



**HORIZON CITY**

**Incorporated 1988**

**AGENDA  
PUBLIC MEETING  
REGULAR CITY COUNCIL MEETING  
THE TOWN OF HORIZON CITY, TEXAS  
Tuesday, June 8, 2021, 6:00 PM**

Notice is hereby given that a Regular City Council Meeting of the Town of Horizon City, Texas will be held on **Tuesday, June 8, 2021 at 6:00 PM** at Virtual Meeting , at which time the following will be discussed and considered:

**\*\* OPEN MEETINGS DURING COVID-19 EMERGENCY DISASTER PERIOD \*\***

After declaring a state emergency on March 16, 2020, Governor Greg Abbott temporarily suspended certain requirements of the Texas Open Meetings Act that require governmental officials and the public to be physically present at the public meeting location in order to reduce face-to-face contact and mitigate the spread of COVID-19.

Participation by members of the public is welcome. To participate in public comment, interested members of the public **MUST** sign up prior to the meeting by emailing [citycouncilmeetings@horizoncity.org](mailto:citycouncilmeetings@horizoncity.org) or calling (915) 852-1046, EXT #106, or submit their comment or question by emailing [citycouncilmeetings@horizoncity.org](mailto:citycouncilmeetings@horizoncity.org) and the comments will be read during the Open Forum or the appropriate agenda item.

An electronic copy of the meeting agenda materials will be posted on our City Website at the following link:  
<https://v3.boardbook.org/Public/PublicHome.aspx?ak=1001244>.

The Town Council and staff will participate in this meeting via videoconferencing or telephone conference. Members of the public may view the meeting online or by videoconferencing via the following:

To watch by videoconferencing:

<https://townofhorizoncity.my.webex.com/townofhorizoncity.my/j.php?MTID=mfa4752dab14ac808037fc81b362e26c4>

Meeting number (access code): 142 622 3051

Meeting password: bFCWbxMU495

To Join by Phone

1-408-418-9388

1. **Call to order; Pledge of Allegiance; Establishment of Quorum**
2. **Open Forum:**

**CONSENT AGENDA**

*All matters listed under the CONSENT AGENDA are considered routine and will be enacted in one motion. There will be no separate discussion of these items unless a member(s) of the City Council requests one or more items be removed from the CONSENT AGENDA to the REGULAR AGENDA for separate discussion and action prior to the City Council's vote to adopt the CONSENT AGENDA.*

<b>3. Approval of Minutes from:</b>	<b>5</b>
5/24/21 Special City Council Meeting	
<b>4. Discussion and Action:</b>	<b>7</b>
Mayor/CIP Manager	
On an update on the Capital Improvement Program.	
<b>5. Discussion and Action:</b>	<b>34</b>
Mayor/Planning Director	
On a Resolution revising the building permit and inspections, land development, and special event permit fees for the Town of Horizon City.	
<b>6. Request to Excuse Absent Council Members:</b>	
<b>REGULAR AGENDA</b>	
<b>7. Discussion and Action:</b>	<b>37</b>
Mayor/CIP Manager	
On a Resolution supporting the Town's application to the US Department of Transportation RAISE Grant for planning funding for the design of the Horizon Transit Oriented Development Infrastructure and Transit Plaza Phase 1.	
<b>8. Discussion:</b>	<b>49</b>
Mayor/Planning Director	
<b>1st Reading of Ordinance ____:</b> An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning three parcels: parcel I from C-2 to R-2; parcel II from R-9/CO to R-2; and parcel III from R-9/CO to C-2; containing approximately 17.933 acres; being a portion of C D Stewart Survey No. 321, El Paso County, Texas; located north and east of the intersection of Town Center Dr. and Horizon Crossing St.; and authorizing the notation of the change on the official zoning map of the Town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.	
<b>9. Public Hearing:</b>	
Mayor/Planning Director	
<b>2nd Reading of Ordinance ____:</b> An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning ten parcels from R-4, residential, to C-1, commercial, for commercial use, containing approximately 2.1592 acres; being lots 1 through 10, block 19, Horizon Country Club Estates Unit 2, El Paso County, Texas; located north and east of the intersection of Horizon Boulevard and Darrington Road; and authorizing the notation of the change on the official zoning map of the Town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.	
<b>10. Discussion and Action:</b>	<b>70</b>
Mayor/Planning Director	
<b>2nd Reading of Ordinance ____:</b> An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning ten parcels from R-4, residential, to C-1, commercial, for commercial use, containing approximately 2.1592 acres; being lots 1 through 10, block 19, Horizon Country Club Estates Unit 2, El Paso County, Texas; located north and east of the intersection of Horizon Boulevard and Darrington Road; and authorizing the notation of the change on the official zoning map of the Town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.	
<b>11. Public Hearing:</b>	
Mayor/Planning Director	
<b>2nd Reading of Ordinance ____:</b> An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning eight parcels from R-2, residential, to C-2, commercial, for commercial use, containing approximately 6.6235 acres; being lots 7 through 9, block 490, lot 8, block 491, lots 8 through 11, block 492, Horizon City Unit Sixty-Four, El Paso County, Texas; located south and east of the intersection of Horizon Boulevard and Eastlake Boulevard; and authorizing the notation of the change on the official zoning map of the Town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.	
<b>12. Discussion and Action:</b>	<b>84</b>

Mayor/Planning Director

**2nd Reading of Ordinance \_\_\_\_:** An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning eight parcels from R-2, residential, to C-2, commercial, for commercial use, containing approximately 6.6235 acres; being lots 7 through 9, block 490, lot 8, block 491, lots 8 through 11, block 492, Horizon City Unit Sixty-Four, El Paso County, Texas; located south and east of the intersection of Horizon Boulevard and Eastlake Boulevard; and authorizing the notation of the change on the official zoning map of the Town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

**13. Public Hearing:**

Mayor/Planning Director

**2nd Reading of Ordinance \_\_\_\_:** An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning eleven parcels from R-PD, residential, and C-2c, commercial with conditions, to C-2, commercial, for commercial use, containing approximately 14.6220 acres; being lots 1 through 7, block 1, lots 1 and 2, block 2, lot 1, block 4, Tuscany Park Lane and a portion of Tuscany Park Circle, Tuscany Park Village, El Paso County, Texas; located south and west of the intersection of Eastlake Boulevard and Kenazo Avenue; and repealing Ordinance No. 0148 imposing certain conditions; and authorizing the notation of the change on the official zoning map of the Town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

**14. Discussion and Action:**

**110**

Mayor/Planning Director

**2nd Reading of Ordinance \_\_\_\_:** An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning eleven parcels from R-PD, residential, and C-2c, commercial with conditions, to C-2, commercial, for commercial use, containing approximately 14.6220 acres; being lots 1 through 7, block 1, lots 1 and 2, block 2, lot 1, block 4, Tuscany Park Lane and a portion of Tuscany Park Circle, Tuscany Park Village, El Paso County, Texas; located south and west of the intersection of Eastlake Boulevard and Kenazo Avenue; and repealing Ordinance No. 0148 imposing certain conditions; and authorizing the notation of the change on the official zoning map of the Town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

**15. Discussion and Action:**

**134**

Mayor/Asst. City Atty

**Emergency Ordinance** - On the adoption of an Ordinance to continue the Emergency Ordinance instituting emergency measures due to a public health emergency; severability clause; penalty as provided herein.

**16. Discussion and Action:**

**148**

Mayor/Asst. City Atty

On request by Texas Gas Services, a division of ONE Gas, Inc., for written approval for continued use of financial instruments for hedging gas costs for 2021-2022 heating season.

**17. Discussion and Action:**

**152**

Mayor/Chief McConnell

On a Resolution of the Town of Horizon City adopting the updated 2021 El Paso County, Texas, Hazard Mitigation Action Plan.

**18. Discussion and Action:**

**156**

Mayor/Chief McConnell

On the purchase of two equipped police department vehicles using CARES Act funding in an amount not to exceed \$86,921.28 and to allow the Mayor or designee to issue purchase orders.

**19. Executive Session**

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

Adjournment:

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

Dated this Friday, 6/4/21

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

I, the undersigned authority, hereby certify that the above notice of the Regular City Council Meeting of the Town of Horizon City, Texas is a correct copy of this notice, and that I posted this notice at least seventy-two (72) hours preceding the scheduled meeting at the City Hall Bulletin Boards of the Town of Horizon City, Texas on this Friday, 6/4/21 by 5:00 p.m.

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

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

**MINUTES  
AGENDA  
PUBLIC MEETING  
SPECIAL CITY COUNCIL MEETING  
THE TOWN OF HORIZON CITY, TEXAS  
Monday, May 24, 2021, 6:00 PM**

Notice is hereby given that a Special City Council Meeting of the Town of Horizon City, Texas was held on **Monday, May 24, 2021 at 6:00 PM**, at Virtual Meeting, at which time the following was discussed and considered:

*The Town Council and staff participated in this meeting via videoconferencing or telephone conference.*

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

Meeting called to order at 6:00 pm. Alderman Andy Renteria was absent. 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:**

5/10/21 Special City Council Meeting and 5/11/21 Regular City Council Meeting

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

A motion was made by Alderman Duran and seconded by Alderman Corral to approve the Consent Agenda. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Not Present; ORTEGA – Aye; RENTERIA – Absent; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

**REGULAR AGENDA**

***Item #5 was taken after Item #7***

**5. Discussion and Action:**

Mayor/Chief McConnell

On the award of RFP - Bid No. 2021-002 RFP IT - Information Technology (IT) Services Contract, to Net-Tech Consulting as the selected proposer under the RFP in the amount of \$156,000 for the award of a two-year contract from June 1, 2021 through May 31, 2023. As part of this award, upon review of the City Attorney, the Mayor be authorized to sign any and all documents necessary for the execution of this award. In addition, in accordance with this award, the Mayor or his designee is authorized to exercise future options to extend the term if needed.

Chief Mike McConnell spoke regarding this item.

A motion was made by Alderman Corral and seconded by Alderman Miller to award of RFP - Bid No. 2021-002 RFP IT - Information Technology (IT) Services Contract, to Net-Tech Consulting as the selected proposer under the RFP in the amount of \$156,000 for the award of a two-year contract from June 1, 2021 through May 31, 2023. As part of this award, upon review of the City Attorney, the Mayor be authorized to sign any and all documents necessary for the execution of this award. In addition, in accordance with this award, the Mayor or his designee is authorized to exercise future options to extend the term if needed. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Nay; PADILLA – Aye; CORRAL – Aye. Motion passed.

6. **Discussion and Action:**

Mayor/CIP Manager

On the Annual Update of the Capital Improvement Program (CIP) including the development of FY 2022 - FY 2024 CIP.

CIP Manager, Terry Quezada spoke regarding this item. No action taken.

7. **Discussion and Action:**

Mayor/CIP Manager

On A report from Pegasus Planning and Development regarding recreational development in conjunction with the Town's plans for a new regional park.

CIP Manager, Terry Quezada and Pegasus Reps, Sean Garrettson and Cathy Velarde spoke regarding this item.

A motion was made by Alderman Duran and seconded by Alderman Quiroz to accept the report as presented and to authorize staff to develop and execute the next steps. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

8. **Executive Session**

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

**ADJOURNMENT**

A motion was made by Alderman Corral and seconded by Alderman Duran to adjourn at 7:13 PM.

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

**Attest:**

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

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

# Town of Horizon City Capital Improvement Program

Council Meeting  
June 8, 2021

# Oxbow & Pawling Street Improvements

- Have begun coordinating with HRMUD's water line projects on Breaux and Oxbow
- Project will likely follow HRMUD project for improvements on Horizon Blvd., Breaux and Oxbow<sup>8</sup>
- Reviewing plans

# Ryderwood Extension

Final payment made to developer.  
Project to be closed out.

# Municipal Facilities – Phase 1

- Total square footage increased to accommodate permanent PW Department, Municipal Court requests, and entry requirements – will impact Phase 1 costs
- Staff continues to work on final application for USDA which requires a department-specific environmental document
- Staff is reviewing draft environmental document

# Municipal Facilities – Phase 1

To meet USDA Requirements, staff is working on the following:

- Council approval of the letter of intent outlining loan conditions – programmed for **Summer 2021** <sup>11</sup>
- Bond ordinance – coordinating with bond counsel
- USDA review of final plans and specifications – coordinating with consultant and USDA

# Municipal Facilities – Phase 1

- Staff reviewing specifications
- Coordinating with TXDOT and design team for drainage work required in connection with N. Darrington Reconstruction
- Schedule is to advertise by mid-2021
- Schedule is contingent on USDA loan approval

# Municipal Facilities – Phase 1



Rendering from Exigo Architecture – December 2020

# Golden Eagle Park

## Construction

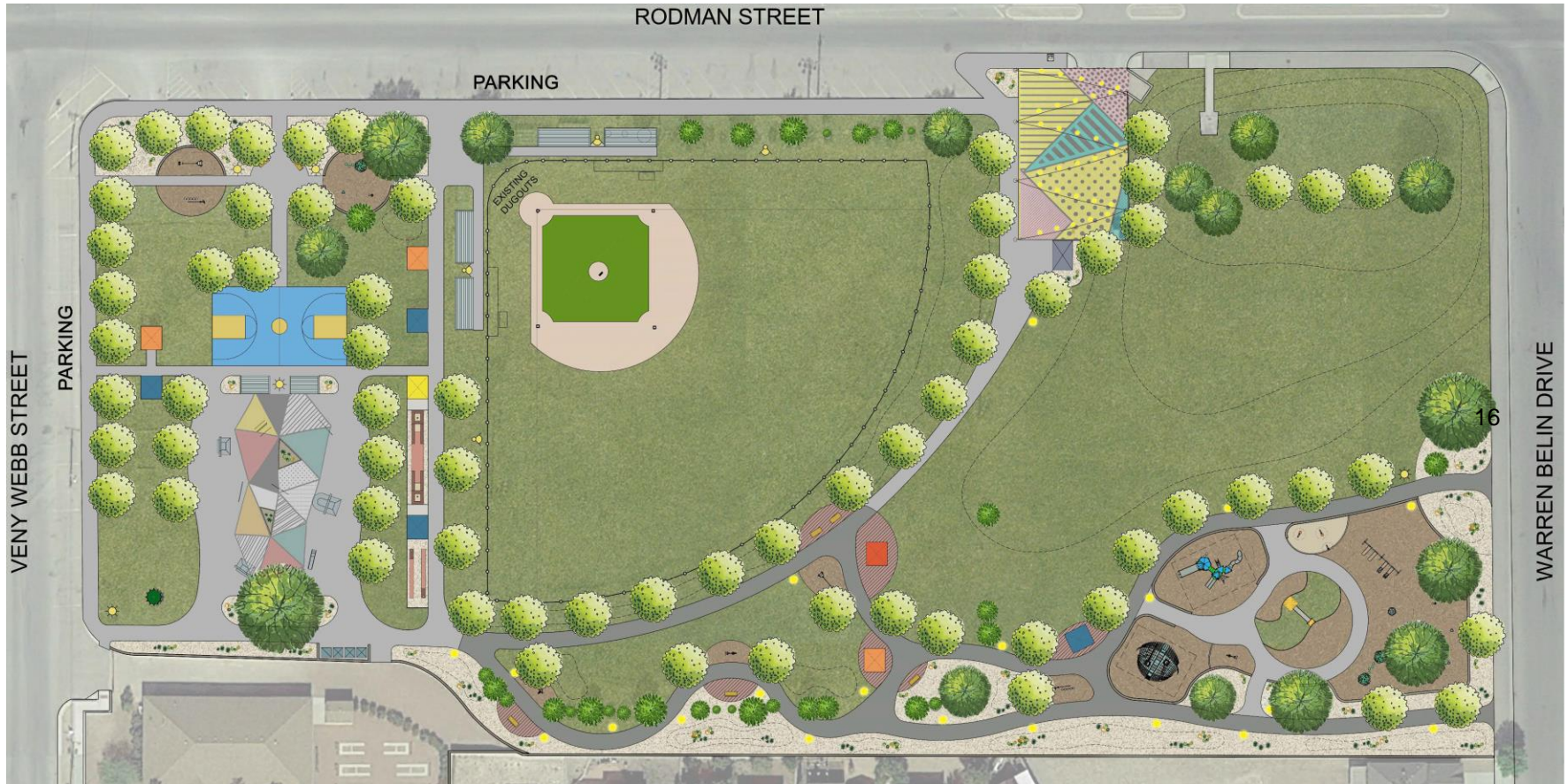
- Construction contract awarded September 16, 2019
- Construction Start – Fall 2019
- Projected completion date – Fall 2020
- Contractor not on schedule and has been advised of contractual liquidated damages
- Contractor continues to work on punchlist items but has not completed them – walkthroughs continue to be postponed
- Working with contractor and construction manager to finalize project timeline and final change orders

# Desmond Corcoran (Corky) Park

## Construction

- Construction start – January 11, 2021
- Working with HRMUD for sewer line connection
- Skate Park has been reviewed by specialized designer who was pleased with the construction
- Completion winter 2021/2022

# Desmond Corcoran (Corky) Park



# Regional Park

- Following Pegasus' presentation to Council on May 24, 2021, staff will develop a plan of action to follow Council's guidance.
- Next steps
  - Partner with EDC to delineate responsibilities and funding
  - Develop scope of work for market analysis to determine amenities
  - Develop scope of work for Parks Master Plan

# Regional Park

- **Goal** is to plan a regional facility that:
  - Meets Town's needs for park space;
  - Includes facilities and amenities that are sustainable; and
  - Fosters high value commercial development and activity in the vicinity

# Street Maintenance Fund

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# 2020 Street Maintenance Program

- Finalizing specifications for requirements contract to address
  - **N. Darrington**
  - **Duanesburg from McMahan to S. Kenazo**
  - **Acra**
- Updated Schedule
  - Review and revise contractual language – Spring/Summer 2021
  - Award Summer 2021

# 2021 Street Maintenance

Reviewing available funding to develop a pipeline for maintenance of other eligible streets

- After updated schedule for **N. Darrington Reconstruction**, reassessed areas requiring the most attention and will include in the maintenance package
- **Breaux** – to be packaged with Oxbow & Pawling
- **Duanesburg**
- **S. Kenazo**
- **Acra**

# Funding Updates

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# N. Darrington Reconstruction

- Transportation Policy Board (TPB) approved the 2019 Mobility Plan at its December 13, 2019 meeting.
- Project is scheduled for construction award in late **FY 2022**
- Town staff continues working with TXDOT and design team to develop project

# N. Darrington Reconstruction - ROW

- Drainage requires property acquisition in TOD area
- Environmental Clearance scheduled for late summer 2021
- Will prepare for acquisitions by
  - Coordinating with TXDOT for process to acquire parcels for pond and construction easements for storm sewer installation;
  - Procuring appraisal and review appraisal services
  - Procuring ROW professional and surveying services

# Safety Projects

- Town submitted several projects for safety funding consideration through TXDOT
- 2 projects are were **approved** for construction
  - **S. Darrington Safety Lighting** from Alberton to LTV Rd. – **FY 2023**
  - **N. Kenazo Safety Lighting** from Eastlake to Horizon Blvd. – **FY 2022**
- Funding agreements and participation must be developed and funding identified
- Town is responsible for design
- Planning for N. Kenazo Safety Lighting design

# Green Ribbon Project

- TXDOT-funded project for enhanced landscaping along walking trail on Horizon Blvd.
- Limits are from Ashford to Rifton
- Scheduled to advertise Summer 2021
- Construction start: Fall 2021
- Requires updated landscape agreement with TXDOT
- Plants include:

Desert Agave	American Agave
Spanish Dagger	Thompson and Red Yucca
Honey Mesquite	Desert Willow

# Funding Updates – 2050 MTP

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# 2050 Metropolitan Transportation Plan (MTP)

Horizon City Staff submitted projects to MPO as presented to Council at the June 9, 2020 Meeting.

Next steps are to go through project evaluation and selection at the MPO.

# Proposed MTP Projects

Project	City Design	TIRZ	City /County Funding
S. Darrington Rd. Repaving (Oxbow to Alberton)	X		
N.. Kenazo Ave. Reconstruction (Eastlake to Horizon)	X		
Alberton Ave/Antwerp Rd. Construction	X		
Dilley & Delake (TOD Phase 1 Roadways)		X	
Transit Plaza with park & ride (TOD)		X	
Horizon City – Socorro Circulator Bus Route			X
Horizon City – UTEP Express Route			X

# TIRZ Update

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# RAISE Grant

- Notice of Funding Opportunity issued mid-April 2021
- Highly competitive
- \$30 million available nationwide for planning
- Grant applications due by July 12, 2021
- Town plans to submit for planning/design of Dilley and Delake and Transit Plaza

# RAISE Grant

Requires support from partner agencies

- Alliance for Regional Military Support (ARMS) approved a resolution of support at their May 20, 2021 meeting
- Resolution of support for Council's consideration on June 8, 2021 agenda
- Resolution of support for Commissioner's Court consideration scheduled for June 21, 2021 agenda
- Resolution of support for EDC Board's consideration scheduled for June 15, 2021 agenda
- Coordinating with HRMUD for their board's consideration of a resolution

# Town of Horizon City Capital Improvement Program

Council Meeting  
June 8, 2021



**TOWN OF HORIZON CITY  
MEMORANDUM**

**Date:** June 3, 2021

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

**From:** Michelle Padilla, Planning Director

**SUBJECT:** On a Resolution revising the building permit and inspections, land development, and special event permit fees for the Town of Horizon City.

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The proposed resolution will exempt the City from paying any permit and/or application fees for City projects. Currently, contractors who are contracted by the City for city projects are required to pull permits for the work and pay for such permits. The permit fees are then billed to and reimbursed by the City. The contractor may also include an overhead markup, increasing the City's fees for such permits.

If the resolution is approved, such contractors will still be required to pull the appropriate permits, but would not need to pay the permit fees. This would also apply to any land development application and special event permit fees that the City would ever need to obtain.

Staff recommends approval of this resolution as it allows for a more streamlined process.

**RESOLUTION  
REVISING BUILDING PERMIT AND INSPECTIONS, LAND  
DEVELOPMENT, AND  
SPECIAL EVENT PERMIT FEES  
FOR THE TOWN OF HORIZON CITY**

**WHEREAS**, the City Council of the Town of Horizon City adopted Ordinance No. 0243 on June 12, 2018, for the purpose of adopting a Municipal Code;

**WHEREAS**, the City Council of the Town of Horizon City adopted Ordinance No. 0242 (codified as Sections 1.02.061 – 1.02.065 Horizon City Municipal Code) which allows the City Council, by resolution, to approve, set and establish the fees for any City service, application, permit, or license provided or issued by the City, or fee, cost or special expense charged by the City;

**WHEREAS**, the City Council of the Town of Horizon City would like to exempt the Town of Horizon City from payment of any Building Permit and Inspection fees, costs or special expenses charged by the City for any services, applications, permits, or licenses required for any development, construction or capital improvement projects owned by the City;

**WHEREAS**, the City Council of the Town of Horizon City would like to exempt the Town of Horizon City for payment of any fees, costs or special expenses charged by the City for Special Event Permit Fees for events that the City is hosting;

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

1. Building Permit and Inspection and Land Development Application Fees.

Commencing on the effective date of this Resolution, the Town of Horizon City shall be exempt from payment of any and all fees, costs, or special expenses charged by the City as Building Permit and Inspections Fees and/or Land Development Application Fees for any development, construction and capital improvement projects owned by the City.

2. Special Event Permit Fees. Commencing with the effective date of this Resolution, the Town of Horizon City shall be exempt from payment of any Special Event Permit Fees for any events the Town of Horizon City conducts for the benefit of its citizens.
3. Limited Purpose. The Resolution is approved for the limited purpose of exempting the Town of Horizon City for payment of fees. All other terms and conditions of the previously approved Resolutions and Ordinances shall remain in full force and effect.
4. Effective Date. The effective date for the waiver shall be the date this Resolution is approved by City Council.

