of current trends in regional and national (?) redevelopment and economic development issues.
3. Knowledge of laws, ordinances, regulations, and policies of various government agencies as they affect the business community and economic development efforts.
4. Knowledge of the principles and practices of business or public administration.
5. Knowledge of the principles and practices of budgeting, administration, supervision, and personnel management; the principles and techniques of public relations and marketing for economic development projects.
6. Knowledge of technical research and report preparation related to economic development.
7. Knowledge of the principles and techniques of successful negotiation and conflict management.
8. Knowledge of city planning and development procedures for the Town of Horizon City.
9. Ability to draft incentive policies for the EDC.
10. Proven customer service skills and complaint resolution.

## Other Job Characteristics:

- Occasional lifting and carrying of heavy objects (25 pounds).
- Occasional operation of a motor vehicle through City service area traffic.

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**WC Class Code:** Clerical-8810

**DEPARTMENT:** 501-EDC-Administration FLSA: Exempt-Contractual

- May sit or stand for extended periods.
- Occasional out of town travel

**Other Job Characteristics:**

- Occasional driving through City traffic.

**—Signature – Review and Comments—**

I have reviewed this job description and find it to be an accurate description of the demands of this position.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Job Title of Supervisor

\_\_\_\_\_  
Signature of Supervisor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Job Title of Department Head

\_\_\_\_\_  
Signature of Department Head

\_\_\_\_\_  
Date

Comments: \_\_\_\_\_  
\_\_\_\_\_

This job description is intended to describe the general nature and level of work being performed by individuals assigned to this position. It is not intended to be an exhaustive list of all responsibilities, duties, and skills required of personnel so assigned to this position. This job description is subject to change as the needs and requirements of the job change.

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Classification Status:  
EG (09/14/2023), HR-EA (09/26/2023)

## CONSENT TO ASSIGNMENT

This Consent to Assignment is executed between the Town of Horizon City (“City”), MICBEC Investments, LLC (“MICBEC”) and Horizon Oxbow Development, LLC (“Horizon Development”) and will be effective on the date approved and signed on behalf of the Town of Horizon City.

**WHEREAS**, on September \_\_\_, 2023, the City approved a Chapter 380 Economic Development Program Agreement, a Purchase and Sale Agreement and a Right of First Offer regarding the development at 1566 Pawling in the Town of Horizon City with MICBEC (hereafter collectively “the Economic Development Agreements”);

**WHEREAS**, MICBEC desires to assign all its rights, titles and obligations arising from the Economic Development Documents to Horizon Development;

**WHEREAS**, Horizon Development agrees to undertake the responsibilities to purchase the real estate, demolish the existing structure, redevelop the site, and construct the office warehouse units in accordance with the terms of the Economic Development Documents;

**WHEREAS**, the Economic Development Documents require the City’s prior written consent in order to complete the assignment;

**WHEREAS**, MICBEC has requested that the City consent to the assignment of the Economic Development Agreements to Horizon Development;

**WHEREAS**, Horizon Development agrees to be responsible for all duties and obligations under the Agreement; and

**WHEREAS**, the City agrees to the assignment of all rights, duties and obligations encompassed in the Agreement to Assignee.

### **NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS;**

1. The City consents to the assignment of the rights, duties and obligations arising from the Economic Development Documents to Horizon Development.
2. Horizon Development agrees to assume and perform all duties, obligations, and responsibilities arising from the Economic Development Documents and relevant state and local laws and regulations.

3. All terms and conditions of the Economic Development Documents shall remain in full force and effect.
4. Upon such Assignment, MICBEC shall be released from all its liability and obligations of performance under the Contract. This release specifically cancels such liability of MICBEC from Paragraph 7.03 of the Contract.

**Approved and effective the \_\_\_ day of October 2023.**

**TOWN OF HORIZON CITY**

**By:** \_\_\_\_\_

**Andres Renteria, Mayor**

**ATTEST:**

**By:** \_\_\_\_\_

**Elvia Schuller, City Clerk**

**APPROVED AS TO FORM:**

**By:** \_\_\_\_\_

**Sylvia Borunda Firth  
Assistant City Attorney**

**MICBEC INVESTMENTS, LLC**

**By:** \_\_\_\_\_

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

STATE OF TEXAS

COUNTY OF EL PASO

Before me, \_\_\_\_\_ on this day personally appeared \_\_\_\_\_, known to me (or proved to me on the oath of \_\_\_\_\_ or through (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public's Signature

**HORIZON OXBOW DEVELOPMENT, LLC**

**By:** \_\_\_\_\_

\_\_\_\_\_  
(Printed Name) (Title)

STATE OF TEXAS

COUNTY OF EL PASO

Before me, \_\_\_\_\_ on this day personally appeared \_\_\_\_\_, known to me (or proved to me on the oath of \_\_\_\_\_ or through (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public's Signature

**TOWN OF HORIZON CITY 4B ECONOMIC  
DEVELOPMENT CORPORATION**

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

**RESOLUTION**

**BE IT RESOLVED BY THE HORIZON CITY (“EDC”):**

That the EDC Board President is authorized to sign the Consent to Assignment of the Chapter 380 and Economic Development Performance Agreement, the Purchase and Sale Agreement regarding 1566 Pawling and the Right of First Offer Agreement between the Town of Horizon City EDC and MICBEC Investments, LLC (“Developer”) to Horizon Oxbow Development, LLC, thereby allowing Horizon Oxbow Development, LLC, to assume the rights, responsibilities, and obligations of Developer.

**PASSED AND APPROVED** the \_\_\_\_ day of October 2023.

**Town of Horizon City 4B Economic  
Development Corporation**

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

**ATTEST:**

**By:** \_\_\_\_\_  
**Veronica Rojas**  
**Board Secretary**

**APPROVED AS TO FORM**

**By:** \_\_\_\_\_  
**Sylvia Borunda Firth**  
**Board Attorney**