**PASSED AND ADOPTED** the \_\_\_\_ day of \_\_\_\_\_, 2021.

**TOWN OF HORIZON CITY**

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

**ATTEST:**

**BY:** \_\_\_\_\_  
**Elvia Schuller, TRMC**  
**City Clerk**

**APPROVED AS TO FORM:**

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



**TOWN OF HORIZON CITY  
MEMORANDUM**

**Date:** June 3, 2021

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

**From:** Teresa Quezada, CIP Manager *T. Quezada 6/3/2021*

**SUBJECT:** **Resolution in support of the Town's application for \$1,735,000 of RAISE grant planning funds for the planning and design of Horizon Transit Oriented Development infrastructure**

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The attached resolution expresses the City Council's support for the submission of an application for RAISE grant planning funds for the planning and design of Horizon Transit Oriented Development (TOD) infrastructure to include Dilley and Delake Rds. and the Horizon Transit Plaza.

The project application will go through a highly competitive selection process at the U.S. Department of Transportation. If selected at the federal level, the project will then be added to the MPO's planning documents. Once the project becomes part of the planning documents, then the City would enter into a Funding Agreement to establish the duties and responsibilities of the Town and the Department of Transportation to execute the project.

This resolution is intended to document the City Council's support and commitment to sponsor the project, assign a project contact and fund the required project match.

As presented to City Council and the TIRZ board, staff is pursuing funding opportunities for key infrastructure improvements in the TOD to leverage the projected Tax Increment Reinvestment Zone (TIRZ) revenues. The RAISE Grant program is one of the first opportunities to seek federal funding for the TOD program of work.

Staff recommends approval of the resolution and authorization to submit the project application.



Town of Horizon City  
RAISE Grant  
Transit Oriented Development Infrastructure –  
Phase 1  
Planning Funds

# Transit Oriented Development (TOD) Phase 1 Planning Funds for Design

<b>Project</b>	<b>Estimated Project Costs</b>
<b>Dilley and Delake Drainage Infrastructure - Design</b>	\$265,000
<b>Dilley and Delake Street Infrastructure - Design</b>	\$625,000
<b>Dilley and Delake Water and Wastewater Infrastructure - Design</b>	\$415,000
<b>Transit Plaza and parking lot - Design</b>	\$430,000
<b>TOTALS</b>	<b>\$1,735,000</b>

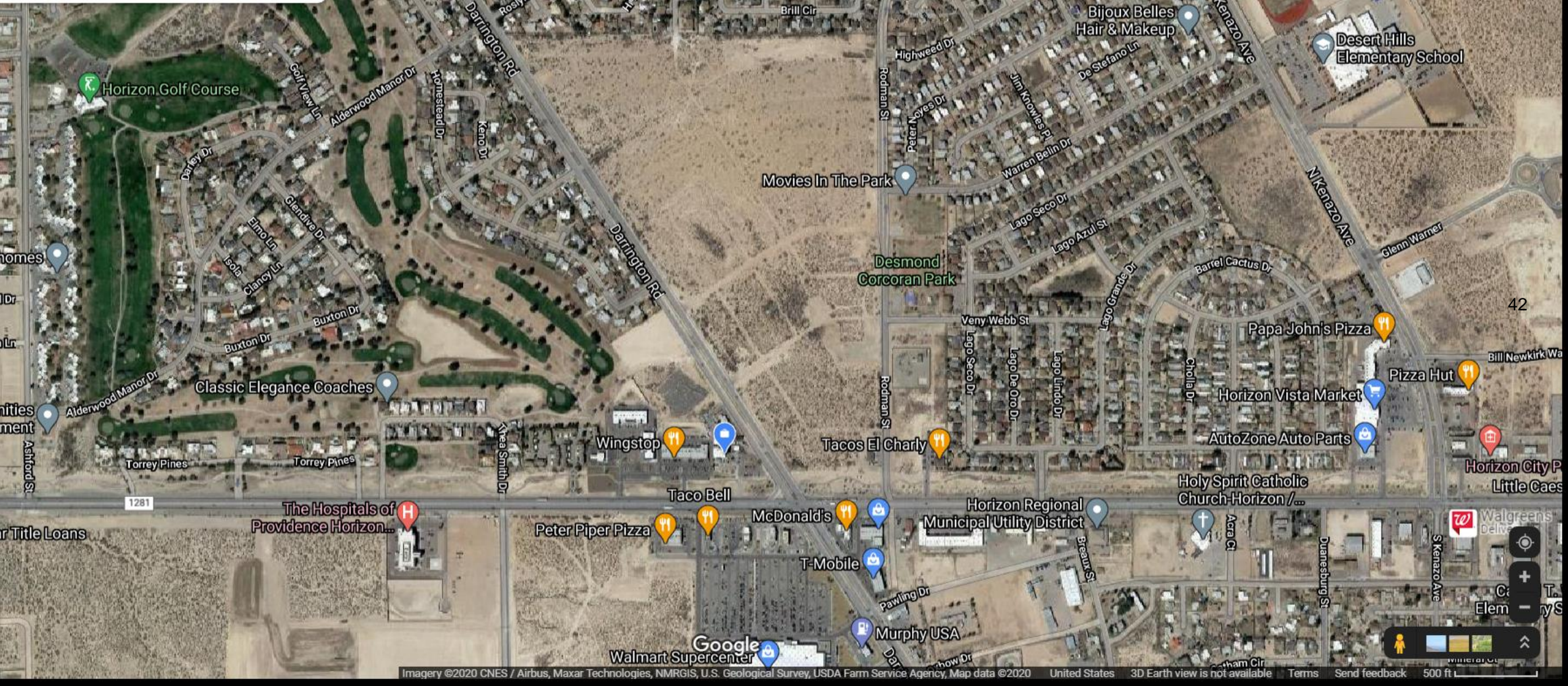
# Project Alignment with Merit Criteria

- **Safety** – design with complete street principles
- **Environmental Sustainability** – encourage modal shift; design context-sensitive elements
- **Quality of Life** - mass transit will provide access to employment centers, health care, higher education and will connect east El Paso county communities

# Project Alignment with Merit Criteria

- **Economic Competitiveness** – increases the economic productivity of an area that is entirely fallow
- **State of Good Repair** – the geographic center of the community will not develop
- **Partnerships**
  - County of El Paso
  - Horizon Regional Municipal Utility District
  - El Paso Community College
  - UTEP

# TIRZ – Utilizing Vacant Land



# Transit Oriented/Supported Development



# Transit Oriented/Supported Development



# Transit Oriented/Supported Development



From  
**Shaping our Horizon:  
2030 A  
Comprehensive and  
Strategic Plan**

45

Adopted by Horizon City  
Council on February 11,  
2020

# Transit Oriented/Supported Development



From

**Shaping our Horizon: 2030 A Comprehensive and Strategic Plan**

Adopted by Horizon City Council on February 11, 2020

## **RESOLUTION**

**WHEREAS**, the U.S. Department of Transportation announced the availability of approximately \$30 million for planning and preconstruction activities through the FY 2021 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Transportation Discretionary Grants for transportation projects; and,

**WHEREAS**, the RAISE grant is designed to fund surface transportation projects which have significant local or regional impact, encourage partnerships and are selected based on demonstrated merit and alignment with selection criteria; and,

**WHEREAS**, the Town of Horizon City established a Tax Increment Reinvestment Zone on December 8, 2021 to support the development of a Transit Oriented Development in Horizon City; and

**WHEREAS**, the development of a Transit Oriented Development in Horizon City meets the RAISE grant merit criteria of safety, environmental sustainability, quality of life, economic competitiveness, state of good repair and partnerships as established in the RAISE Grant program guidelines; and

**WHEREAS**, the Town of Horizon City intends to submit a RAISE Grant for the planning and design of the Horizon Transit Oriented Development infrastructure to include roadway and utility improvements on Dilley and Delake Rd. and the Horizon Transit Plaza totaling \$1,735,000.

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

1. The Town of Horizon City supports the submittal of a planning RAISE Grant for \$1,735,000 to fund the planning and design of the Horizon Transit Oriented Development infrastructure to include roadway and utility improvements on Dilley and Delake Rd., and the Horizon Transit Plaza.
2. The Town of Horizon City will serve as the public sponsor and lead project contact on this project. The Town of Horizon City agrees to designate a single point of contact for the project.
3. The Town of Horizon City commits to fund a local cash match of 20% of the total project cost.
4. The Town of Horizon City understands and acknowledges that all awarded RAISE grant funding is provided on a reimbursement basis.
5. The Town of Horizon City confirms the project timeline is realistic and commits that if the project is selected for funding, an agreement will be executed in accordance with RAISE grant requirements.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021

**THE TOWN OF HORIZON CITY**

---

Ruben Mendoza,  
Mayor

**ATTEST:**

---

Elvia Schuller  
City Clerk

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

---

Sylvia Borunda Firth  
Assistant City Attorney

---

Teresa Quezada  
CIP Manager



**TOWN OF HORIZON CITY  
MEMORANDUM**

**Date:** June 3, 2021  
**To:** Honorable Mayor and Members of City Council  
**From:** Michelle Padilla, Planning Director  
**SUBJECT:** **1st Reading of Ordinance \_\_\_:** An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning three parcels: parcel I from C-2 to R-2; parcel II from R-9/CO to R-2; and parcel III from R-9/CO to C-2; containing approximately 17.933 acres; being a portion of C D Stewart Survey No. 321, El Paso County, Texas; located north and east of the intersection of Town Center Dr. and Horizon Crossing St.; and authorizing the notation of the change on the official zoning map of the Town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

---

On May 17, 2021, the Planning and Zoning Commission voted unanimously to recommend that the City Council approve the rezoning of the subject property from R-9 (Residential) and C-2 (Commercial) zones to R-2 (Residential) and C-2 (Commercial) zones.

The applicant's request is to rezone the property to a C-2 (Commercial) zone to allow for commercial and residential development. The staff recommendation to the Planning and Zoning Commission was to approve this request. Although the Comprehensive plan designates this area for High-Density Single-Family development, staff believes that the development of this area will help enhance the surrounding properties. Due to their transition from single-family housing units to commercial development, the proposed development is consistent with the single-family unit neighborhood south of HTC Unit 4 and the commercial development north and east of the subdivision.

The preliminary plat for this property was approved by the City Council on May 11, 2021 and it was contingent upon the rezoning request being approved.

Attached for your review, is the draft Ordinance and the staff report, which includes the plat information, that was presented to the Planning and Zoning Commission.



**TOWN OF HORIZON CITY**  
**Planning and Zoning Commission Staff Report**  
**REVISED**

**Case No.:** SUB002470-2021 & RZ-002471-2021  
*Horizon Town Center -Unit 4*

**Application Type:** **Preliminary Subdivision**

**P&Z Hearing Date:** April 19, 2021

**Staff Contact:** Emily Offer, Planning Staff  
 915-238-0691; [eoffer@horizoncity.org](mailto:eoffer@horizoncity.org)

**Address/Location:** Abutting the North East corner of Town Center Dr. and Horizon Crossing St.

**Legal Description:** Horizon Town Center Unit 4 –  
 A portion of C D STEWART SURVEY #321 (36.3857 AC)  
 El Paso County, Horizon City, Texas

**Property Owner:** Ranchos Real XV, LLC

**Applicant:** Conde, Inc.

**Nearest Park:** Corky Park

**Nearest School:** Frank Macias Elementary School

**SURROUNDING PROPERTIES:**

	<b>Zoning</b>	<b>Land Use</b>
<b>N</b>	C-2 (Commercial)	Vacant
<b>E</b>	C-2 (Commercial)	Walmart
<b>S</b>	R- (Residential)	Single Family Residential and Vacant
<b>SW</b>	R-9 (Residential)	Vacant
<b>NW</b>	C-2 (Commercial)	Hospital of Providence

**LAND USE AND ZONING:**

	<b>Existing</b>	<b>Proposed</b>
<b>Land Use</b>	Vacant	Residential and Commercial
<b>Zoning</b>	R-9/Conditional Overlay (CO) Residential and C-2 Commercial	R-2 Residential and C-2 Commercial

**Application Description:**

*Rezone:*

The applicant is requesting to rezone approximately 17.933 acres of land that is currently vacant and zoned as R-9/CO (residential) and C-2 (commercial) to be rezoned as R-2 (residential) and C-2 (commercial). The property abuts the northeast corner of Town Center Dr. and Horizon Crossing St. The proposed rezoning is as follows (please refer to the attached zoning plan):

- Parcel I – from C-2 to R-2
- Parcel II – from R-9/CO to R-2
- Parcel III – from R-9/CO to C-2

*Preliminary Subdivision:*

The applicant is also requesting to subdivide approximately 10.736 acres of the area proposed to be rezoned to incorporate a residential subdivision. The proposed subdivision includes 39 lots for single-family residential development, the smallest lot measuring approximately 6,694 square feet and the largest lot measuring approximately 16,973 square feet in size. In accordance with Section 2.8.1 of the Subdivision Ordinance, the developer is required to pay \$10,800.00 (\$400 per residential unit) in parkland fees. This unit will utilize the parkland credit carried over from Units 1 and 2, as approved by City Council, leaving the developer with a remaining credit of 0.053 acres for any future units within the development.

**Notice:**

In accordance with Section 211.007 of the Texas Local Government Code, notices of the April 19, 2021 public hearing for the rezoning request were sent to the school district of jurisdiction and to those property owners within 200 feet of the subject property on April 1, 2021. In addition, the applicant is required to erect signs notifying the public of the proposed rezoning on the site proposed for rezoning fifteen (15) days prior to the Planning and Zoning Commission public hearing. The sign that was installed does not meet the minimum notification requirements; therefore, staff and the applicant are requesting that the rezoning application be postponed to the next available meeting.

**Vision 2020 – Future Land Use Map Designation:**

Horizon City Vision 2020 Strategic Master Plan designates this area as High-Density Single Family. This land use designation includes residential development including approximately 12 to 15 dwellings per acre.

**Staff Recommendation:**

Although the Comprehensive plan designates this area for High-Density Single-Family development, staff believes that the development of this area will help enhance the surrounding properties. Due to their transition from Single Family housing units to commercial development, the proposed development is consistent with the single-family unit neighborhood south of HTC Unit 4 and the commercial development northwest and east of the subdivision; staff recommends **APPROVAL** of the preliminary plat with the condition that all staff comments shall be addressed prior to City Council action. Additionally, the approval of the plat is contingent upon the approval of the rezoning request by the City Council.

At this time, staff requests that the Planning and Zoning Commission postpone the rezoning request until such time that the notice on the property is corrected to include the current and requested zoning.

**Planning Division Comments:**

*Preliminary Plat:*

- Horizon Town Center -Unit 4 revised their plat to address planning division comments made. (09APR21)

**Public Works Director Comments:**

1. Show location of water courses, ravines, present structures, and other features pertinent to subdivision. Provide the total flow for that specific watershed area.
2. Provide Benchmark with Datum information.
3. Provide the total acreage of each lot below the lot number/square footage.
4. El Paso County 9-1-1 District approval is required for the addresses.
5. All lots with curves are missing curve data.
6. Line Table shows L3-L5. Metes and Bounds description does not include this information. Verify if this information belongs to Unit 1. If so, delete.

7. Quadrant in Metes and Bounds description #3 and in the curve table C2 do not match.
8. Verify Metes and Bounds description sequence as it stops in number 5.
9. Verify block number sequence for this subdivision as it increases from Block 1 to Block 27.

NOTE: Traffic study will need to be updated to account for the school and this development.

**Town Engineer Comments:**

*Recommended Conditions for Preliminary Plat Approval:*

1. Provide certification that all utilities have approved locations of easements and that service will be provided to development.
2. Show the sizes of all utilities shown on plat.
3. Provide Closure report for subdivision and lots.
4. Verify bearing in Note 3 of Metes and Bounds, does not match bearing on curve table.
5. Verify drainage on Mar Vista, Master Drainage Plan shows runoff toward proposed in Unit 4. Plat show flow onto Town Center Dr.
6. Provide curve information for the lots in the cul-de-sacs and heels.
7. Provide revision date on plat.

**El Paso 9-1-1 District Comments:**

The 911 District has no adverse comments regarding this plat.

**School District Comments:**

The Socorro Independent School District has reviewed Horizon Town Center Unit Four. This subdivision will be serviced by Horizon Heights Elementary, Colonel John Ensor Middle, and Eastlake High.

Clint Independent School District has no comments, this subdivision is not within Clint ISD's jurisdiction.

**TxDOT Comments:**

TxDOT has no comments since proposed unit is not abutting TxDOT right of way.

City staff response: A traffic impact analysis for the overall development has been reviewed and approved by TxDOT. A traffic signal at Horizon Crossing Street and Horizon Boulevard is warranted and the City continues to work with TxDOT towards ensuring that the signal gets installed.

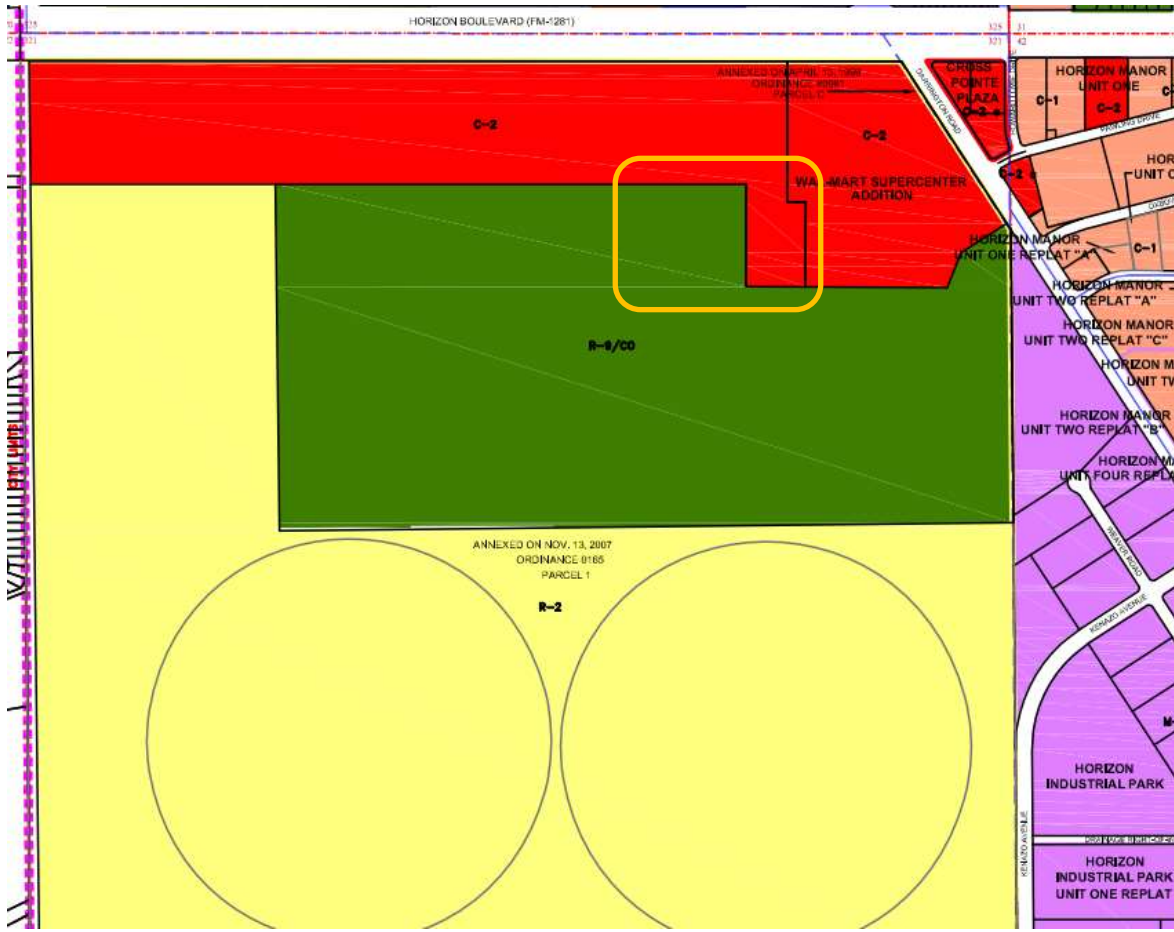
**El Paso Central Appraisal District Comments:**

The EPCAD approves this development.

**Attachments:**

- 1 - Zoning Designation**
- 2 - Aerial**
- 3 - Future Land Use Map (Comp Plan)**
- 4 - Location Map**
- 5 - Applications**
- 6 - Zoning Plan**
- 7 - Preliminary Plat**

# Attachment 1: Zoning Designation



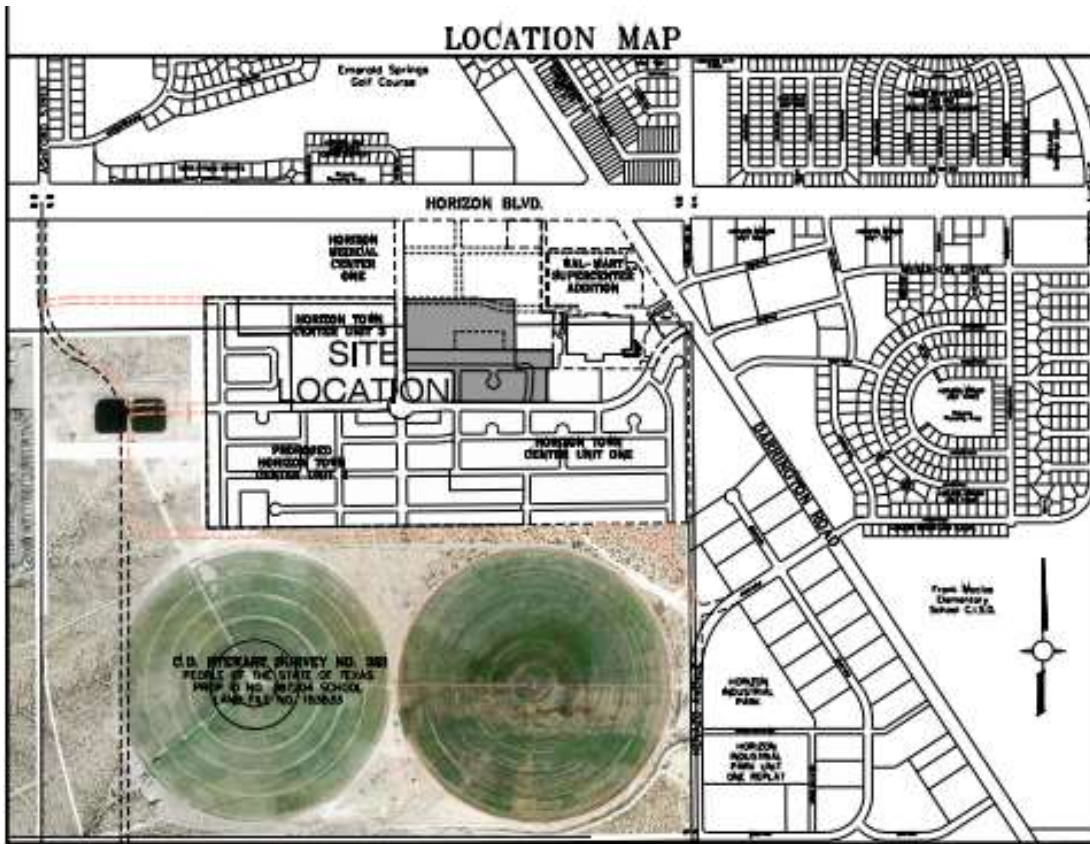
**Attachment 2: Aerial**



### Attachment 3: Future Land Use Map



**Attachment 4: Location Map**



# Attachment 5: Applications

1 of 2



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

## REZONE APPLICATION

1. Owner of Record Ranchos Real XV, LLC  
6080 Surety Dr., Ste. El Paso, TX 79905 915-592-0890 dschwartz@swld.net  
(ADDRESS) (ZIP) (PHONE) (EMAIL)  
 2. Applicant Conde, Inc. is applicant also the Owner?  Yes  No

Contact Person Conrad Conde  
6080 Surety Dr., Ste. 100 El Paso, TX 79905 915-5920283 cconde@condeinc.com  
(ADDRESS) (ZIP) (PHONE) (EMAIL)

3. **PARCEL ONE**  
 Site Address/Location Being a Portion of C. D. Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas, 1.062 acres  
(Lot) (Block) (Subdivision Name)  
Horizon Town Center Unit Four

**PARCEL TWO**  
 Site Address/Location Being a Portion of C. D. Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas, 8.254 acres  
(Lot) (Block) (Subdivision Name)  
Horizon Town Center Unit Four

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

4. Briefly explain why you request to rezone? Clean up Rezoning  
 5. Land's Presents Use: \_\_\_\_\_ Zone \_\_\_\_\_  
 Land Vacant  Lot size n/a Structure  Structure's size n/a Last known date the structure was occupied? n/a  
 Land's Proposed Use: Residential and Commercial Proposed Zone Use R-2 and C-2  
 Will you be making any improvements to the existing lot or structure?  Yes  No This request includes Site Development Plans for approval?  Yes  No

**NOTICE:** Applicant is responsible for all expenses incurred by the City in connection with the Rezone Application request, including but not limited to attorney's fees, engineering fees and publications. Additional charges will be involved separately and shall be paid to the Town prior to City Council action.  
 Applicant's Signature \_\_\_\_\_

6. Signatures:  
[Signature] Douglas A. Schwartz  
(OWNER'S SIGNATURE) (OWNER'S PRINTED NAME)  
[Signature] Conrad Conde  
(APPLICANT'S SIGNATURE) (APPLICANT'S PRINTED NAME)

FEE SCHEDULE: (NON-REFUNDABLE)		Application & Submit Due Date: _____	
<b>\$300</b> - UP TO 1.0 ACRES	<b>\$450</b> - 30.1 ACRES TO 50 ACRES	P&Z Scheduled Mtg. Date: _____	City Council Scheduled Date: _____
<b>\$350</b> - 1.1 ACRES TO 10 ACRES	<b>\$500</b> - 50.1 ACRES TO 75 ACRES	Application Received By: _____	
<b>\$400</b> - 10.1 ACRES TO 30 ACRES	<b>\$600</b> - 75.1 ACRES AND UP	Date Application Rec'd: _____	
<b>EL PASO TIMES PUBLISHING FEE</b> APPROXIMATELY <b>\$460</b>	<b>ENGINEERING FEE</b> APPROXIMATELY <b>\$60 PER 1/2 HOUR</b>		

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



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

**REZONE APPLICATION**

1. Owner of Record: Ranchos Real XV, LLC  
6080 Surety Dr., Ste. El Paso, TX 79905      915-592-0890      dschwartz@swld.net  
(ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant: Conde, Inc.      Is applicant also the Owner?  Yes  No  
 Contact Person: Conrad Conde

6080 Surety Dr., Ste. 100 El Paso, TX 79905      915-5920283      cconde@condeinc.com  
(ADDRESS) (ZIP) (PHONE) (EMAIL)

**3. PARCEL ONE THREE**

Site Address/Location: Being a Portion of C. D. Stewart Survey No. 321, Town of Horizon City, El Paso County,

Legal Description: Texas, 8.617 acres      Horizon Town Center Unit Four  
(Lot) (Block) (Subdivision Name)

**PARCEL TWO**

Site Address/Location: \_\_\_\_\_

Legal Description: \_\_\_\_\_  
(Lot) (Block) (Subdivision Name)

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

4. Briefly explain why you request to rezone? Clean up Rezoning

5. Land's Present Use: \_\_\_\_\_ Zone \_\_\_\_\_  
 Land Vacant  Lot size n/a Structure  Structure's size n/a Last known date the structure was occupied? n/a

Land's Proposed Use: Residential and Commercial      Proposed Zone Use R-2 and C-2

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

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

Applicant's Signature \_\_\_\_\_

**6. Signatures:**

[Signature]  
(OWNER'S SIGNATURE)

Douglas A. Schwartz  
(OWNER'S PRINTED NAME)

[Signature]  
(APPLICANT'S SIGNATURE)

Conrad Conde  
(APPLICANT'S PRINTED NAME)

**FEE SCHEDULE: (NON-REFUNDABLE)**

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

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

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



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

**MAJOR SUBDIVISION  
 PRELIMINARY APPLICATION**

SUBDIVISION PROPOSED NAME: Horizon Town Center Unit Four SUBMITTAL DATE: March 18, 2021

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.)  
Being a Portion of C. D. Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas

PROPERTY LAND USES:	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	<u>8.589</u>	<u>39</u>	OFFICE		
DUPLEX			STREET & ALLEY	<u>2.147</u>	<u>1</u>
APARTMENT			PONDING & DRAINAGE		
MOBILE HOME			INSTITUTIONAL		
P.U.D.			OTHER		
PARK (Min 1 acre)					
SCHOOL					
COMMERCIAL			TOTAL NO. SITES		<u>40</u>
INDUSTRIAL			TOTAL (GROSS) ACREAGE	<u>10.736</u>	

3. WHAT IS THE EXISTING ZONING OF THE PROPERTY DESCRIBED ABOVE? C-2/R-9 PROPOSED ZONING R-2

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

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

6. WHAT TYPE OF DRAINAGE IS PROPOSED? (IF APPLICABLE LIST MORE THAN ONE) Lots to streets to drainage structures

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

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

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

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

11. REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES: \_\_\_\_\_

12. WILL PLAT BE RECORDED PRIOR TO SUBDIVISION IMPROVEMENTS BEING COMPLETED & APPROVED?  YES  NO  N/A INITIALS \_\_\_\_\_  
 IF YES, submit REQUIRED GUARANTEE (SECTION 4.10.3 & 8.1.7, Municode Chapter 10) OR Improvement Cost Estimates & Construction Agreement

13. WILL ANY RESTRICTIONS AND COVENANTS BE RECORDED WITH PLAT? YES  NO  INITIALS \_\_\_\_\_ IF YES, PLEASE SUBMIT COPY.

14. OWNER OF RECORD Ranchos Real XV, LLC 6080 Surety Dr., Ste. 300 El Paso, TX 79905 915-592-0290  
(NAME & ADDRESS) (EMAIL) (PHONE)

15. DEVELOPER Ranchos Real XV, LLC 6080 Surety Dr., Ste. 300 El Paso, TX 79905 915-592-0290  
(NAME & ADDRESS) (EMAIL) (PHONE)

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

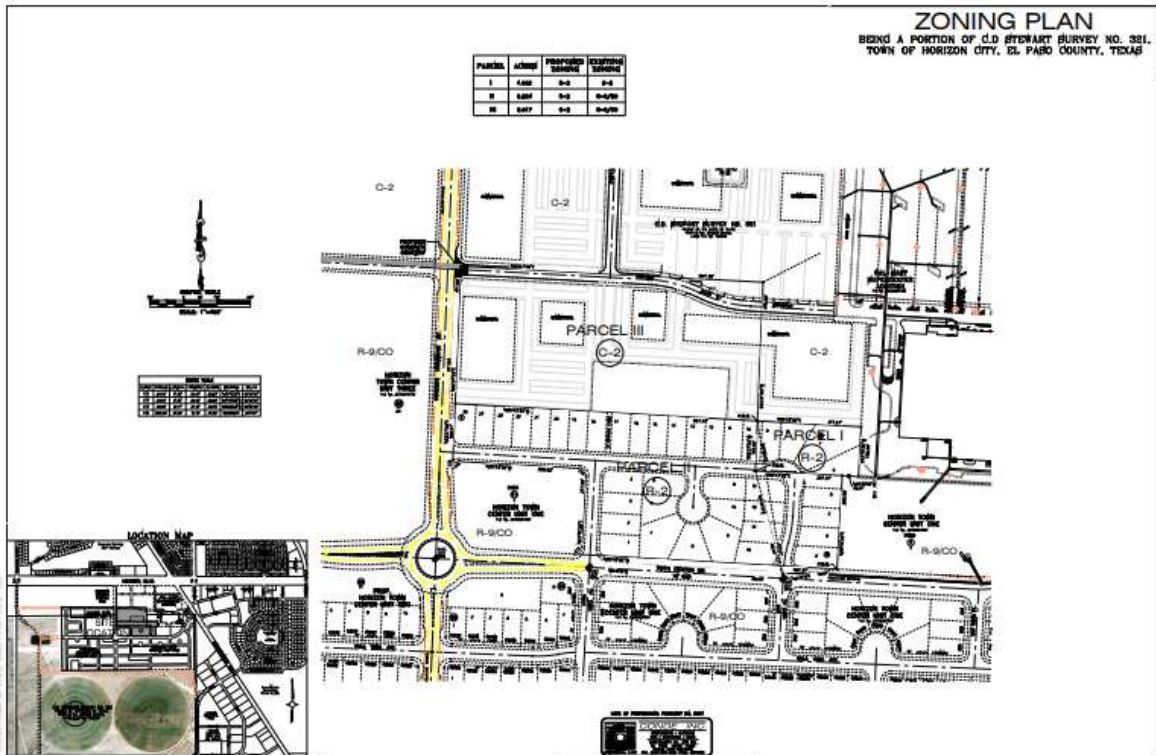
17. APPLICANT Ranchos Real XV, LLC 6080 Surety Dr., Ste. 300 El Paso, TX 79905 915-592-0290  
(NAME & ADDRESS) (EMAIL) (PHONE)

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

**NOTE:**  
 Applicant is responsible for all expenses incurred by the City in connection with the Preliminary Plat approval request, including but not limited to attorney's fees, engineering fees and publication. Charges exceeding deposit will be invoiced separately. Initials WA  
 Applicant Signature [Signature] EMAIL DRUGLES@SWLBS.NET

**APPLICATION MUST BE COMPLETE & VALIDATED PRIOR TO SUBDIVISION PROCESSING**  
 Acceptance of fee does not grant acceptance of application.  
 Non Refundable Deposit \$500.00 | Application Fee: \$100

# Attachment 6: Zoning Plan





ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING THREE PARCELS: PARCEL I FROM C-2 TO R-2; PARCEL II FROM R-9/CO TO R-2; AND PARCEL III FROM R-9/CO TO C-2; CONTAINING APPROXIMATELY 17.933 ACRES; BEING A PORTION OF C D STEWART SURVEY No. 321, EL PASO COUNTY, TEXAS; NORTH AND EAST OF THE INTERSECTION OF TOWN CENTER DR. AND HORIZON CROSSING ST.; AND AUTHORIZING THE NOTATION OF THE CHANGE ON THE OFFICIAL ZONING MAP OF THE TOWN; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; AND PROPER NOTICE AND HEARING.**

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

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

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

**WHEREAS,** the Planning and Zoning Commission has recommended that the zoning on the parcel of property be rezoned to R-2, Residential without Conditional Overlays, and C-2, Commercial; and

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

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

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

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

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

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

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

**WHEREAS,** the Town Council finds that it is necessary and proper for the good government, peace and order of the Town of Horizon City to adopt this Ordinance.

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

### **I. REZONING**

The zoning be changed as follows:

- Parcel I – from C-2 to R-2
- Parcel II – from R-9/CO to R-2
- Parcel III – from R-9/CO to C-2

within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, for approximately 17.933 acres, more or less, and legally described by Metes and Bounds Description, Exhibit "A" attached hereto and by reference included herein. None of the subject property will be subject to a Conditional Overlay.

### **II. ZONING MAP**

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

### **III. FINDINGS OF FACT**

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

**IV. REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**V. SEVERABILITY**

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

**VI. PROPER NOTICE AND MEETING**

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

**PASSED AND APPROVED this the \_\_\_ day of \_\_\_\_\_, 2021, by a vote of \_\_\_ (ayes) to \_\_\_ (nays) to \_\_\_ (abstentions) of the Town Council of Horizon City, Texas.**

Town of Horizon City

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

ATTEST:

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

APPROVED AS TO FORM:

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

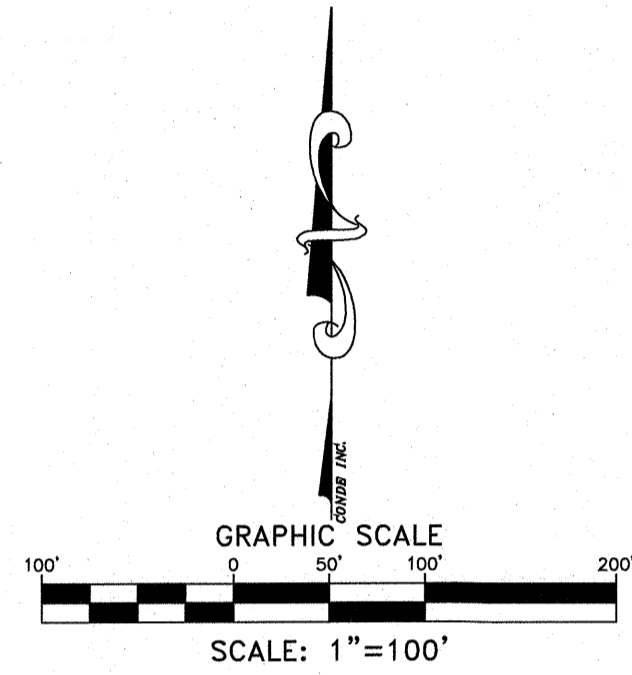
First Reading: 06/08/2021  
Second Reading: 07/13/2021

- NOTES:
1. SET 1/2" REBARS WITH CAPS MARKED TX. 5152 ON ALL CORNERS UNLESS OTHERWISE NOTED.
  2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS DRAWING.
  3. THIS SURVEY NOT INTENDED TO REFLECT IMPROVEMENTS.

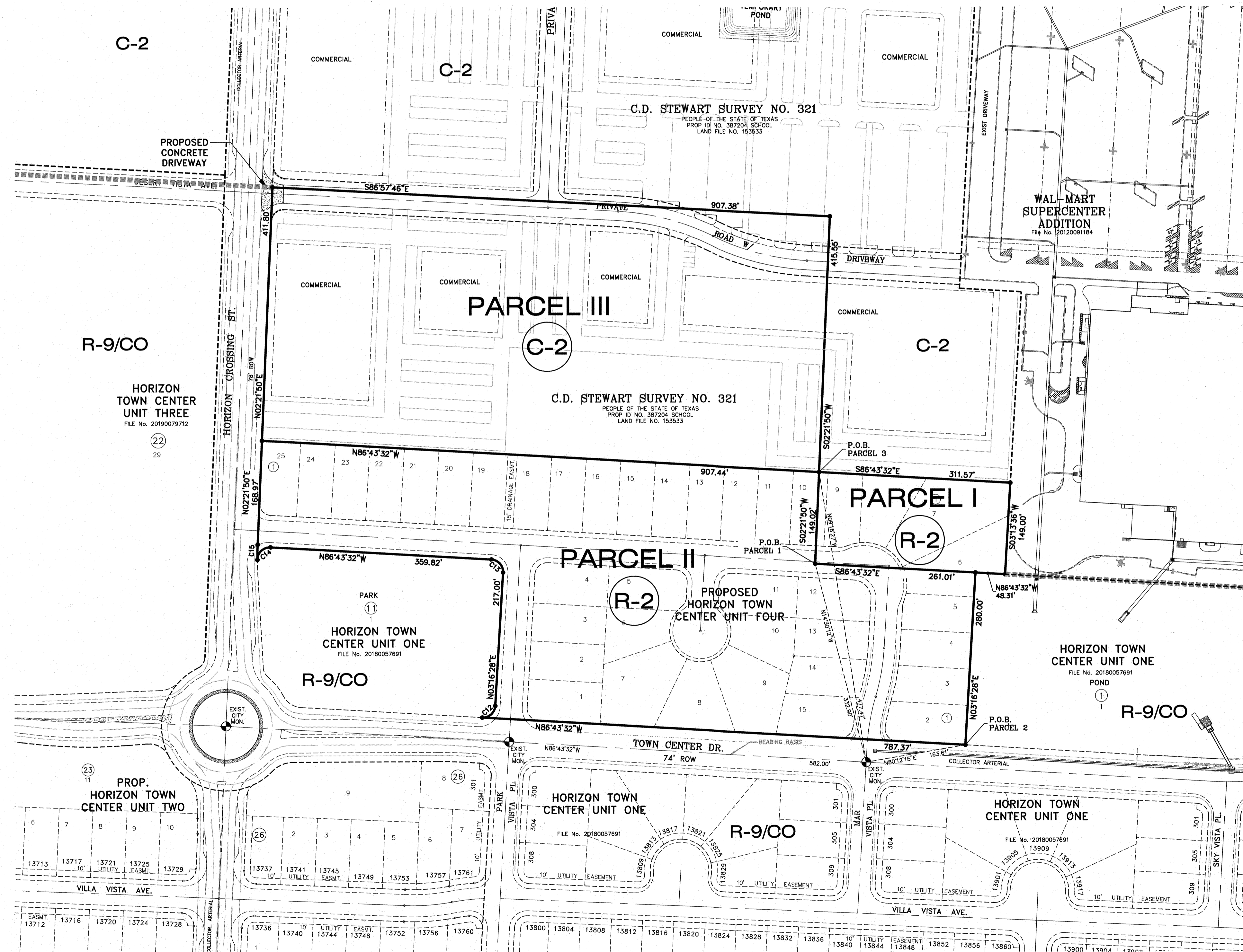
# REZONING PLAN

BEING A PORTION OF C.D STEWART SURVEY NO. 321,  
TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS

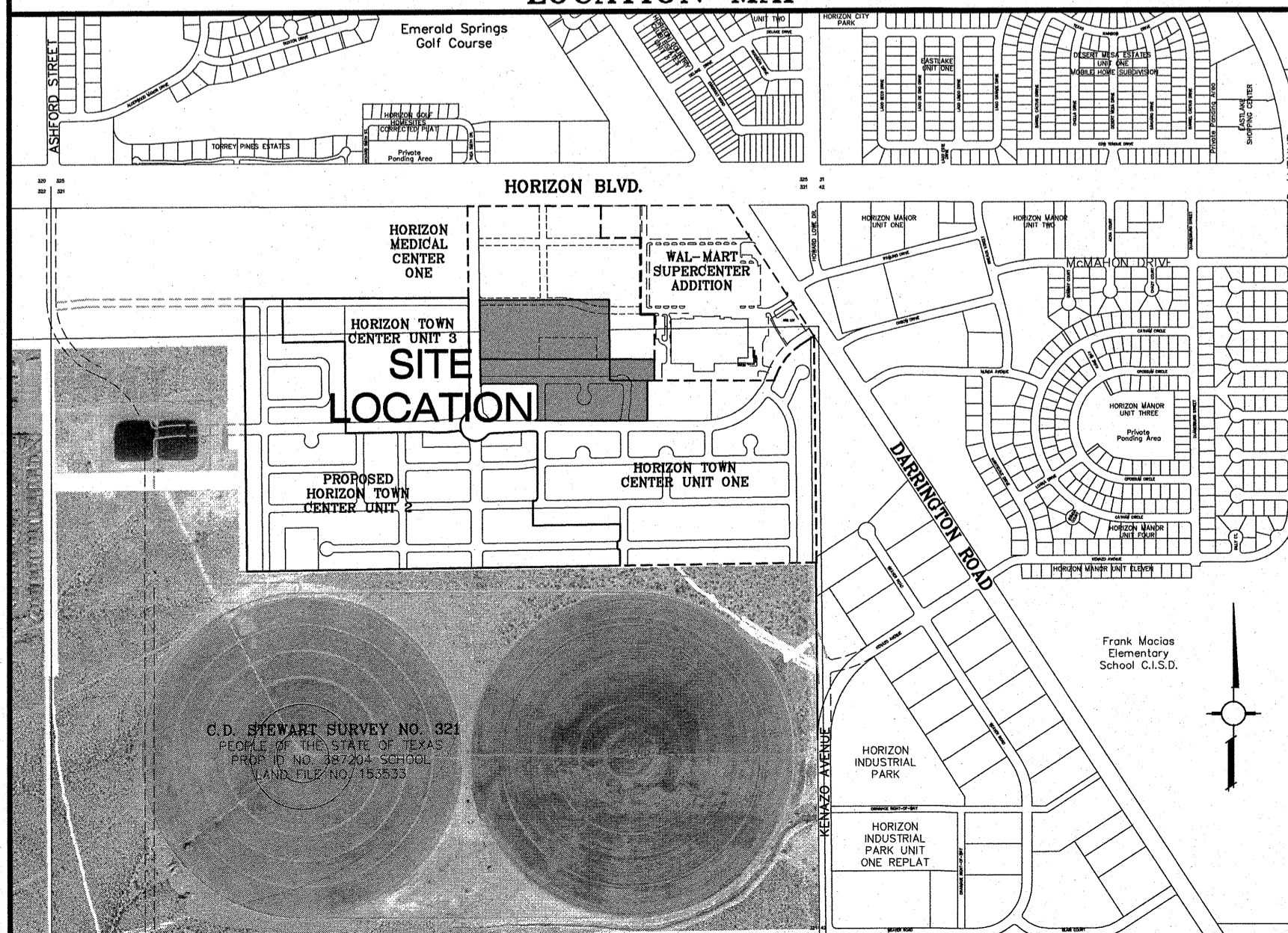
PARCEL	ACRES	PROPOSED ZONING	EXISTING ZONING
I	1.062	R-2	C-2
II	8.254	R-2	R-9/CO
III	8.617	C-2	R-9/CO



CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C12	20.00'	31.42'	20.00'	28.28'	N48°16'28"E	90°00'00"
C13	20.00'	31.42'	20.00'	28.28'	N41°43'32"W	90°00'00"
C14	20.00'	32.71'	21.34'	29.18'	S46°29'24"W	93°42'09"
C15	500.00'	24.36'	12.18'	24.36'	N0°58'09"E	2°47'31"

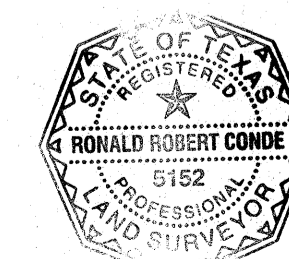


## LOCATION MAP



DATE OF PREPARATION: FEBRUARY 24, 2021

**CONDE INC.**  
ENGINEERING / PLANNING  
GPS / SURVEYING / CAD  
6080 SUBSTY DR. STE 100  
EL PASO, TEXAS 79860  
PHONE: (915) 595-6268  
FAX: (915) 692-0266 FIRM# 10076100



CERTIFICATION  
THIS PLAN REPRESENTS A SURVEY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF BASED ON THE FACTS EXISTING AT TIME OF THIS SURVEY

RON R. CONDE R.P.L.S. #5152

Prepared For: Southwest Land Development Services  
December 8, 2020  
(Proposed Rezoning Parcel - I) – (C-2 to R-2)

### METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of C.D. Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk Monument at the centerline intersection of Town Center Dr. and Mar Vista Pl. from which an existing brass disk Monument at the centerline intersection of Town Center Dr. and Park Vista Pl. Bears, North 86°43'32" West a distance of 582.00 feet; Thence leaving said brass disk Monument, North 14°30'12" West a distance of 332.90 feet to a set ½" rebar with cap marked TX 5152 for the "TRUE POINT OF BEGINNING".

Thence, North 02°21'50" East a distance of 149.02 feet to a to a set ½" rebar with cap marked TX 5152;

Thence, South 86°43'32" East a distance of 311.57 feet to found ½" rebar with cap marked TX 5152 on the westerly line of Lot 3, Block 1, Wal-Mart Supercenter Addition recorded in clerks file# 20120091184, Real Property Records of El Paso County, Texas;

Thence along said line, South 03°13'36" West a distance of 149.00 feet to a set ½" rebar with cap marked TX 5152 on the northerly line of lot 1, block 1, Horizon Town Center Unit One recorded in File No. 20180057691, Real Property Records of El Paso County, Texas;

Thence along said line, North 86°43'32" West a distance of 48.31 feet to a set ½" rebar with cap marked TX 5152 for the northwesterly corner of lot 1, block 1, Horizon Town Center Unit One recorded in File No. 20180057691, Real Property Records of El Paso County, Texas

Thence leaving said northwesterly corner, North 86°43'32" West a distance of 261.01 feet to the "TRUE POINT OF BEGINNING" and containing 46,256 Square Feet or 1.0619 acres of land more or less.

A drawing of even date accompanies this description.



Ron R. Conde  
Registered Professional Land Surveyor  
Texas License No. 5152



---

CONDE INC  
ENGINEERING / LAND SURVEYING / PLANNING  
6080 SURETY DRIVE / SUITE 100 / EL PASO, TEXAS 79905  
(915) 592-0283 FAX (915) 592-0286 FIRM# 10078100

Prepared For: Southwest Land Development Services  
December 8, 2020  
(Proposed Rezoning Parcel - II) – (R-9/CO to R-2)

### METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of C.D. Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk Monument at the centerline intersection of Town Center Dr. and Mar Vista Pl. from which an existing brass disk Monument at the centerline intersection of Town Center Dr. and Park Vista Pl. Bears, North 86°43'32" West a distance of 582.00 feet; Thence leaving said brass disk Monument, North 80°12'15" East a distance of 163.61 feet to a set nail in rock wall on the intersection of the Northerly right of way line of Town Center Dr. with the westerly line of Lot 1, Block 1, Horizon Town Center Unit One recorded in clerks file No. 20180057691, Real Property Records of El Paso County, Texas for the "TRUE POINT OF BEGINNING".

Thence along said right-of-way line, North 86°43'32" West a distance of 787.37 feet to a set chiseled x on concrete for a point of curve;

Thence 31.42 feet along the arc of a curve to the left which has a radius of 20.00 feet an interior angle of 90°00'00" a chord which bears North 48°16'28" East a distance of 28.28 feet to a set ½" rebar with cap marked TX 5152 on the easterly line of Lot 1, Block 11, Horizon Town Center Unit One recorded in clerks file No. 20180057691, Real Property Records of El Paso County, Texas;

Thence along said line, North 03°16'28" East a distance of 217.00 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence 31.42 feet along the arc of a curve to the left which has a radius of 20.00 feet an interior angle of 90°00'00" a chord which bears North 41°43'32" West a distance of 28.28 feet to a set ½" rebar with cap marked TX 5152 on the northerly line of Lot 1, Block 11, Horizon Town Center Unit One recorded in clerks file No. 20180057691, Real Property Records of El Paso County, Texas;

Thence along said line, North 86°43'32" West a distance of 359.82 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence 32.71 feet along the arc of a curve to the left which has a radius of 20.00 feet an interior angle of 93°42'09" a chord which bears South 46°25'24" West a distance of 29.18 feet to a set chiseled x on concrete on the easterly right of way line of Horizon Crossing Street;

Thence along said right-of-way line, 24.36 feet along the arc of a curve to the left which has a radius of 500.00 feet an interior angle of 02°47'31" a chord which bears North 00°58'05" East a distance of 24.36 feet to a point;

Thence along said right-of-way line, North 02°21'50" East a distance of 168.97 feet to a set ½" rebar with cap marked TX 5152;


Thence leaving said right-of-way line, South 86°43'32" East a distance of 907.44 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 02°21'50" West a distance of 149.02 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 86°43'32" East a distance of 261.01 feet to a set ½" rebar with cap marked TX 5152 point on the westerly line of Lot 1, Block 1, Horizon Town Center Unit One recorded in File No. 20180057691, Real Property Records of El Paso County, Texas;

Thence along said line, South 03°16'28" West a distance of 280.00 feet to the "TRUE POINT OF BEGINNING" and containing 359,561 Square Feet or 8.2544 acres of land more or less.

A drawing of even date accompanies this description.

  
Ron R. Conde  
Registered Professional Land Surveyor  
Texas License No. 5152



**CONDE, INC.**  
**ENGINEERING / LAND SURVEYING / PLANNING**  
**6080 SURETY DRIVE SUITE 100 / EL PASO, TEXAS 79905**  
**(915) 592-0283 FAX (915) 592-0286 FIRM# 10078100**

Prepared For: Southwest Land Development Services  
December 8, 2020  
(Proposed Rezoning Parcel - III) - (R-9/CO to C-2)

### METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of C.D. Stewart Survey No. 321, Town of Horizon City, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk Monument at the centerline intersection of Town Center Dr. and Mar Vista Pl. from which an existing brass disk Monument at the centerline intersection of Town Center Dr. and Park Vista Pl. Bears, North 86°43'32" West a distance of 582.00 feet; Thence leaving said brass disk Monument, North 09°18'27" West a distance of 477.47 feet to a set ½" rebar with cap marked TX 5152 for the "TRUE POINT OF BEGINNING".

Thence, North 86°43'32" West a distance of 907.44 feet to a set ½" rebar with cap marked TX 5152 on the easterly right-of-way line of Horizon Crossing St.;

Thence along said right-of-way line, North 02°21'50" East a distance of 411.80 feet to a set ½" rebar with cap marked TX 5152;

Thence leaving said right-of-way line, South 86°57'46" East a distance of 907.38 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 02°21'50" West a distance of 415.55 feet to the "TRUE POINT OF BEGINNING" and containing 375,337 Square Feet or 8.6165 acres of land more or less.

A drawing of even date accompanies this description.



Ron R. Conde  
Registered Professional Land Surveyor  
Texas License No. 5152





**TOWN OF HORIZON CITY  
MEMORANDUM**

**Date:** May 6, 2021

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

**From:** Michelle Padilla, Planning Director

**SUBJECT:** **1st Reading of Ordinance \_\_\_\_:** An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning ten parcels from R-4, residential, to C-1, commercial, for commercial use, containing approximately 2.1592 acres; being lots 1 through 10, block 19, Horizon Country Club Estates Unit 2, El Paso County, Texas; located north and east of the intersection of Horizon Boulevard and Darrington Road; and authorizing the notation of the change on the official zoning map of the Town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

---

On April 19, 2021, the Planning and Zoning Commission voted unanimously to recommend that the City Council approve the rezoning of the subject property from an R-4 (Residential) zone to a C-1 (Commercial) zone.

The applicant's request is to rezone the property to a C-1 (Commercial) zone to allow for future commercial development. The staff recommendation to the Planning and Zoning Commission was to approve this request as it is more consistent with the City's Vision 2020: Comprehensive and Strategic Plan than its current zoning. The future land use map in the comprehensive plan designates this area as mixed-use. The subject property is also located within the City's Tax Increment Reinvestment Zone (TIRZ) Number One.

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



**TOWN OF HORIZON CITY**  
**Planning and Zoning Commission Staff Report**  
**REVISED**

**Case No.:** RZ-002466-2021  
*Horizon Country Club Estates -Unit 2*

**Application Type:** **Rezoning**

**P&Z Hearing Date:** April 19, 2021

**Staff Contact:** Emily Offer, Planning Staff  
 915-238-0691; [eooffer@horizoncity.org](mailto:eooffer@horizoncity.org)

**Address/Location:** East of Darrington Rd, West of Rodman St, and North of Horizon Blvd.

**Legal Description:** Lots 1 through 10, Block 19, Horizon Country Club Estates Unit 2, El Paso County, Texas

**Property Owner:** Casey Mae Investments LLC

**Applicant:** Casey Mae Investments LLC

**Nearest Park:** Corky Park

**Nearest School:** Desert Hills Elementary School

**SURROUNDING PROPERTIES:**

	<b>Zoning</b>	<b>Land Use</b>
<b>N</b>	R-4 (Residential)	Vacant
<b>E</b>	R-4 (Residential)	Vacant
<b>S</b>	C-1 (Commercial)	Vacant
<b>W</b>	C-1 (Commercial)	Vacant

**LAND USE AND ZONING:**

	<b>Existing</b>	<b>Proposed</b>
<b>Land Use</b>	Vacant	Commercial
<b>Zoning</b>	R-4 Residential	C-1 Commercial

**Application Description:**

The applicant is requesting to change the zone of a 2.1579 acre parcel of land that is currently vacant and zoned as R-4 Residential to be rezoned as C-1 Commercial. The property is east of Darrington Rd, west of Rodman St, and north of Horizon Blvd.

**Notice:**

In accordance with Section 211.007 of the Texas Local Government Code, notices of the April 19, 2021 public hearing were sent to the school district of jurisdiction and to those property owners within 200 feet of the subject property on March 25, 2021. In addition, the applicant is required to erect signs notifying the public of the proposed rezoning on the site proposed for rezoning fifteen (15) days prior to the Planning and Zoning Commission public hearing. This requirement has been met.

**Vision 2020 – Future Land Use Map Designation:**

Horizon City Vision 2020 Strategic Master Plan designates this area as mixed use.

**Staff Recommendation:**

The Comprehensive plan designates this area for mixed use; therefore, staff recommends **APPROVAL** of the request to rezone to **C-1** as it best suits the comprehensive plan and the surrounding zoning as well.

**Planning Division Comments:**

The applicant intends to replat the developments proposed to be rezoned prior to beginning any improvements as the current lot sizes do not abide by C-1 Commercial lot size regulations.

**Planning and Zoning Commission Options:**

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

1. Recommend **approval** of the Applicant's request for change of zone classification as stated and forward a recommendation for approval for the change of zone classification to the City Council.
2. Recommend **denial** of the Applicant's request for change of zone classification due to the lack of compatibility between the proposed zoning and the 2020 Comprehensive plan.

**Attachments:**

- 1 - Zoning Designation**
- 2 - Aerial**
- 3 - Future Land Use Map (Comp Plan)**
- 4 - Boundary Survey Location Map**
- 5 - Application**

**Attachment 1: Zoning Designation**



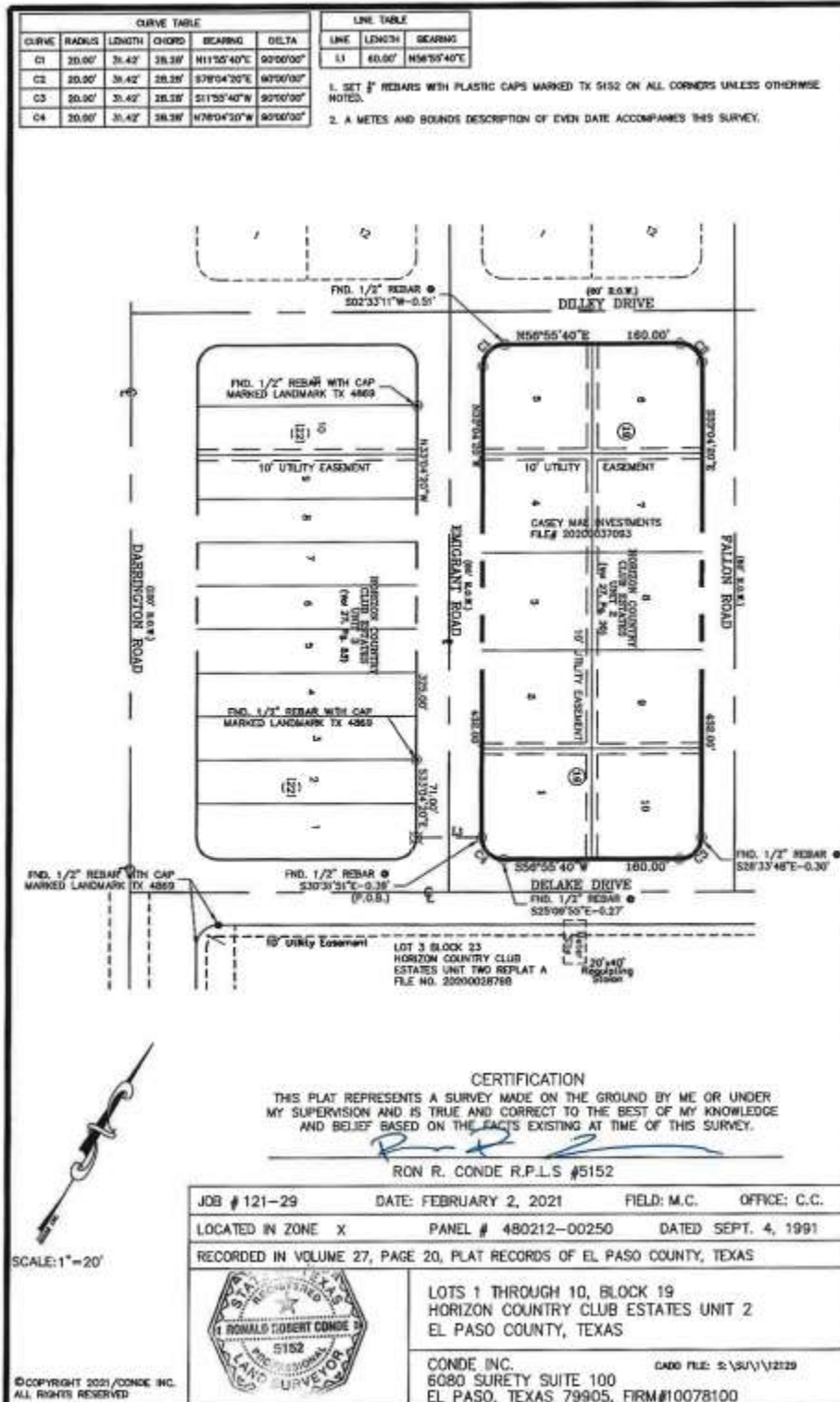
**Attachment 2: Aerial**



**Attachment 3: Future Land Use Map**



### Attachment 4: Boundary Survey Location Map



**Attachment 5: Applications**



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

**REZONE APPLICATION**

*RZ-002466-2021*

1. Owner of Record: CASEY MAE INVESTMENTS LLC  
1117 LOS JARDINES CIRCLE 915 526 3898 jmedgocpa@gmail.com  
(ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant CASEY MAE INVESTMENTS LLC Is applicant also the Owner?  Yes  No  
 Contact Person JIM EDGE  
1117 LOS JARDINES, EL PASO, TX 79912 915 526 3898 jmedgocpa@gmail.com  
(ADDRESS) (ZIP) (PHONE) (EMAIL)

3. PARCEL ONE  
 Site Address/Location DARRINGTON ST.  
 Legal Description: LOTS 1-10 19 HORIZON COUNTRY CLUB ESTATE UNIT 2  
(Lot) (Block) (Subdivision Name)

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

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

4. Briefly explain why you request to rezone? PROPERTY IS MORE SUITABLE AS COMMERCIAL

5. Land's Present Use: VACANT Zone \_\_\_\_\_  
 Land Vacant  Lot size 94.222 Structure  Structure's size: 0 Last known date the structure was occupied? N/A  
 Land's Proposed Use: COMMERCIAL Proposed Zone Use C-1

Will you be making any improvements to the existing lot or structure?  Yes  No This request includes Site Development Plans for approval?  Yes  No  
NO PLANNED IMPROVEMENTS AT THIS TIME

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

6. Signatures: Jim Edge, Partner  
(OWNER'S SIGNATURE)  
Jim Edge, Partner  
(APPLICANT'S SIGNATURE)

CASEY MAE INVESTMENTS LLC  
(OWNER'S PRINTED NAME)  
JIM EDGE  
(APPLICANT'S PRINTED NAME)

**FEE SCHEDULE: (NON-REFUNDABLE)**

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

Application & Submittals Due Date: \_\_\_\_\_  
 P&Z Scheduled Mtg. Date: \_\_\_\_\_  
 City Council Scheduled Date: \_\_\_\_\_  
 Application Received By: [Signature]  
 Date Application Rec'd: \_\_\_\_\_

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

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING TEN PARCELS FROM R-4, RESIDENTIAL, TO C-1, COMMERCIAL, FOR COMMERCIAL USE, CONTAINING APPROXIMATELY 2.1592 ACRES; BEING LOTS 1 THROUGH 10, BLOCK 19, HORIZON COUNTRY CLUB ESTATES UNIT 2, EL PASO COUNTY, TEXAS, LOCATED NORTH AND EAST OF THE INTERSECTION OF HORIZON BOULEVARD AND DARRINGTON ROAD; AND AUTHORIZING THE NOTATION OF THE CHANGE ON THE OFFICIAL ZONING MAP OF THE TOWN; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; AND PROPER NOTICE AND HEARING.**

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

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

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

**WHEREAS,** the Planning and Zoning Commission has recommended that the zoning on the parcel of property be rezoned to C-1, Commercial; and

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

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

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

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

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

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

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

**WHEREAS,** the Town Council finds that it is necessary and proper for the good government, peace and order of the Town of Horizon City to adopt this Ordinance.

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

### **I. REZONING**

The zoning be changed from R-4 (Residential) to C-1 (Commercial), within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, as amended, for approximately 2.1592 acres, more or less and legally described by Metes and Bounds Description, Exhibit "A" attached hereto and by reference included herein.

### **II. ZONING MAP**

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

### **III. FINDINGS OF FACT**

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

### **IV. REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**V. SEVERABILITY**

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

**VI. PROPER NOTICE AND MEETING**

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

**PASSED AND APPROVED this the \_\_\_ day of \_\_\_\_\_, 2021, by a vote of \_\_\_ (ayes) to \_\_\_ (nays) to \_\_\_ (abstentions) of the Town Council of Horizon City, Texas.**

Town of Horizon City

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

ATTEST:

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

APPROVED AS TO FORM:

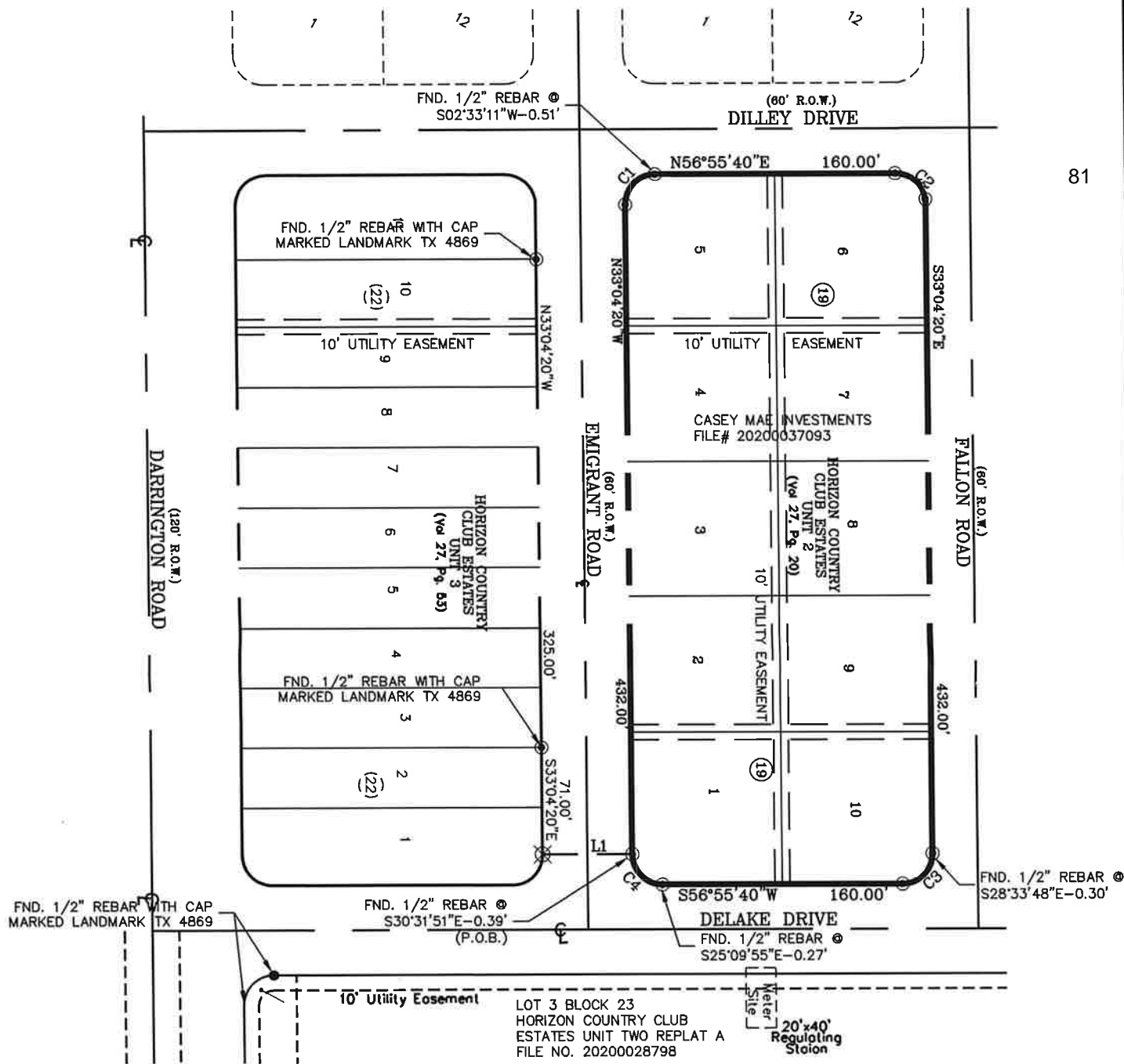
\_\_\_\_\_  
Sylvia Borunda Firth, Assistant City Attorney

First Reading: 5/11/2021  
Second Reading: 6/8/2021

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	20.00'	31.42'	28.28'	N11°55'40"E	90°00'00"
C2	20.00'	31.42'	28.28'	S78°04'20"E	90°00'00"
C3	20.00'	31.42'	28.28'	S11°55'40"W	90°00'00"
C4	20.00'	31.42'	28.28'	N78°04'20"W	90°00'00"

LINE TABLE		
LINE	LENGTH	BEARING
L1	60.00'	N56°55'40"E

1. SET 1/2" REBARS WITH PLASTIC CAPS MARKED TX 5152 ON ALL CORNERS UNLESS OTHERWISE NOTED.
2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY.



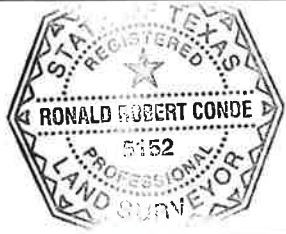
81

**CERTIFICATION**

THIS PLAT REPRESENTS A SURVEY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF BASED ON THE FACTS EXISTING AT TIME OF THIS SURVEY.

*[Signature]*  
 RON R. CONDE R.P.L.S #5152

JOB # 121-29	DATE: FEBRUARY 2, 2021	FIELD: M.C.	OFFICE: C.C.
LOCATED IN ZONE X	PANEL # 480212-00250	DATED SEPT. 4, 1991	
RECORDED IN VOLUME 27, PAGE 20, PLAT RECORDS OF EL PASO COUNTY, TEXAS			



LOTS 1 THROUGH 10, BLOCK 19  
 HORIZON COUNTRY CLUB ESTATES UNIT 2  
 EL PASO COUNTY, TEXAS

CONDE INC.  
 6080 SURETY SUITE 100  
 EL PASO, TEXAS 79905, FIRM#10078100

SCALE: 1"=20'

### METES AND BOUNDS DESCRIPTION

Description of a parcel of land being Lots 1 through 10, Block 19, Horizon Country Club Estates Unit 2, El Paso County, Texas as recorded in Volume 27, Page 20, Plat Records of El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at a found ½” rebar with cap marked TX 4869 Landmark for the intersection of the common corners of Lots 2 and 3, Block 22, Horizon Country Club Estates Unit Three as recorded in Volume 27, Page 53, Plat Records of El Paso County, Texas with the westerly right of way line of Emigrant Road, from which a found ½” rebar with cap marked Landmark TX 4869 at the intersection of the common corner of Lots 10 and 11, Block 22, Horizon Country Club Estates Unit 3, with the westerly right of way line of Emigrant Road bears, North 33°04’20” West a distance of 325.00 feet; Thence along said westerly right of way line of Emigrant Road, South 33°04’20” East a distance of 71.00 feet to a point of curve, Thence leaving said right of way line, North 56°55’40” East a distance of 60.00 feet to a point of curve on the easterly right of way line of Emigrant Road for the “TRUE POINT OF BEGINNING”.

82

Thence along said right of way line, North 33°04’20” West a distance of 432.00 feet to a set ½” rebar with cap marked TX 5152 for a point of curve;

Thence 31.42 feet along the arc of a curve to the right which has a radius of 20.00 feet an central angle of 90°00’00” a chord which bears North 11°55’40” East a distance of 28.28 feet to a point on the southerly right of way line of Dilley Road from which a found ½” rebar, bears South 02°33’11” East a distance of 0.51 feet;

Thence along said right of way line, North 56°55’40” East a distance of 160.00 feet to a set ½” rebar with cap marked TX 5152 for a point of curve;

Thence 31.42 feet along the arc of a curve to the right which has a radius of 20.00 feet a central angle of 90°00’00” a chord which bears South 78°04’20” East a distance of 28.28 feet to a set ½” rebar with cap marked TX 5152 on the westerly right of way line of Fallon Road;

Thence along said right of way line, South 33°04’20” East a distance of 432.00 feet to a point of curve from which a found ½” rebar, bears South 28°33’48” East a distance of 0.30 feet;

Thence 31.42 feet along the arc of a curve to the right which has a radius of 20.00 feet a central angle of 90°00’00” a chord which bears South 11°55’40” West a distance of 28.28 feet to a set ½” rebar with cap marked TX 5152 on the northerly right of way line of Delake Drive;

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(915) 592-0283 FAX (915) 592-0286 FIRM# 10078100

Thence along said right of way line, South 56°55'40" West a distance of 160.00 feet to a point of curve from which a found ½" rebar, bears South 25°09'55" East a distance of 0.27 feet;

Thence 31.42 feet along the arc of a curve to the right which has a radius of 20.00 feet a central angle of 90°00'00" a chord which bears North 78°04'20" West a distance of 28.28 feet to the "TRUE POINT OF BEGINNING" and containing 94,057 square feet or 2.1592 acres of land more or less.

A drawing of even date accompanies this description.



Ron R. Conde  
Registered Professional Land Surveyor  
Texas License No. 5152



job # 121-29

**CONDE, INC.**  
**ENGINEERING / LAND SURVEYING / PLANNING**  
**6080 SURETY DRIVE SUITE 100 / EL PASO, TEXAS 79905**  
**(915) 592-0283 / FAX (915) 592-0286 / FIRM# 10078100**



**TOWN OF HORIZON CITY  
MEMORANDUM**

**Date:** May 6, 2021

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

**From:** Michelle Padilla, Planning Director

**SUBJECT:** **1st Reading of Ordinance \_\_\_:** An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning eight parcels from R-2, residential, to C-2, commercial, for commercial use, containing approximately 6.6235 acres; being lots 7 through 9, block 490, lot 8, block 491, lots 8 through 11, block 492, Horizon City Unit Sixty-Four, El Paso County, Texas; located south and east of the intersection of Horizon Boulevard and Eastlake Boulevard; and authorizing the notation of the change on the official zoning map of the Town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

---

On April 19, 2021, the Planning and Zoning Commission voted unanimously to recommend that the City Council approve the rezoning of the subject property from an R-2 (Residential) zone to a C-2 (Commercial) zone.

The applicant's request is to rezone the properties to a C-2 (Commercial) zone to allow for future commercial development. The staff recommendation to the Planning and Zoning Commission was to approve this request as it is more consistent with the City's Vision 2020: Comprehensive and Strategic Plan than its current zoning. The future land use map in the comprehensive plan designates this area as multi-family residential and commercial. The subject property is also located within the City's Transportation Reinvestment Zone (TRZ) Number One.

Attached for your review, is the draft Ordinance and the staff report that was presented to the Planning and Zoning Commission. The staff report has been revised to correct an error in the acreage; the ordinance reflects the correct acreage.



**TOWN OF HORIZON CITY**  
**Planning and Zoning Commission Staff Report**  
**REVISED**

**Case No.:** RZ-002467-2021  
*Horizon City #64*

**Application Type:** **Rezoning**

**P&Z Hearing Date:** April 19, 2021

**Staff Contact:** Emily Offer, Planning Staff  
 915-238-0691; [eooffer@horizoncity.org](mailto:eooffer@horizoncity.org)

**Address/Location:** Abutting the south side of Horizon Blvd, across from the High School, between Anderpont and Groveland St.

**Legal Description:** Lots 7 through 9, Block 490; Approximately 2.4753 Acres  
 Lot 8, Block 491; Approximately 0.8245 Acres  
 Lots 8/9 through 11, Block 492, Approximately ~~2.4992~~ 3.3237 Acres  
 Horizon City #64  
 El Paso County, Horizon City, Texas

**Property Owner:** James Edge and Angel Beltran JR

**Applicant:** Jim Edge

**Nearest Park:** Golden Eagle Park

**Nearest School:** Horizon High School

**SURROUNDING PROPERTIES:**

Zoning		Land Use
<b>NW</b>	R-2 (Residential)	Horizon High School
<b>N</b>	R-2 (Residential)	Vacant
<b>E</b>	R-2 (Residential)	Vacant
<b>W</b>	R-2 (Residential)	Holy Spirit Catholic Church
<b>S</b>	R-2 (Residential)	Vacant

**LAND USE AND ZONING:**

	Existing	Proposed
<b>Land Use</b>	Vacant	Commercial
<b>Zoning</b>	R-4 Residential	C-2 Commercial

**Application Description:**

The applicant is requesting to change the zone of ~~a 5.799~~ 6.6235 acres parcel of land (8 parcels) that ~~is~~ are currently vacant and zoned as R-4 Residential to be rezoned as C-2 Commercial. The property abuts the south side of Horizon Blvd, across from Horizon High School and adjacent to Rifton St., between Anderpont and Groveland St.

**Notice:**

In accordance with Section 211.007 of the Texas Local Government Code, notices of the April 19, 2021 public hearing were sent to the school district of jurisdiction and to those property owners within 200 feet of the subject property on April 1, 2021. In addition, the applicant is required to erect signs notifying the public of the proposed rezoning on the site

proposed for rezoning fifteen (15) days prior to the Planning and Zoning Commission public hearing. This requirement has been met.

**Vision 2020 – Future Land Use Map Designation:**

Horizon City Vision 2020 Strategic Master Plan designates this area as Multi-Family Residential and Commercial.

**Staff Recommendation:**

Staff believes that the development of this area will help enhance the surrounding school and neighborhood's walkable resources. Therefore, staff recommends **APPROVAL** of the request to rezone to **C-2** to allow for a mix of uses within walking distance of one another.

**Planning Division Comments:**

As these properties abut an arterial ROW, across from a high school and existing residential development, providing commercial uses in this area would insinuate and provoke a conveniently walkable environment.

**Planning and Zoning Commission Options:**

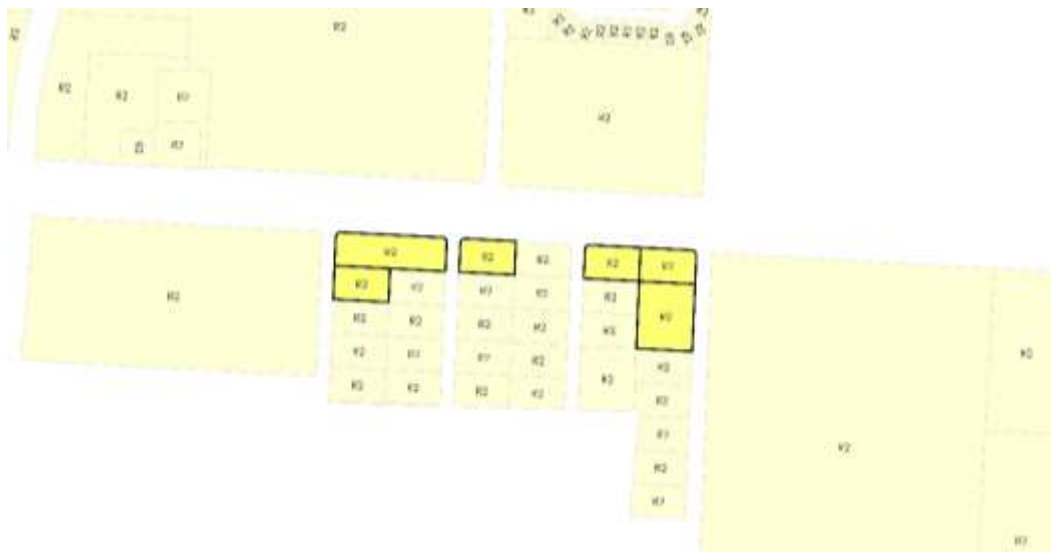
The Planning and Zoning Commission may consider the following options and additional requirements that it may identify when reviewing this rezoning application:

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

**Attachments:**

- 1 - Zoning Designation
- 2 – Aerial
- 3 - Future Land Use Map (Comp Plan)
- 4 - Boundary Surveys Location Map
- 5 – Application
- 6 – Conceptual Site Plan

**Attachment 1: Zoning Designation**



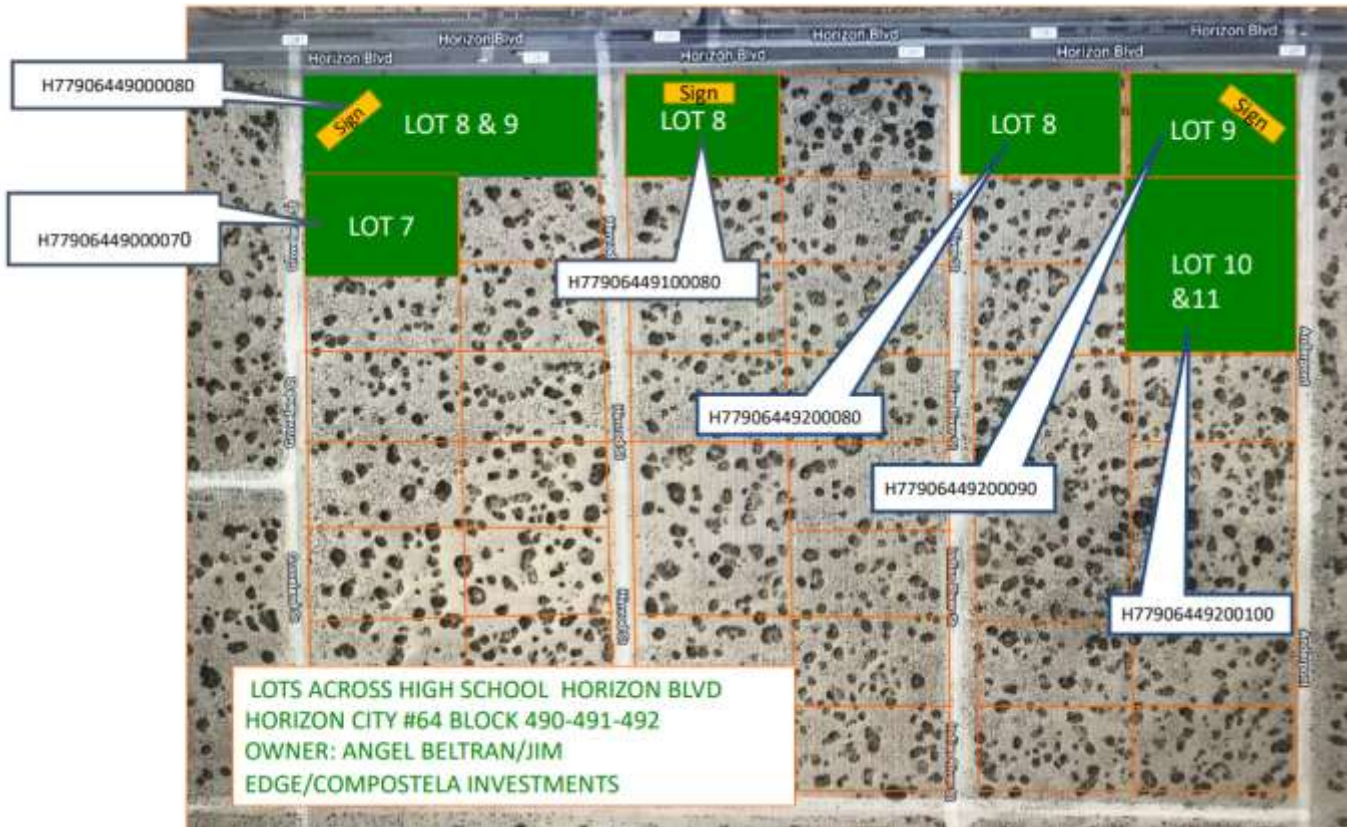
**Attachment 2: Aerial**



### Attachment 3: Future Land Use Map



**Attachment 4: Boundary Survey Location Map**



**Attachment 5: Applications**



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

**REZONE APPLICATION**

*RZ 002467-2021*

1. Owner of Record: JAMES EDGE AND ANGEL BELTRAN JR  
1117 LOS JARDINES, EL PASO, TX 79912 (915)249-5424 elianethmontes@icloud.com  
(ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant JIM EDGE Is applicant also the Owner?  Yes  No  
 Contact Person \_\_\_\_\_

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

3. **PARCEL ONE**  
 Site Address/Location GROVELAND. (No street number at this time)  
 Legal Description: 7.8.9 490 490 HORIZON CITY # 64  
(Lot) (Block) (Subdivision Name) (Lot)

**PARCEL TWO**  
 Site Address/Location ANDREPOINT ST - INDIAN RIVER SR (No street number at this time)  
 Legal Description: 8.9.10 & 11 492 492 HORIZON CITY # 64  
(Lot) (Block) (Subdivision Name)

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

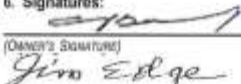
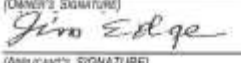
4. Briefly explain why you request to Rezone? TO REPLAT FOR COMERCIAL DEVELOPMENT

5. Land's Presents Use: VACANT LOTS Zone R-4  
 Land Vacant  Lot size \_\_\_\_\_ Structure  Structure's size \_\_\_\_\_ Last known date the structure was occupied? \_\_\_\_\_

Land's Proposed Use: COMMERCIAL Proposed Zone Use C-2

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

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

6. Signatures:  
  
(OWNER'S SIGNATURE)  
  
(APPLICANT'S SIGNATURE)

ANGEL BELTRAN JR/JIM EDGE  
(OWNER'S PRINTED NAME)  
JIM EDGE  
(APPLICANT'S PRINTED NAME)

**FEE SCHEDULE: (NON-REFUNDABLE)**

<b>\$300</b> - UP TO 1.0 ACRES	<b>\$450</b> - 30.1 ACRES TO 50 ACRES
<b>\$350</b> - 1.1 ACRES TO 10 ACRES	<b>\$500</b> - 50.1 ACRES TO 75 ACRES
<b>\$400</b> - 10.1 ACRES TO 30 ACRES	<b>\$600</b> - 75.1 ACRES AND UP
<b>EL PASO TIMES PUBLISHING FEE</b> APPROXIMATELY \$200	<b>ENGINEERING FEE</b> APPROXIMATELY \$60 PER 1/2 HOUR

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

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

Page 1 of 2  
 Revised 02/20/15



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

# REZONE APPLICATION

*RZ 002467-2021*

1. Owner of Record: JAMES EDGE AND ANGEL BELTRAN JR  
 1117 LOS JARDINES, EL PASO, TX 79912 (915)249-5424 elianethmontes@icloud.com  
(ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant JIM EDGE Is applicant also the Owner?  Yes  No  
 Contact Person \_\_\_\_\_

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

3. **PARCEL ONE**  
 Site Address/Location HORIZON BLVD. (No street number at this time)  
 Legal Description: 8 491 491 HORIZON CITY # 64  
(Block) (Subdivision Name) (Lot)

**PARCEL TWO**  
 Site Address/Location \_\_\_\_\_  
 Legal Description: \_\_\_\_\_  
(Lot) (Block) (Subdivision Name)

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

4. Briefly explain why you request to Rezone? TO REPLAT FOR COMERCIAL DEVELOPMENT

5. Land's Present Use: VACANT LOTS Zone R-4  
 Land Vacant  Lot size \_\_\_\_\_ Structure  Structure's size \_\_\_\_\_ Last known date the structure was occupied? \_\_\_\_\_

Land's Proposed Use: COMMERCIAL Proposed Zone Use C-2

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

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

6. Signatures:  
 \_\_\_\_\_  
(OWNER'S SIGNATURE)  
*Jim Edge*  
(APPLICANT'S SIGNATURE)

ANGEL BELTRAN JR/JIM EDGE  
(OWNER'S PRINTED NAME)  
JIM EDGE  
(APPLICANT'S PRINTED NAME)

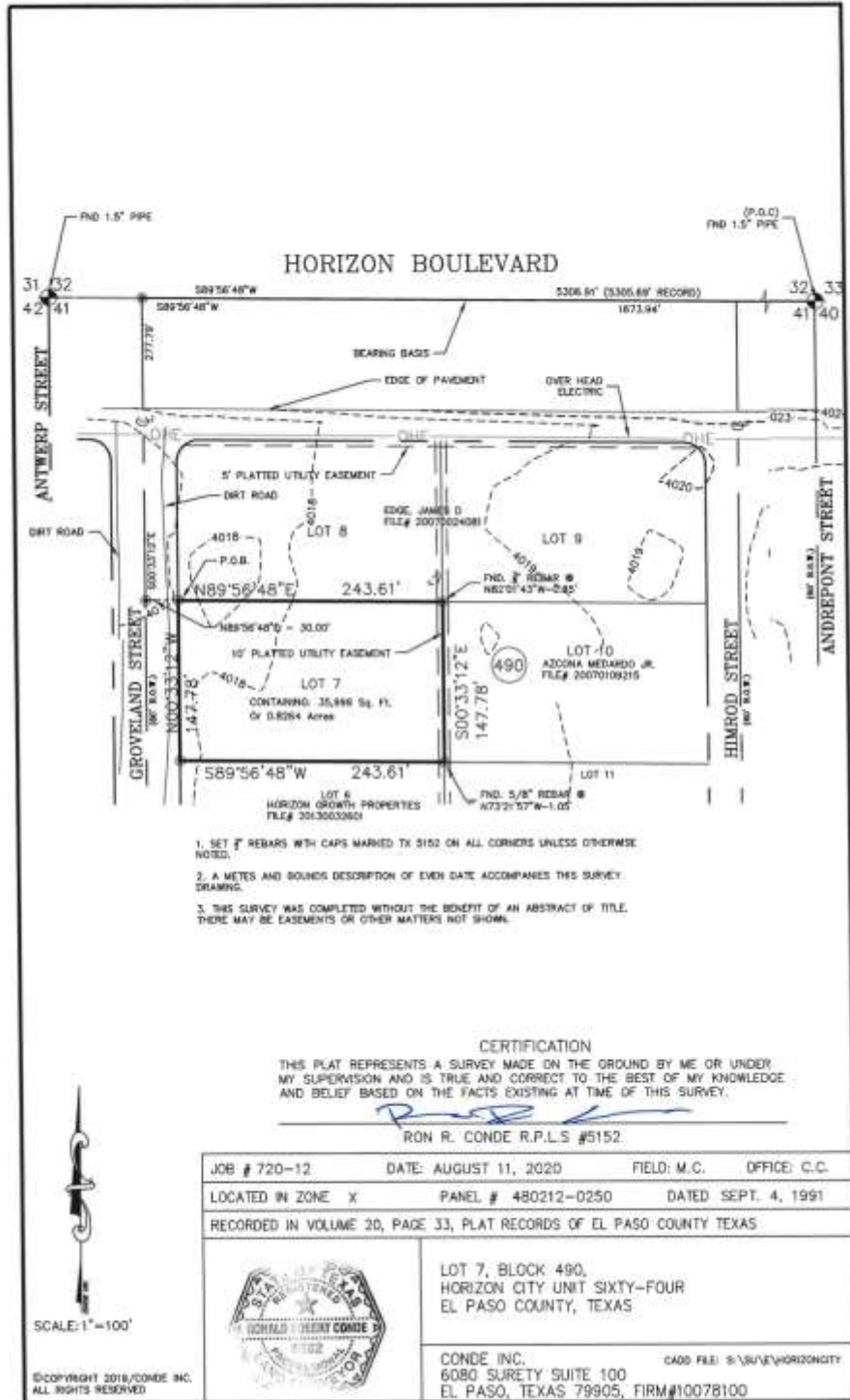
**FEE SCHEDULE: (NON-REFUNDABLE)**

<b>\$300</b> - UP TO 1.0 ACRES	<b>\$450</b> - 30.1 ACRES TO 50 ACRES
<b>\$350</b> - 1.1 ACRES TO 10 ACRES	<b>\$500</b> - 50.1 ACRES TO 75 ACRES
<b>\$400</b> - 10.1 ACRES TO 30 ACRES	<b>\$600</b> - 75.1 ACRES AND UP
<b>EL PASO TIMES PUBLISHING FEE</b> APPROXIMATELY \$200	<b>ENGINEERING FEE</b> APPROXIMATELY \$60 PER 1/2 HOUR

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

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


**Attachment 6: ~~Conceptual Site Plans~~ Boundary Surveys  
(Added Survey for Lot 7, Block 490)**



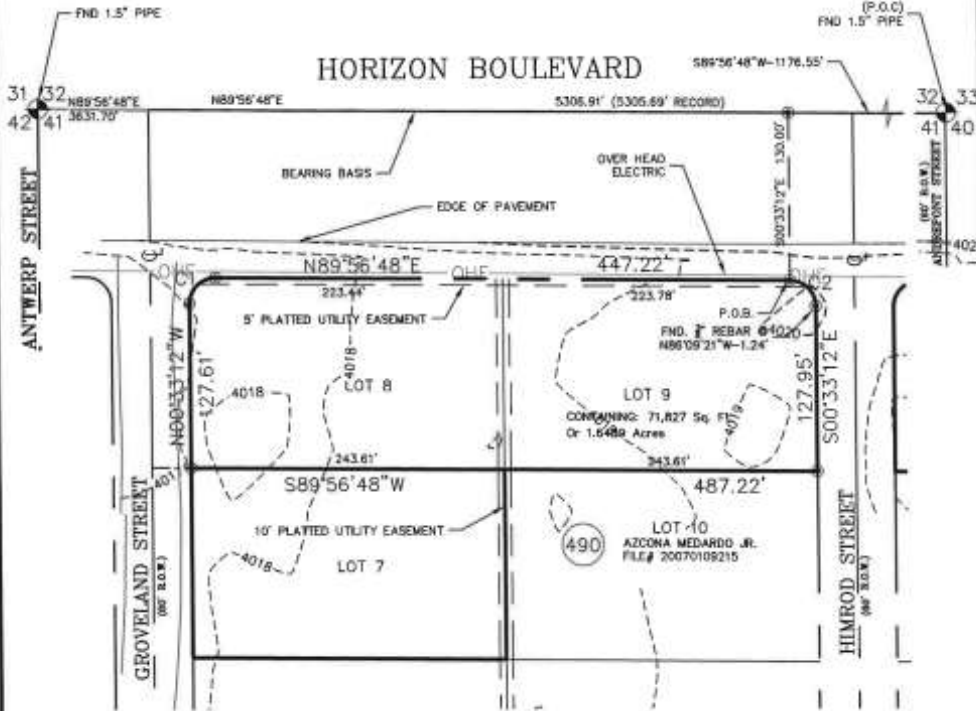
1. SET 7" REBARS WITH CAPS MARKED TX 5152 ON ALL CORNERS UNLESS OTHERWISE NOTED.
2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY DRAWING.
3. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS NOT SHOWN.

**CERTIFICATION**  
THIS PLAT REPRESENTS A SURVEY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF BASED ON THE FACTS EXISTING AT TIME OF THIS SURVEY.

*Ron R. Conde*  
RON R. CONDE R.P.L.S. #5152

JOB # 720-12	DATE: AUGUST 11, 2020	FIELD: M.C.	OFFICE: C.C.
LOCATED IN ZONE X	PANEL # 480212-0250	DATED SEPT. 4, 1991	
RECORDED IN VOLUME 20, PAGE 33, PLAT RECORDS OF EL PASO COUNTY TEXAS			
	LOT 7, BLOCK 490, HORIZON CITY UNIT SIXTY-FOUR EL PASO COUNTY, TEXAS		
CONDE INC. 6080 SURETY SUITE 100 EL PASO, TEXAS 79905, FIRM#10078100		CA09 FILE: S:\SUVE\HORIZONCITY	

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	20.00'	31.59'	20.18'	28.41'	N44°41'48"E	90°30'00"
C2	20.00'	31.24'	19.83'	28.16'	S45°18'12"E	89°30'00"



1. SET 1" REBARS ON ALL CORNERS UNLESS OTHERWISE NOTED.
2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANES THIS SURVEY DRAWING.
3. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS NOT SHOWN.

**CERTIFICATION**

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RON R. CONDE R.P.L.S #5152

JOB # 319-29	DATE: APRIL 23, 2019	FIELD: M.C.	OFFICE: C.C.
LOCATED IN ZONE X	PANEL # 480212-0250	DATED SEPT. 4, 1991	



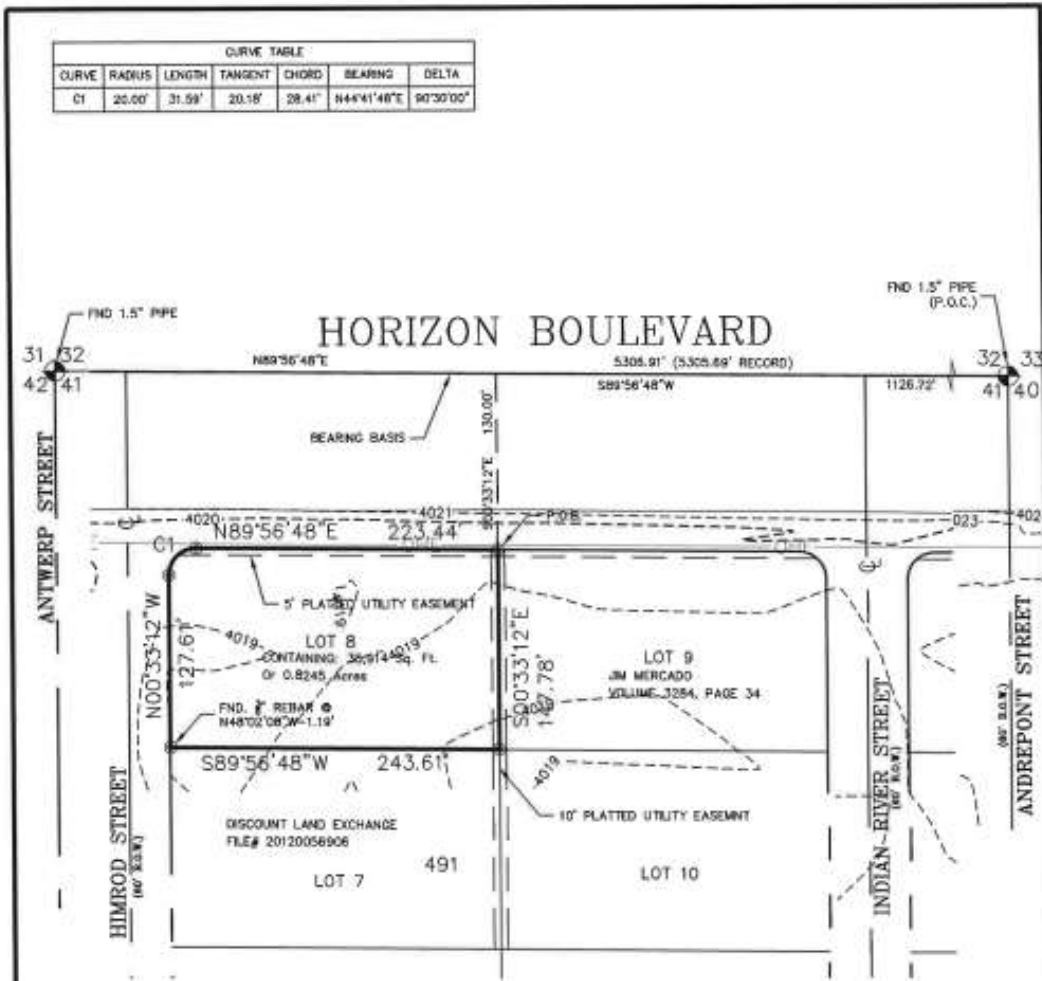
LOTS 8 & 9, BLOCK 490,  
HORIZON CITY UNIT SIXTY-FOUR  
EL PASO COUNTY, TEXAS

CONDE INC. CADD FILE: S:\SU\3\319-29  
6080 SURETY SUITE 100  
EL PASO, TEXAS 79905, FIRM#10078100

SCALE: 1"=100'

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CURVE TABLE						
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1. SET 1/2" REBARS ON ALL CORNERS UNLESS OTHERWISE NOTED.
2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY DRAWING.
3. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS NOT SHOWN.

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*R R Conde*  
 RON R. CONDE R.P.L.S #5152



SCALE: 1"=100'

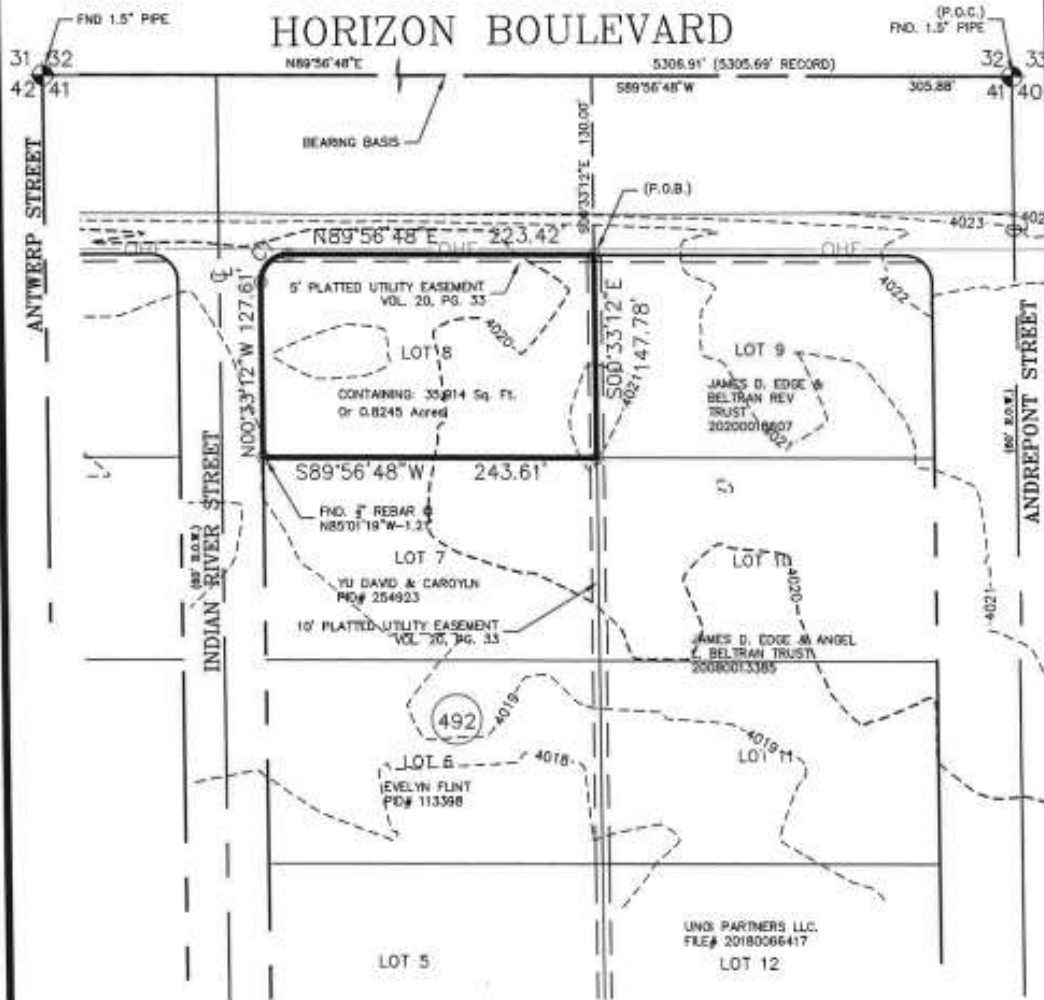
©COPYRIGHT 2019/CONDE INC. ALL RIGHTS RESERVED

JOB # 319-29	DATE: APRIL 23, 2019	FIELD: M.C.	OFFICE: C.C.
LOCATED IN ZONE X	PANEL # 480212-0250B	DATED SEPT. 4, 1991	
		LOT 8, BLOCK 491, HORIZON CITY UNIT SIXTY-FOUR EL PASO COUNTY, TEXAS	
CONDE INC. 6080 SURETY SUITE 100 EL PASO, TEXAS 79905, FIRM#10078100		CAD FILE: S:\SU\3\31929	

NOTES:

1. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY DRAWING.
2. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS NOT SHOWN.
3. SET 2" REBARS WITH CAPS MARKED TX 5152 ON ALL CORNERS UNLESS OTHERWISE NOTED.

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	20.00'	31.59'	20.16'	28.41'	S44°41'48"W	90°30'00"



**CERTIFICATION**  
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RON R. CONDE R.P.L.S. #5152

JOB # 321-38      DATE: MARCH 30, 2021      FIELD: W.B.      OFFICE: C.C.  
 LOCATED IN ZONE X      PANEL # 480212-0250B      DATED SEPT. 4, 1991



LOTS 8, BLOCK 492,  
 HORIZON CITY UNIT SIXTY-FOUR  
 EL PASO COUNTY, TEXAS

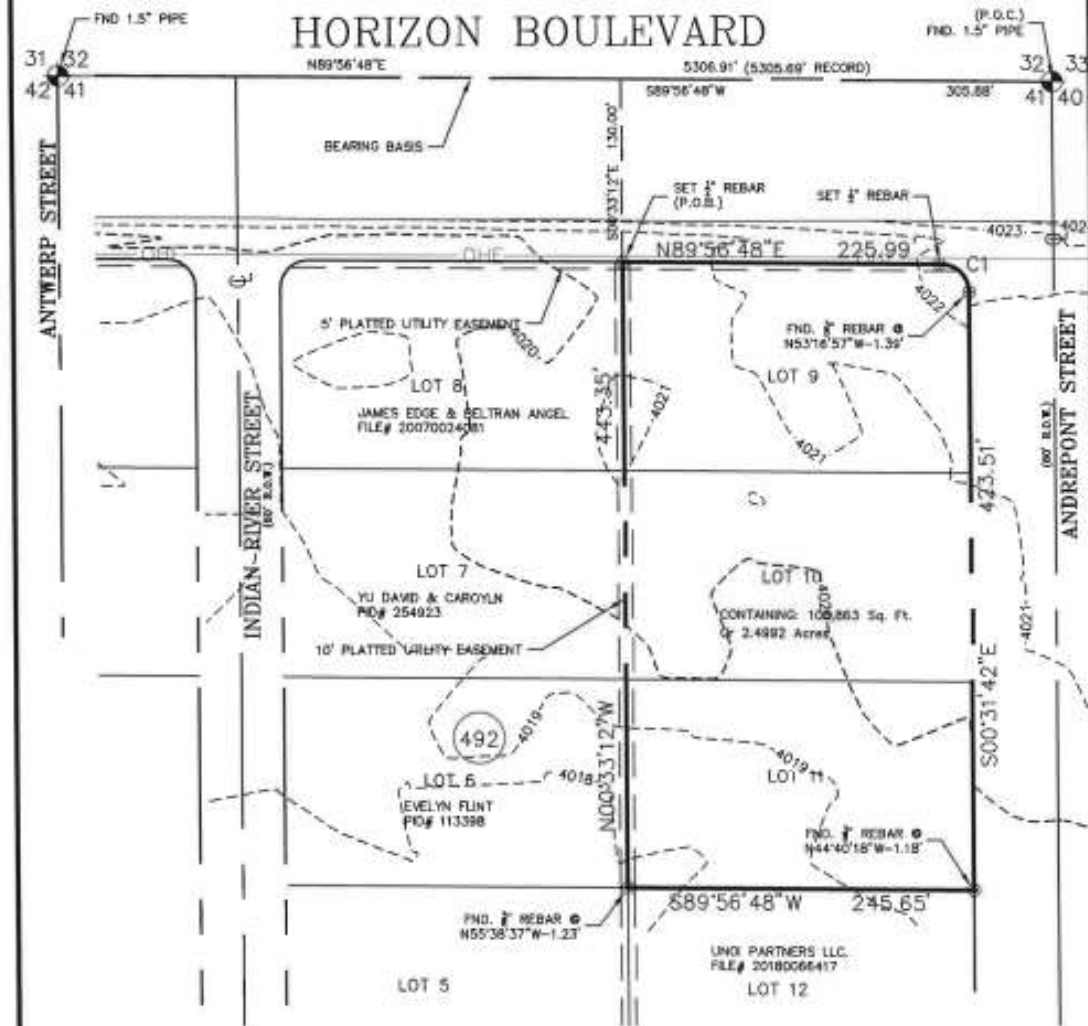
CONDE INC.      CADDO FILE: S\321\3\321  
 6080 SURETY SUITE 100  
 EL PASO, TEXAS 79905, FIRM#10078100

SCALE: 1"=100'

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CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	20.00'	31.25'	19.84'	28.17'	S45°17'27"E	89°31'30"

1. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY DRAWING.
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**CERTIFICATION**  
 THIS PLAT REPRESENTS A SURVEY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF BASED ON THE FACTS EXISTING AT TIME OF THIS SURVEY.

*Ronald Robert Conde*  
 RON R. CONDE R.P.L.S. #5152

JOB # 319-29	DATE: APRIL 23, 2019	FIELD: M.C.	OFFICE: C.C.
LOCATED IN ZONE X	PANEL # 480212-0250B	DATED SEPT. 4, 1991	



LOTS 9, 10, & 11, BLOCK 492  
 HORIZON CITY UNIT SIXTY-FOUR  
 EL PASO COUNTY, TEXAS

CONDE INC.  
 6080 SURETY SUITE 100  
 EL PASO, TEXAS 79905, FIRM#10078100

SCALE: 1"=100'

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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING EIGHT PARCELS FROM R-2, RESIDENTIAL, TO C-2, COMMERCIAL, FOR COMMERCIAL USE, CONTAINING APPROXIMATELY 6.6235 ACRES; BEING LOTS 7 THROUGH 9, BLOCK 490, LOT 8, BLOCK 491, LOTS 8 THROUGH 11, BLOCK 492, HORIZON CITY UNIT SIXTY-FOUR, EL PASO COUNTY, TEXAS; LOCATED SOUTH AND EAST OF THE INTERSECTION OF HORIZON BOULEVARD AND EASTLAKE BOULEVARD; AND AUTHORIZING THE NOTATION OF THE CHANGE ON THE OFFICIAL ZONING MAP OF THE TOWN; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; AND PROPER NOTICE AND HEARING.**

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

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

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

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

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

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

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

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

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

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

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

**WHEREAS,** the Town Council finds that it is necessary and proper for the good government, peace and order of the Town of Horizon City to adopt this Ordinance.

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

### **I. REZONING**

The zoning be changed from R-2 (Residential) to C-2 (Commercial), within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, as amended, for approximately 6.6235 acres, more or less and legally described by Metes and Bounds Description, Exhibit "A" attached hereto and by reference included herein.

### **II. ZONING MAP**

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

### **III. FINDINGS OF FACT**

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

### **IV. REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**V. SEVERABILITY**

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

**VI. PROPER NOTICE AND MEETING**

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

**PASSED AND APPROVED this the \_\_\_ day of \_\_\_\_\_, 2021, by a vote of \_\_\_ (ayes) to \_\_\_ (nays) to \_\_\_ (abstentions) of the Town Council of Horizon City, Texas.**

Town of Horizon City

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

ATTEST:

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

APPROVED AS TO FORM:

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

First Reading: 5/11/2021  
Second Reading: 6/8/2021



METES AND BOUNDS DESCRIPTION

Description of a parcel of land being Lot 7, Block 490, Horizon City Unit Sixty-Four, El Paso County, Texas, as recorded in Volume 20, Page 33, Plat Records of El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at a found 1.5" pipe at the intersection of Andrepont Street and Horizon Boulevard, being the common corner of Sections 32, 32, 40 & 41, Block 78, Township 3, Texas and Pacific Railway Company Surveys, from which a found 1.5" pipe at the intersection of Horizon Boulevard and Antwerp Street, being the common corners of Sections 31, 32, 41 & 42, Block 78, Township 3, Texas and Pacific Railway Company Surveys bears, South 89°56'48" West a distance of 5306.91 (5305.69 feet Record); Thence along Horizon Boulevard, South 89°56'48" West to a distance of 1673.94 feet to a point for the centerline intersection of Horizon Boulevard and Groveland Street; Thence along the centerline of Groveland Street, S 00°33'12" East a distance of 277.79 feet to a point; Thence leaving said centerline, North 89°56'48" East a distance of 300.00 feet to a set ½" rebar with cap marked TX 5152 on the intersection of the easterly right-of-way line of Groveland Street with the common line of Lots 7 & 8, Block 490, Horizon City Unit Sixty-Four for the "TRUE POINT OF BEGINNING".

Thence along the common line of Lots 7 & 8, Block 490, Horizon City Unit Sixty-Four, North 89°56'48" East a distance of 243.61 feet to a set ½" rebar with cap marked TX 5152 on the common line of Lots 7 & 8, 9 and 10, Block 490, Horizon City Unit Sixty-Four;

Thence along the common line of Lots 7 & 10, Block 490, Horizon City Unit Sixty-Four, South 00°33'12" East a distance of 147.78 feet to a set ½" rebar with cap marked TX 5152 common line of Lots 6, 7, 10 and 11, Block 490, Horizon City Unit Sixty-Four;

Thence along the common line of Lots 6 & 7, Block 490, Horizon City Unit Sixty-Four, South 89°56'48" West a distance of 243.61 feet to a set ½" rebar with cap marked TX 5152 on the easterly right of way line of Groveland Street;

Thence along said right-of-way North 00°33'12" West a distance of 147.78 feet to the "TRUE POINT OF BEGINNING" and containing 35,999 Square Feet or 0.8264 Acres of land more or less.

Note: A drawing of even date accompanies this description.

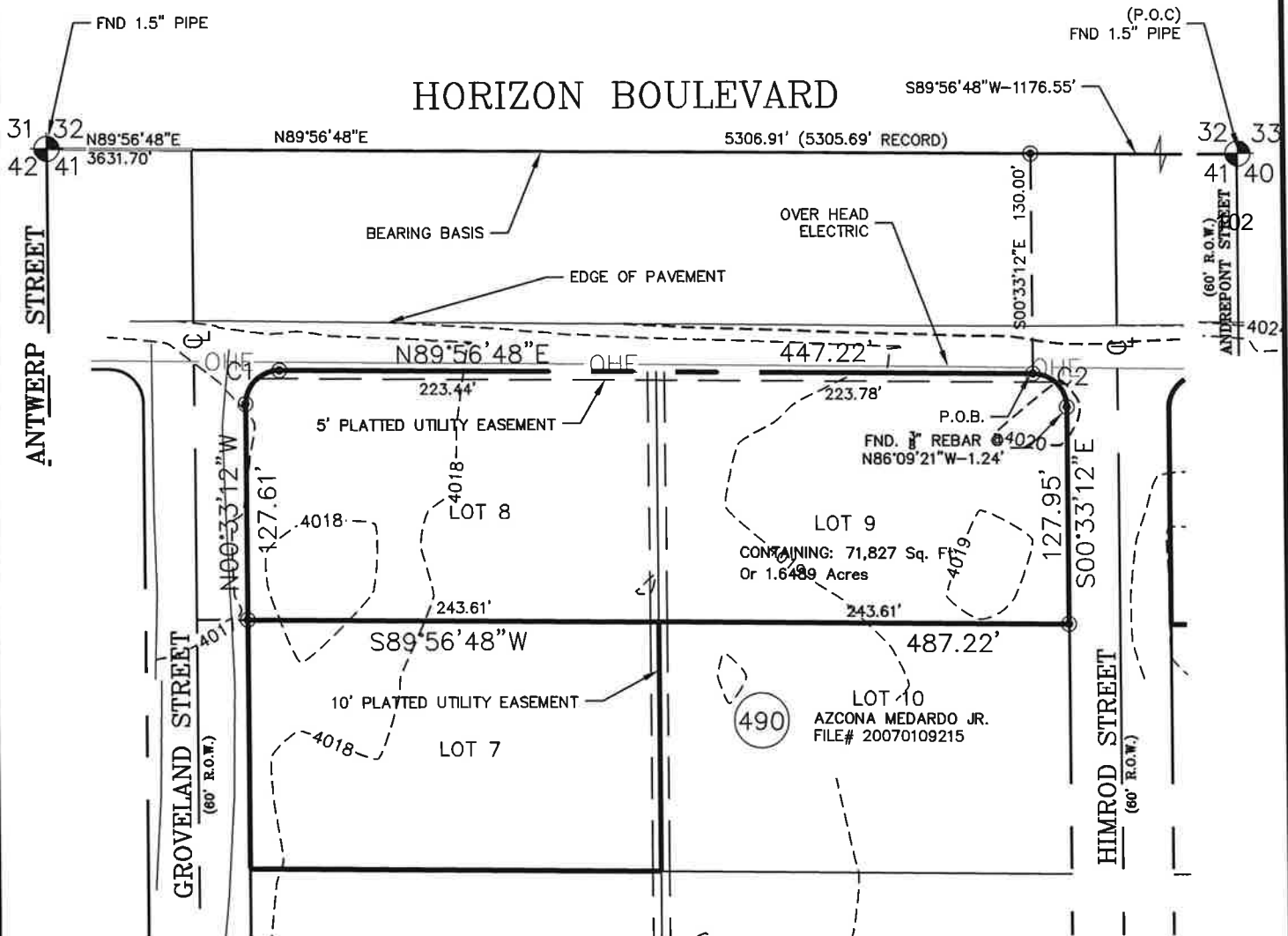
  
\_\_\_\_\_  
Ron R. Conde  
R.P.L.S. No 5152



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CONDE INC  
ENGINEERING / LAND SURVEYING / PLANNING  
6080 SURETY DRIVE / SUITE 100 / EL PASO, TEXAS 79905  
(915) 592-0283 FAX (915) 592-0286 FIRM NO. 10078100

CURVE TABLE						
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1. SET 1/2" REBARs ON ALL CORNERS UNLESS OTHERWISE NOTED.
2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY DRAWING.
3. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS NOT SHOWN.

CERTIFICATION

THIS PLAT REPRESENTS A SURVEY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF BASED ON THE FACTS EXISTING AT TIME OF THIS SURVEY.

*R R Conde*  
 RON R. CONDE R.P.L.S #5152

JOB # 319-29	DATE: APRIL 23, 2019	FIELD: M.C.	OFFICE: C.C.
LOCATED IN ZONE X	PANEL # 480212-0250	DATED SEPT. 4, 1991	



LOTS 8 & 9, BLOCK 490,  
 HORIZON CITY UNIT SIXTY-FOUR  
 EL PASO COUNTY, TEXAS

CONDE INC. CADD FILE: S:\SU\3\319-29  
 6080 SURETY SUITE 100  
 EL PASO, TEXAS 79905, FIRM#10078100



SCALE: 1"=100'

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being Lots 8 and 9, Block 490, Horizon City Unit Sixty-Four, El Paso County, Texas, as recorded in Volume 32, Page 20, Plat Records of El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at a found 1.5" pipe at the intersection of Andrepont Street and Horizon Boulevard, being the common corner of Sections 32, 32, 40 & 41, Block 78, Township 3, Texas and Pacific Railway Company Surveys, from which a found 1.5" pipe at the intersection of Horizon Boulevard and Antwerp Street, being the common corners of Sections 31, 32, 41 & 42, Block 78, Township 3, Texas and Pacific Railway Company Surveys bears, South 89°56'48" West a distance of 5306.91 (5305.69 feet Record); Thence along Horizon Boulevard, South 89°56'48" West to a distance of 1176.55 feet to a point; Thence leaving said line, South 00°33'12" East a distance of 130.00 feet to a set ½" rebar on the Southerly right-of-way of Horizon Boulevard for the "TRUE POINT OF BEGINNING".

103

Thence 31.24 feet along the arc of a curve to the right with a radius of 20.00 feet, a central angle of 89°30'00" a chord which bears South 45°18'12" East a distance of 28.16 feet to a point on the westerly right-of-way line of Himrod Street, from which a found 3/8" rebar bears, North 86°09'21" West a distance of 1.24 feet;

Thence along said right-of way South 00°33'12" East a distance of 127.95 feet to a set ½" rebar for the southeast corner of Lot 9, Block 490, Horizon City Unit Sixty-Four;

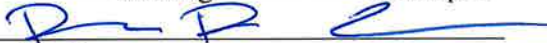
Thence leaving said right of way line and along the southerly line of Lots 8 & 9, Block 490, Horizon City Unit Sixty-Four, South 89°56'48" West a distance of 487.22 feet to a set ½" rebar on the easterly right of way line of Groveland Street;

Thence, along said right-of way North 00°33'12" West a distance of 127.61 feet to a set ½" rebar for a point of curve;

Thence 31.59 feet along the arc of a curve to the right which has a radius of 20.00 feet a central angle of 90°30'00" a chord which bears North 44°41'48" East a distance of 28.41 feet to a set ½" rebar on the southerly right-of-way line of Horizon Boulevard;

Thence along said right-of-way North 89°56'48" East a distance of 447.22 feet to the "TRUE POINT OF BEGINNING" and containing 71,827 Square Feet or 1.6489 Acres of land more or less.

Note: A drawing of even date accompanies this description.



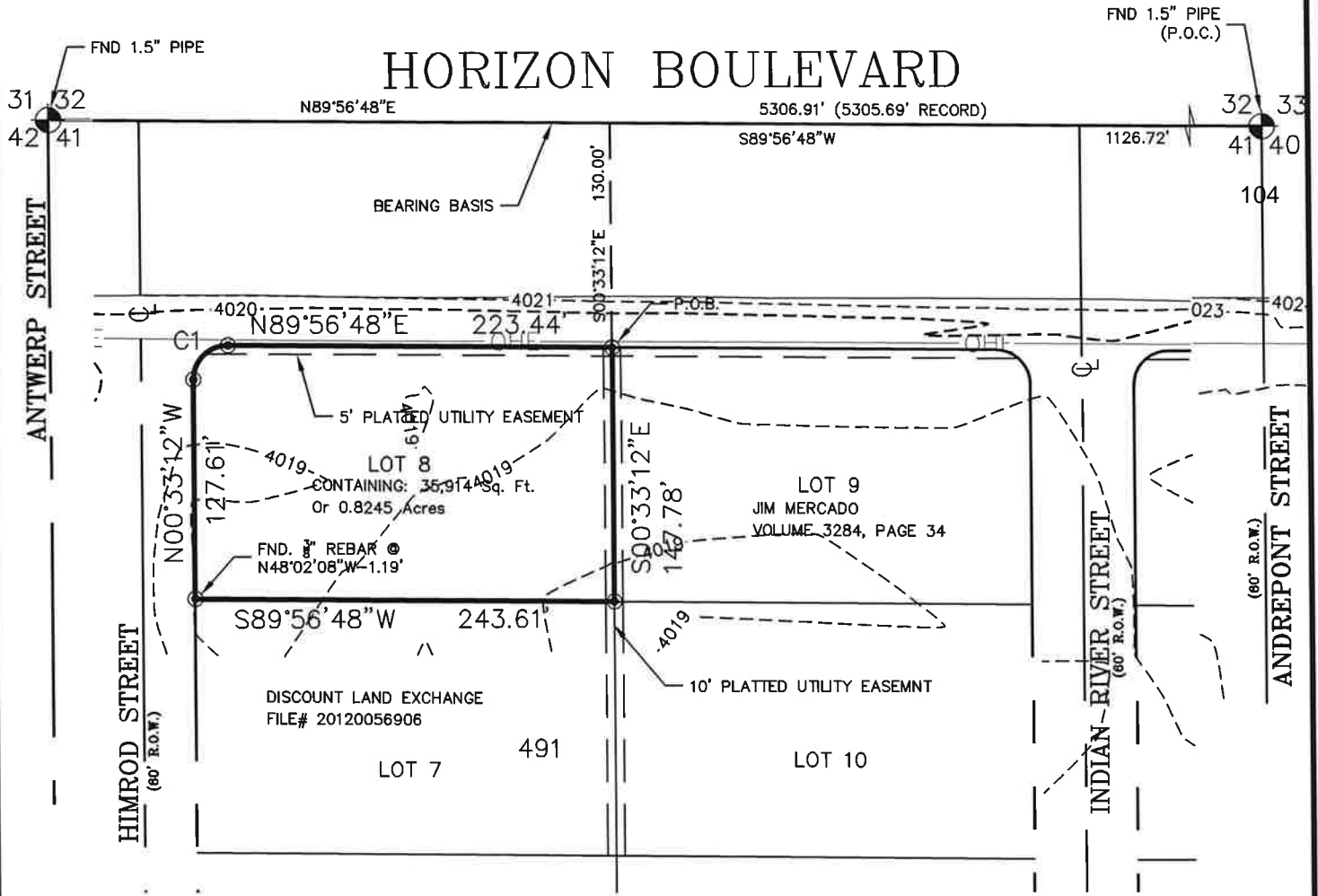
Ron R. Conde  
R.P.L.S. No 5152



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CONDE INC  
ENGINEERING / LAND SURVEYING / PLANNING  
6080 SURETY DRIVE / SUITE 100 / EL PASO, TEXAS 79905  
(915) 592-0283 FAX (915) 592-0286 FIRM NO. 10078100

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	20.00'	31.59'	20.18'	28.41'	N44°41'48"E	90°30'00"



1. SET 3/8" REBARs ON ALL CORNERS UNLESS OTHERWISE NOTED.
2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY DRAWING.
3. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS NOT SHOWN.

**CERTIFICATION**

THIS PLAT REPRESENTS A SURVEY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF BASED ON THE FACTS EXISTING AT TIME OF THIS SURVEY.

*R. R. Conde*  
 RON R. CONDE R.P.L.S #5152

JOB # 319-29	DATE: APRIL 23, 2019	FIELD: M.C.	OFFICE: C.C.
LOCATED IN ZONE X	PANEL # 480212-0250B	DATED SEPT. 4, 1991	



LOT 8, BLOCK 491,  
 HORIZON CITY UNIT SIXTY-FOUR  
 EL PASO COUNTY, TEXAS

CONDE INC. CADD FILE: S:\SU\3\31929  
 6080 SURETY SUITE 100  
 EL PASO, TEXAS 79905, FIRM#10078100



SCALE: 1"=100'

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being Lot 8, Block 491, Horizon City Unit Sixty-Four, El Paso County, Texas, as recorded in Volume 32, Page 20, Plat Records of El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at a found 1.5" pipe at the intersection of Andrepont Street and Horizon Boulevard, being the common corner of Sections 32, 32, 40 & 41, Block 78, Township 3, Texas and Pacific Railway Company Surveys, from which a found 1.5" pipe at the intersection of Horizon Boulevard and Antwerp Street, being the common corners of Sections 31, 32, 41 & 42, Block 78, Township 3, Texas and Pacific Railway Company Surveys bears, South 89°56'48" West a distance of 5306.91 (5305.69 feet Record); Thence along Horizon Boulevard, South 89°56'48" West to a distance of 853.10 feet to a point; Thence leaving said centerline, South 00°33'12" East a distance of 130.00 feet to a set ½" rebar on the southerly right-of-way line of Horizon Boulevard for the "TRUE POINT OF BEGINNING". 105

Thence, along the common line of Lots 8 & 9, Block 491, Horizon City Unit Sixty Four, South 00°33'12" East a distance of 147.78 feet to a set ½" rebar;

Thence along the common line of Lots 7 & 8, Block 491, Horizon City Unit Sixty Four, South 89°56'48" West a distance of 243.61 feet to a point on the easterly right of way line of Himrod Street from which a found 3/8" rebar bears, North 48°02'08" West a distance of 1.19 feet;

Thence, along said right-of-way North 00°33'12" West a distance of 127.61 feet to a set ½" rebar for a point of curve;

Thence 31.59 feet along the arc of a curve to the right which has a radius of 20.00 feet a central angle of 90°30'00" a chord which bears North 44°41'48" East a distance of 28.41 feet to a set ½" rebar on the southerly right-of-way line of Horizon Boulevard;

Thence along said right of way line, North 89°56'48" East a distance of 223.44 feet to the "TRUE POINT OF BEGINNING" and containing 35,914 Square Feet or 0.8245 Acres of land more or less.

Note: A drawing of even date accompanies this description.

  
Ron R. Conde  
R.P.L.S. No 5152



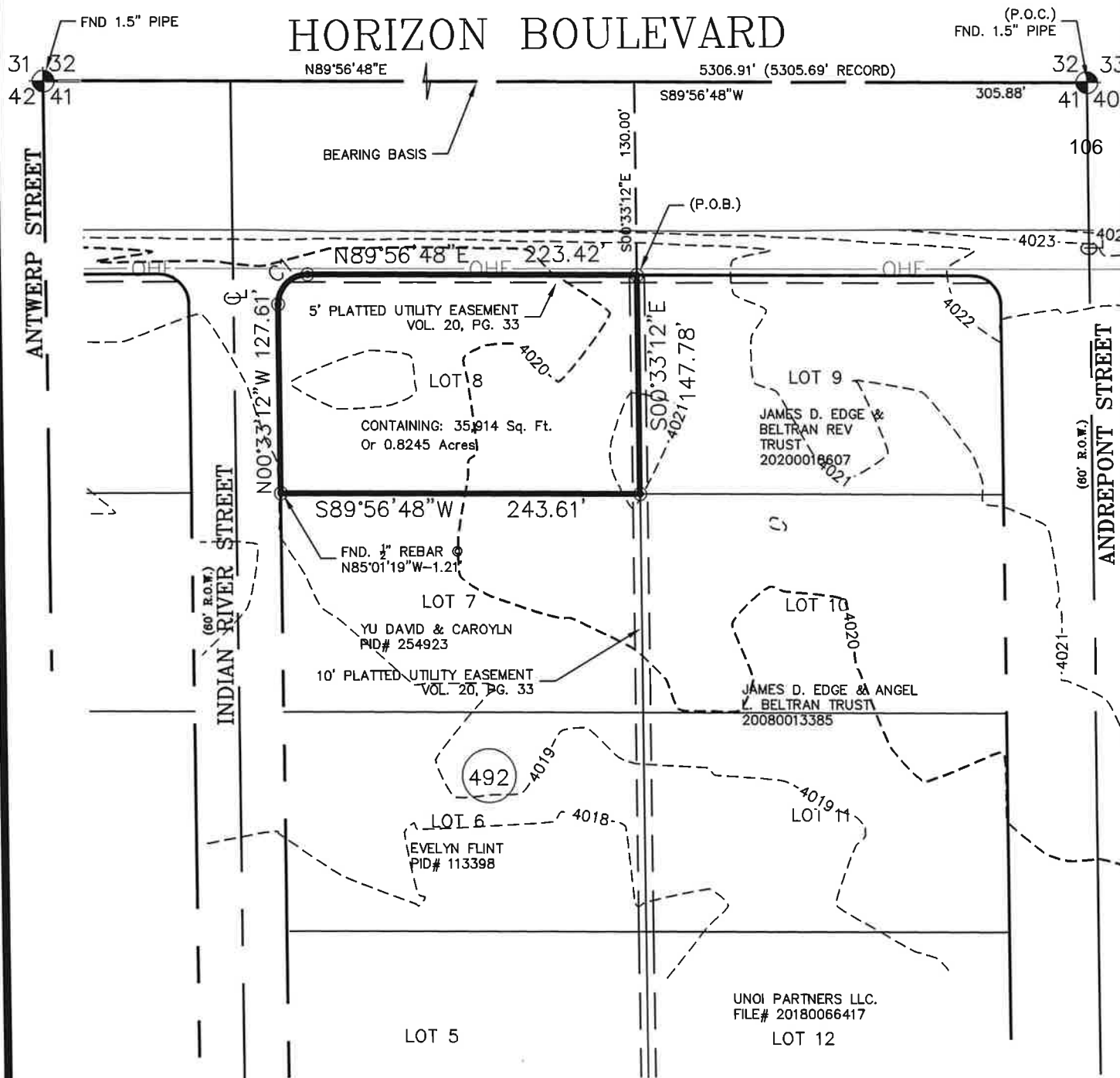
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(915) 592-0283 FAX (915) 592-0286 FIRM# 10078100

NOTES;

1. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY DRAWING.
2. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS NOT SHOWN.
3. SET 1/2" REBARS WITH CAPS MARKED TX 5152 ON ALL CORNERS UNLESS OTHERWISE NOTED.

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	20.00'	31.59'	20.18'	28.41'	S44°41'48"W	90°30'00"



CERTIFICATION

THIS PLAT REPRESENTS A SURVEY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF BASED ON THE FACTS EXISTING AT TIME OF THIS SURVEY.

RON R. CONDE R.P.L.S #5152

JOB # 321-38      DATE: MARCH 30, 2021      FIELD: W.B.      OFFICE: C.C.  
 LOCATED IN ZONE X      PANEL # 480212-0250B      DATED SEPT. 4, 1991



LOTS 8, BLOCK 492,  
 HORIZON CITY UNIT SIXTY-FOUR  
 EL PASO COUNTY, TEXAS

CONDE INC.  
 6080 SURETY SUITE 100  
 EL PASO, TEXAS 79905, FIRM#10078100

CADD FILE: S:\SU\3\321

SCALE: 1"=100'

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being Lot 8, Block 492, Horizon City Unit Sixty-Four Paso, El Paso County, Texas, as recorded in Volume 20, Page 33, Plat Records of El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at a found 1.5" pipe at the intersection of Andrepont Street and Horizon Boulevard, being the common corner of Sections 32, 32, 40 & 41, Block 78, Township 3, Texas and Pacific Railway Company Surveys, from which a found 1.5" pipe at the intersection of Horizon Boulevard and Antwerp Street, being the common corners of Sections 31, 32, 41 & 42, Block 78, Township 3, Texas and Pacific Railway Company Surveys bears, South 89°56'48" West a distance of 5306.91 (5305.69 feet Record); Thence along Horizon Boulevard, South 89°56'48" West a distance of 305.88 feet to a point; Thence leaving said line, South 00°33'12" East a distance of 130.00 feet to a set ½" rebar with cap marked TX 5152 on the southerly right-of-way of Horizon Boulevard for the "TRUE POINT OF BEGINNING".

107

Thence along the common line of Lots 8 & 9, Block 492, Horizon City Unit Sixty-Four, South 00°33'12" East a distance of 147.78 feet to a found ½" rebar with cap marked TX 5152 on the common line of Lots 7, 8, 9 & 10, Block 492, Horizon City Unit Sixty Four;

Thence, along the common line of Lots 7 & 8, Block 492, Horizon City Unit Sixty Four, South 89°56'48" West a distance of 243.61 feet to a point on the easterly right of way line of Indian River Street, from which a found ½" rebar bears, North 85°01'19" West a distance of 1.21 feet;

Thence along said right of way line North 00°33'12" West a distance of 127.61 feet to a found ½" rebar with cap marked TX 5152 for a point of curve.

Thence 31.59 feet along the arc of a curve to the right which has a radius of 20.00 feet, a central angle of 90°30'00" a chord which bears North 44°41'48" East a distance of 28.41 feet to a found ½" rebar with cap marked TX 5152 on the southerly right-of-way line of Horizon Boulevard;

Thence, along said right-of way North 89°56'48" East a distance of 223.42 feet to the "TRUE POINT OF BEGINNING" and containing 35,914 Square Feet or 0.8245 Acres of land more or less.

Notc: A drawing of even date accompanies this description.

  
Ron R. Conde  
R.P.L.S. No 5152



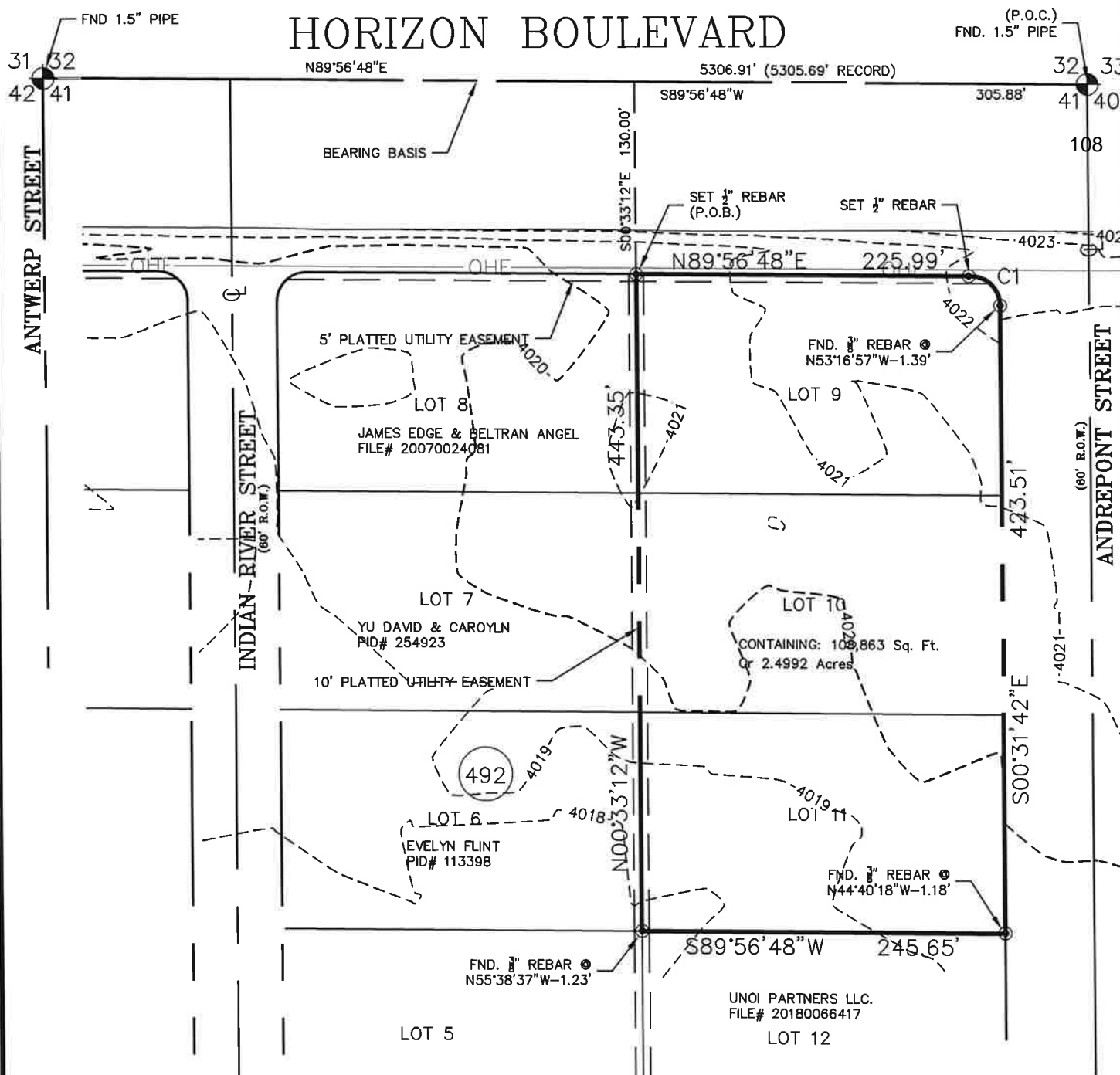
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ENGINEERING / LAND SURVEYING / PLANNING  
6080 SURETY DRIVE / SUITE 100 / EL PASO, TEXAS 79905  
(915) 592-0283 FAX (915) 592-0286 FIRM# 10078100

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	20.00'	31.25'	19.84'	28.17'	S45°17'27"E	89°31'30"

1. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY DRAWING.

2. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS NOT SHOWN.

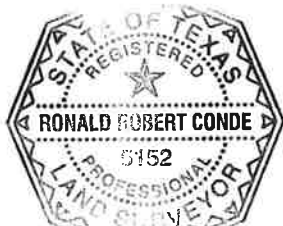


**CERTIFICATION**

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RON R. CONDE R.P.L.S #5152

JOB # 319-29      DATE: APRIL 23, 2019      FIELD: M.C.      OFFICE: C.C.  
 LOCATED IN ZONE X      PANEL # 480212-0250B      DATED SEPT. 4, 1991



LOTS 9, 10, & 11, BLOCK 492  
 HORIZON CITY UNIT SIXTY-FOUR  
 EL PASO COUNTY, TEXAS

CONDE INC.  
 6080 SURETY SUITE 100  
 EL PASO, TEXAS 79905, FIRM#10078100

CADD FILE: S:\SU\3\31929

SCALE: 1"=100'

© COPYRIGHT 2019/CONDE INC.  
 ALL RIGHTS RESERVED

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being Lots 9, 10, & 11, Block 492, Horizon City Unit Sixty-Four Paso, El Paso County, Texas, as recorded in Volume 32, Page 20, Plat Records of El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at a found 1.5" pipe at the intersection of Andrepont Street and Horizon Boulevard, being the common corner of Sections 32, 32, 40 & 41, Block 78, Township 3, Texas and Pacific Railway Company Surveys, from which a found 1.5" pipe at the intersection of Horizon Boulevard and Antwerp Street, being the common corners of Sections 31, 32, 41 & 42, Block 78, Township 3, Texas and Pacific Railway Company Surveys bears, South 89°56'48" West a distance of 5306.91 (5305.69 feet Record); Thence along Horizon Boulevard, South 89°56'48" West a distance of 305.88 feet to a point; Thence leaving said line, South 00°33'12" East a distance of 130.00 feet to a set ½" rebar on the southerly right-of-way of Horizon Boulevard for the "TRUE POINT OF BEGINNING".

109

Thence, along said right-of-way North 89°56'48" East a distance of 225.99 feet to a set ½" rebar for a point of curve;

Thence 31.25 feet along the arc of a curve to the right which has a radius of 20.00 feet, a central angle of 89°31'30" a chord which bears South 45°17'27" East a distance of 28.17 feet to a point on the westerly right-of-way line of Andrepont Street from which a found 3/8" rebar bears North 53°16'57" West a distance of 1.39 feet;

Thence, along said right-of way South 00°31'42" East a distance of 423.51 feet to a point on the common line of Lots 11 and 12, Block 492, Horizon City Unit Sixty-Four, from which a found 3/8" rebar bears North 44°40'18" West a distance of 1.18 feet;

Thence, along said line, South 89°56'48" West a distance of 245.65 feet to a point on the common line of Lots 6 and 11, Block 492, Horizon City Unit Sixty-Four, from which a found 3/8" rebar bears North 55°38'37" West a distance of 1.23 feet;

Thence along the common rear line of lots 6, 11, 7, 10, 8 & 9, Block 492, Horizon City Unit Sixty-Four, North 00°33'12" West a distance of 443.35 feet to the "TRUE POINT OF BEGINNING" and containing 108,863 Square Feet or 2.4992 Acres of land more or less.

Note: A drawing of even date accompanies this description.

  
Ron R. Conde  
R.P.L.S. No 5152



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CONDE INC  
ENGINEERING / LAND SURVEYING / PLANNING  
6080 SURETY DRIVE / SUITE 100 / EL PASO, TEXAS 79905  
(915) 592-0283 FAX (915) 592-0286 FIRM# 10078100



**TOWN OF HORIZON CITY  
MEMORANDUM**

**Date:** May 6, 2021  
**To:** Honorable Mayor and Members of City Council  
**From:** Michelle Padilla, Planning Director

**SUBJECT:** **1st Reading of Ordinance \_\_\_:** An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning eleven parcels from R-PD, residential, and C-2c, commercial with conditions, to C-2, commercial, for commercial use, containing approximately 14.6220 acres; being lots 1 through 7, block 1, lots 1 and 2, block 2, lot 1, block 4, Tuscany Park Lane and a portion of Tuscany Park Circle, Tuscany Park Village, El Paso County, Texas; located south and west of the intersection of Eastlake Boulevard and Kenazo Avenue; and repealing Ordinance 0148 imposing certain conditions; and authorizing the notation of the change on the official zoning map of the Town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

On a replat application (#RP002469-2021) for Tuscany Park Village Replat, legally described as being a portion of Section 30, Block 78 TSP 3 Tracts 1B, 8, 10 and a portion of section 31 Block 78, TSP 3 Texas and Pacific Railway Company Surveys, Horizon City, Texas, El Paso, County, Texas. Application submitted by HZ Ventures LLC Series D-Tuscany Ventures.

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On April 19, 2021, the Planning and Zoning Commission voted unanimously to recommend that the City Council approve the rezoning of the subject property from an R-PD (Residential) and C-2c (Commercial with Conditions) zone to a C-2 (Commercial) zone. The Commission also unanimously recommended that the City Council approve the replat for the property with the condition that all staff comments be addressed prior to City Council action.

The applicant's request is to rezone the properties to a C-2 (Commercial) zone, removing the existing conditions, to allow for future commercial development and. The applicant has also submitted a replat application to coincide with the rezoning request. The purpose of the replat is to clean up the rear property lines of the commercial lot and vacate the previously platted roadways within the residential area. The residential portion is proposed as one large lot with areas that will be dedicated as roadways providing access to Kenazo Avenue when it is replatted in the future.

The staff recommendation to the Planning and Zoning Commission was to approve the rezoning request as it is consistent with the City's Vision 2020: Comprehensive and Strategic Plan. The future land use map in the comprehensive plan designates this area as multi-family residential and commercial. The subject property is also located within the City's Transportation Reinvestment Zone (TRZ) Number One.

As of the posting of the agenda for the May 11, 2021 City Council meeting, staff has not received the revised plat. The staff recommendation will be presented to the City Council at the meeting.

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



**TOWN OF HORIZON CITY**  
**Planning and Zoning Commission Staff Report**

**Case No.:** RZ-002468-2021 & RP-002469-2021  
*Tuscany Park Village Replat*

**Application Type:** **Rezoning and Replat**

**P&Z Hearing Date:** April 19, 2021

**Staff Contact:** Emily Offer, Planning Staff  
 915-238-0691; [eoffer@horizoncity.org](mailto:eoffer@horizoncity.org)

**Address/Location:** Abutting the Southwest corner of Eastlake Boulevard and N. Kenazo Ave.

**Legal Description:** *Rezoning:*  
 Lots 1 through 8, Block 1;  
 Lots 1 and 2, Block 2;  
 Lot 1, Block 4;  
 Tuscany Park Land and portion of Tuscany Park Circle,  
 Tuscany Park Village, El Paso County, Texas.

*Replat:*  
 Being Tuscany Park Village and a portion of  
 Section 30, Block 78, Township 3, Tract 1B, 8, 10 and a portion  
 of Section 31, Block 78 Township 3,  
 Texas and Pacific Railway Company Surveys,  
 City of Horizon, El Paso County, Texas

**Property Owner:** HZ Ventures LLC Series D – Tuscany Ventures

**Applicant:** HZ Ventures LLC Series D – Tuscany Ventures

**Nearest Park:** Horizon Mesa Park

**Nearest School:** Horizon Middle School

**SURROUNDING PROPERTIES:**

		<b>Zoning</b>	<b>Land Use</b>
<b>NE</b>	C-1 (Commercial)		Shopping Center – TinTan; O'Reillys; Dollar General
<b>SE</b>	R-PD (Residential Planned Development)		Vacant
<b>S</b>	R-4 (Residential)		Residential – Single Family Homes
<b>W</b>	R-4 (Residential)		Residential – Single Family Homes

**LAND USE AND ZONING:**

		<b>Existing</b>	<b>Proposed</b>
<b>Land Use</b>	Vacant		C-2 Commercial
<b>Zoning</b>	C-2C Commercial and R-PD Residential		C-2 Commercial and R-PD Residential

**Application Description:**

*Rezone:*

The applicant is requesting rezone approximately 14.62 acres of land that is currently vacant and zoned as C-2C (Commercial) and R-PD (Residential) to be rezoned as C-2

(Commercial). The property abuts the Southwest corner of Eastlake Boulevard and N. Kenazo Ave. The zoning conditions on the property are as follows:

- Ordinance No. 0148 *Please see the staff report's **Zoning Conditions** attachment for more information.*

*Replat:*

The following land uses are proposed: R-PD (Residential) (16.17 ACRES), C-2 (Commercial) (14.62 ACRES), and Ponding/ Drainage (1.69 ACRES). The intent behind this replat is to clean-up the lot lines for the commercial development, in accordance with the proposed rezoning and prepare the residential portion of the original plat for a future replat.

**Notice:**

In accordance with Section 211.007 of the Texas Local Government Code, notices of the April 19, 2021 public hearing were sent to the school district of jurisdiction and to those property owners within 200 feet of the subject property on April 1, 2021. In addition, the applicant is required to erect signs notifying the public of the proposed rezoning on the site proposed for rezoning fifteen (15) days prior to the Planning and Zoning Commission public hearing. This requirement has been met.

**Vision 2020 – Future Land Use Map Designation:**

Horizon City Vision 2020 Strategic Master Plan designates this area as Commercial and Multi-Family Residential.

**Staff Recommendation:**

This development coincides with the Comprehensive plan, with commercial developments abutting Eastlake Blvd. and N Kenazo Ave., staff believes that the development of this area will aid in the enhancement of surrounding developments. Staff is also understanding of the need to replat and rezone this development to provide organization and convenience to attract new development. Staff recommends **APPROVAL** of the request to rezone to **C-2 Commercial** and **APPROVAL** of the replat with the condition that all staff comments are addressed prior to City Council action.

**Planning and Zoning Commission Options:**

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

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

**Planning Division Comments:**

A drainage easement to the ponding area must be provided and documented on the surveys provided.

*Final Replat:*

- Include signature blocks for the following people/ positions:
  1. Mayor, Ruben Mendoza
  2. City Clerk, Elvia Schuller
  3. City Engineer, Isabel Vasquez, P.E.
- Provide enough lines for all of the tax certifications related to this property.

*Preliminary Replat:*

This survey suggests Hernandez Pierre and Norma P is an owner; deeds were provided ensuring HZ Ventures LLC is the sole owner of the entirety of this property. The survey will be corrected prior to recording the plat.

**Public Works Director Comments:**

*Preliminary Plat Review:*

1. On all lots provide utility easements.
2. Missing bearing and distance information at north and east side of pond.
3. Provide Benchmark (TO INCLUDE DATUM) information.
4. On note#6 add a note stating all commercial lots are subject to onsite ponding.
5. Both streets abutting N. Kenazo Ave. will need to be constructed as part of this development. Provide street sections AND names.
6. Sidewalks at backside of lots will need to be built by the developer or add a note stating the sidewalks will need to be built by the lot owner.
7. Provide a note stating a driveway will or will not be allowed both streets abutting N. Kenazo .
8. At subdivision north and northwest sides, wording information is overlapping/not legible.
9. Provide location of any existing utilities with the size of sewer or water mains if they exist with in the area as per Ordinance No.0035 ( 4.2.2.5 letter d).
10. Provide drainage flow arrows along with watershed area and calculations for the entire parcel and abutting streets.

*Final Plat Review:*

1. On all lots provide utility easements.
2. Missing bearing information at north and east side of pond.
3. Provide Benchmark (TO INCLUDE DATUM) information.
4. On note#6 add a note stating all commercial lots are subject to onsite ponding.
5. Both streets abutting N. Kenazo Ave. will need to be constructed as part of this development. Provide street sections AND names.
6. Sidewalks at backside of lots will need to be built by the developer or add a note stating the sidewalks will need to be built by the lot owner.
7. Provide a note stating a driveway will or will not be allowed both streets abutting N. Kenazo.
8. Missing address, no review.
9. El Paso County 9-1-1 District approval is required for the addresses.
10. Provide Closure with metes and bounds description.
11. Provide a list of the proposed street names and number of lots on the final plat

**Town Engineer Comments:**

*Recommended Conditions for Preliminary Plat Approval:*

1. Revise plat name to Tuscany Park Village Unit 1 Replat A.
2. Add utility easement for each proposed lot.
3. Provide metes and bounds for property.
4. Provide bearing and distance information for north and east side of pond.
5. Provide contact information for the Owner.
6. Revise ETJ statement, the property is located in within the City Limits of Town of Horizon City.
7. Revise legend to state City Monument.
8. Provide Datum information including elevation.
9. Revise legal description to state Town of Horizon City, not City of El Paso.
10. Provide drainage flow arrows.
11. What is the purpose of the spaces between Block 1, Lot 4 and Block 2, Lot 1; and Block 2, Lot 3 and Block 3, Lot 1.

12. Provide Lot numbers for pond and open space.
13. Legal description should match on the preliminary and final plat. Revise legal description on face of plat.

*Recommended Conditions for Final Plat Approval:*

1. Revise plat name to Tuscany Park Village Unit 1 Replat A.
2. Add utility easement for each proposed lot.
3. Provide metes and bounds for property.
4. Provide bearing and distance information for north and east side of pond.
5. Provide contact information for the Owner.
6. Revise ETJ statement, the property is located in within the City Limits of Town of Horizon City.
7. Revise legend to state City Monument.
8. Provide Datum information including elevation.
9. Revise legal description to state Town of Horizon City, not City of El Paso.
10. Provide drainage flow arrows.
11. What is the purpose of the spaces between Block 1, Lot 4 and Block 2, Lot 1; and Block 2, Lot 3 and Block 3, Lot 1.
12. Provide Lot numbers for pond and open space.
13. Dedication statements states drainage easements will be dedicated to the Town of Horizon City, indicate on plat the location of the drainage easements.
14. Per City Ordinance, commercial lots are to be maintained on-site. Is the proposed pond to remain private, maintained by the Developer?
15. Legal description should match on the preliminary and final plat. Revise legal description on face of plat.
16. Revise Town of Horizon City Council signatures as shown below.

*Improvement Plan Comments:*

General comments:

1. Address all corrections and or red lines on all sheets.
2. Provide evidence that the plans have been submitted to the Fire Marshall's office for review and approval.
3. Provide evidence that plans comply with TAS and ADA requirements

Comments to plans include:

Sheet: Cover

- Provide Engineer of Record information, firm information and firm number on cover sheet.
- Cover should be sealed and signed.

Sheet: Preliminary and Final Plats

- Address comments provided on plats.

Sheet 1 of 7

- Remove line work in red, if not pertinent to the proposed improvements.
- Clearly label drainage areas.
- Identify size of the proposed drainage area to correspond to the drainage calculations table.
- Pond capacity needs to include a 10-year silting volume.
- Per Town of Horizon City ordinance, commercial properties are required to retain their runoff on-site.
- Add a table with contact numbers for utilities in the area.

Sheet 2 of 7

- Is the pond to be dedicated to the Town for maintenance? Commercial water should be maintained on-site or in a private pond maintained by Owner.

Sheet 3-4 of 7

- Provide a Geotechnical Report for the development that shows soil stability for side slopes and suitability for the percolation at the pond site.
- Chain link fence is not permitted around ponds.
- Town of Horizon does not maintain ponds for commercial facilities.

Sheet 6 of 7

- Remove line work in red.
- Use different line type for silt fence, difficult to identify on plan sheet.
- Show where proposed construction entrance is to be located.
- Provide a note that Contractor to rinse out any concrete into a concrete washout area.
- Provide a detail for the concrete washout area.

Addressing these comments would be required before permitting the development of these improvements. Please do not hesitate to call us at 587-4339 if we can be of further assistance.

**El Paso 9-1-1 District Comments:**

The 911 district has no adverse comments for this plat.

**School District Comments:**

CISD has the capacity for the additional students expected with this development.

**El Paso Central Appraisal District Comments:**

The EPCAD approves this development.

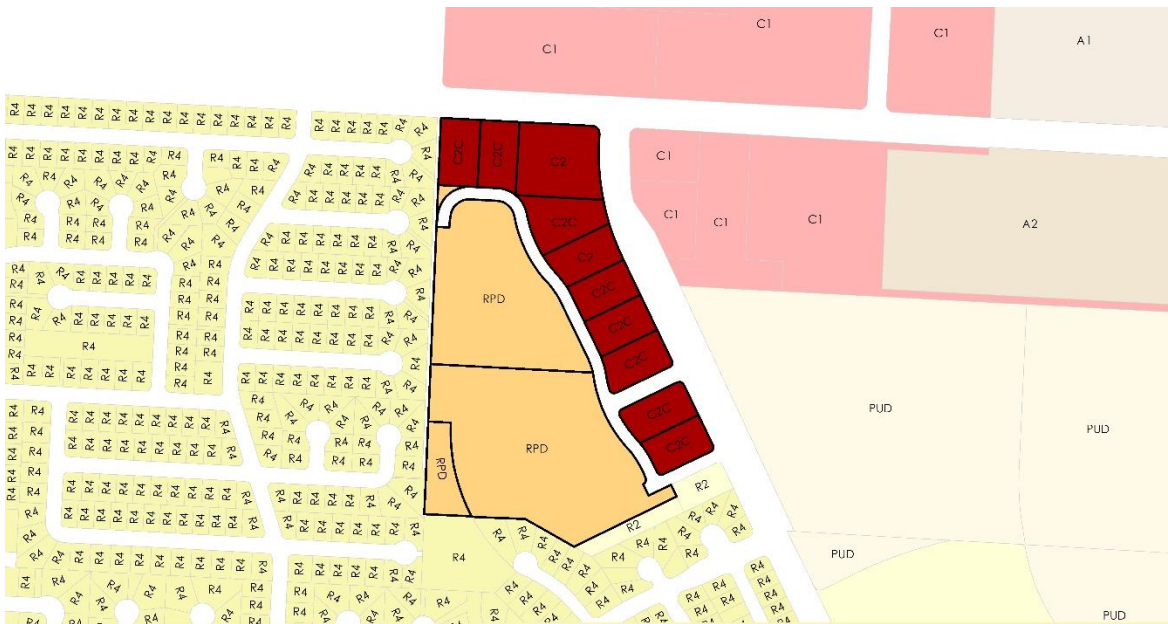
**El Paso Electric Company Comments:**

The El Paso Electric Company approves this development.

**Attachments:**

- 1 - Zoning Designation**
- 2 - Aerial**
- 3 - Future Land Use Map (Comp Plan)**
- 4 - Location Map**
- 5 - Applications**
- 6 - Replat**
- 7 - Boundary Survey for Rezoning**
- 8 - Zoning Conditions**

**Attachment 1: Zoning Designation**



**Attachment 2: Aerial**



### Attachment 3: Future Land Use Map



**Attachment 4: Location Map**

LOCATION MAP

SCALE: 1" = 600'



**LOCATION MAP AND ETJ STATUS**

TUSCANY PARK VILLAGE is located in the El Paso County limits, more specifically located approximately one quarter mile in a northerly direction from the intersection of Eastlake Blvd And North Kenazo Ave. The in municipalities is Horizon City, Texas. According to the 2004 U.S. Census Bureau records The Horizon City, has a population 16,735 and the City of El Paso has a population 592,099.

**Attachment 5: Applications**



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

**REZONE APPLICATION**

*RZ-002468-2021*

1. Owner of Record: HZ VENTURES LLC SERIES D - TUSCANY VENTURES

421 FREDERICK ROAD 79905 9154716011 diego@drselpaso.net  
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant HZ VENTURES LLC SERIES D - TUSCANY VENTURES Is applicant also the Owner?  Yes  No

Contact Person DIEGO VAZQUEZ

241 FREDERICK ROAD 79905 9154716011 diego@drselpaso.net  
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

3. PARCEL ONE

Site Address/Location EASTLAKE BLVD AND NORTH KENAZO HORIZON CITY, TX 79928

Legal Description: 1,2,3,4,5,6,7,8,9,10,11 1,2,3,4 TUSCANY PARK VILLAGE UNIT ONE  
 (Lot) (Block) (Subdivision Name)

PARCEL TWO

Site Address/Location EASTLAKE BLVD AND NORTH KENAZO HORIZON CITY, TX 79928

Legal Description: SECTION 30.31 78, TSP 3 TUSCANY PARK VILLAGE UNIT TWO  
 (Lot) (Block) (Subdivision Name)

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

4. Briefly explain why you request to rezone? REPLAT OF A TUSCANY PARK VILLAGE UNIT ONE

5. Land's Presents Use: C-2 R-PD COMMERCIAL AND RESIDENTIAL Zone C-2 R-PD  
 Land Vacant  Lot size Structure  Structure's size Last known date the structure was occupied?

Land's Proposed Use: C-2 COMMERCIAL Proposed Zone Use C-2

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

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

6. Signatures:  
 (OWNER'S SIGNATURE) *Diego Vazquez*  
 (APPLICANT'S SIGNATURE) *Diego Vazquez*

HZ VENTURES LLC SERIES D - TUSCANY VENTURES  
 (OWNER'S PRINTED NAME)

HZ VENTURES LLC SERIES D - TUSCANY VENTURES  
 (APPLICANT'S PRINTED NAME)

**FEE SCHEDULE: (NON-REFUNDABLE)**

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

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

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



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

**REPLAT APPLICATION**

*RP-002469-2021*

SUBDIVISION PROPOSED NAME: TUSCANY PARK VILLAGE REPLAT SUBMITTAL DATE: 12/21/2020

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.) TUSCANY PARK VILLAGE BEING A PORTION OF SECTION 30 BLOCK 78 TSP 3 TRACTS 1B, 8, 10 AND A PORTION OF 31 BLOCK 78, TSP 3, T&P R.R SURVEYS EL PASO COUNTY, TEXAS

2. PROPERTY LAND USES:

	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	<u>16.17</u>	<u>1</u>	OFFICE	_____	_____
DUPLEX	_____	_____	STREET & ALLEY	_____	_____
APARTMENT	_____	_____	PONDING & DRAINAGE	<u>1.69</u>	<u>1</u>
MOBILE HOME	_____	_____	INSTITUTIONAL	_____	_____
P.U.D.	_____	_____	OTHER	_____	_____
PARK	_____	_____	_____	_____	_____
SCHOOL	_____	_____	_____	_____	_____
COMMERCIAL	<u>14.62</u>	<u>3</u>	TOTAL NO. SITES	_____	_____
INDUSTRIAL	_____	_____	TOTAL (GROSS) ACREAGE	_____	_____

3. WHAT IS THE EXISTING ZONING OF THE ABOVE DESCRIBED PROPERTY? C-2 - R-PD PROPOSED ZONING C-2 - R-PD

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

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

6. WHAT TYPE OF DRAINAGE IS PROPOSED? (IF APPLICABLE LIST MORE THAN ONE) PONDING AREA

7. IF SINGLE-FAMILY OR DUPLEX DEVELOPMENT IS PROPOSED: AVERAGE FLOOR AREA OF HOUSES R-PD 1500 SQ FT

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

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

IF ANSWER IS "YES", PLEASE EXPLAIN THE NATURE OF THE MODIFICATION REPLAT OF A TUSCANY PARK VILLAGE UNIT ONE

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

11. REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES:

12. WILL PLAT BE RECORDED PRIOR TO SUBDIVISION IMPROVEMENTS BEING COMPLETED & APPROVED?  YES  NO  N/A INITIALS \_\_\_\_\_

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

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

14. OWNER OF RECORD HZ VENTURES LLC SERIES D - TUSCANY VENTURES diego@drselpaso.net 915-471-6011

(NAME & ADDRESS) 421 FREDERICK ROAD 79905 (EMAIL) (PHONE)

15. DEVELOPER HZ VENTURES LLC SERIES D - TUSCANY VENTURES diego@drselpaso.net 915-471-6011

(NAME & ADDRESS) (EMAIL) (PHONE)

16. ENGINEER G3ENGINEERING, LLC 1901 ARIZONA STE 205 Luis@g-3ng.com 9152747605

(NAME & ADDRESS) EL PASO TX 79902 (EMAIL) (PHONE)

17. APPLICANT HZ VENTURES LLC SERIES D - TUSCANY VENTURES diego@drselpaso.net 915-471-6011

(NAME & ADDRESS) 421 FREDERICK ROAD 79905 (EMAIL) (PHONE)

18. REP/POINT OF CONTACT DIEGO VAZQUEZ diego@drselpaso.net 915-471-6011

(NAME & ADDRESS) (EMAIL) (PHONE)

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

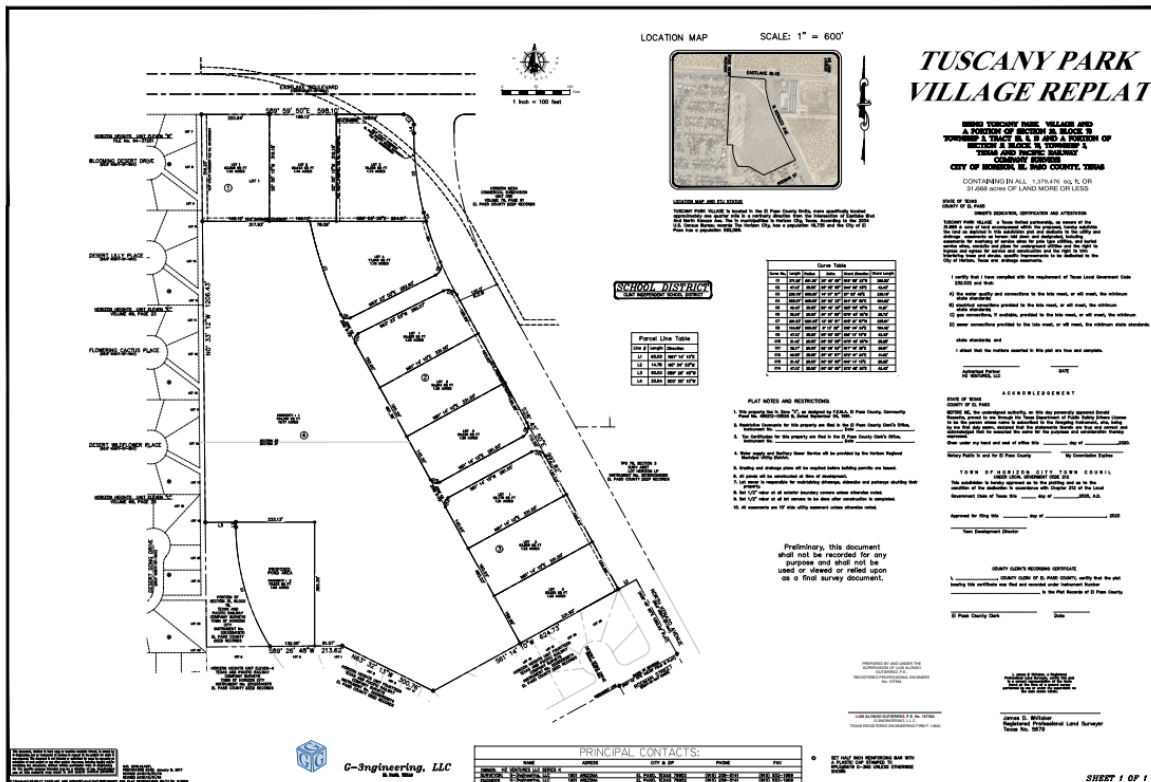
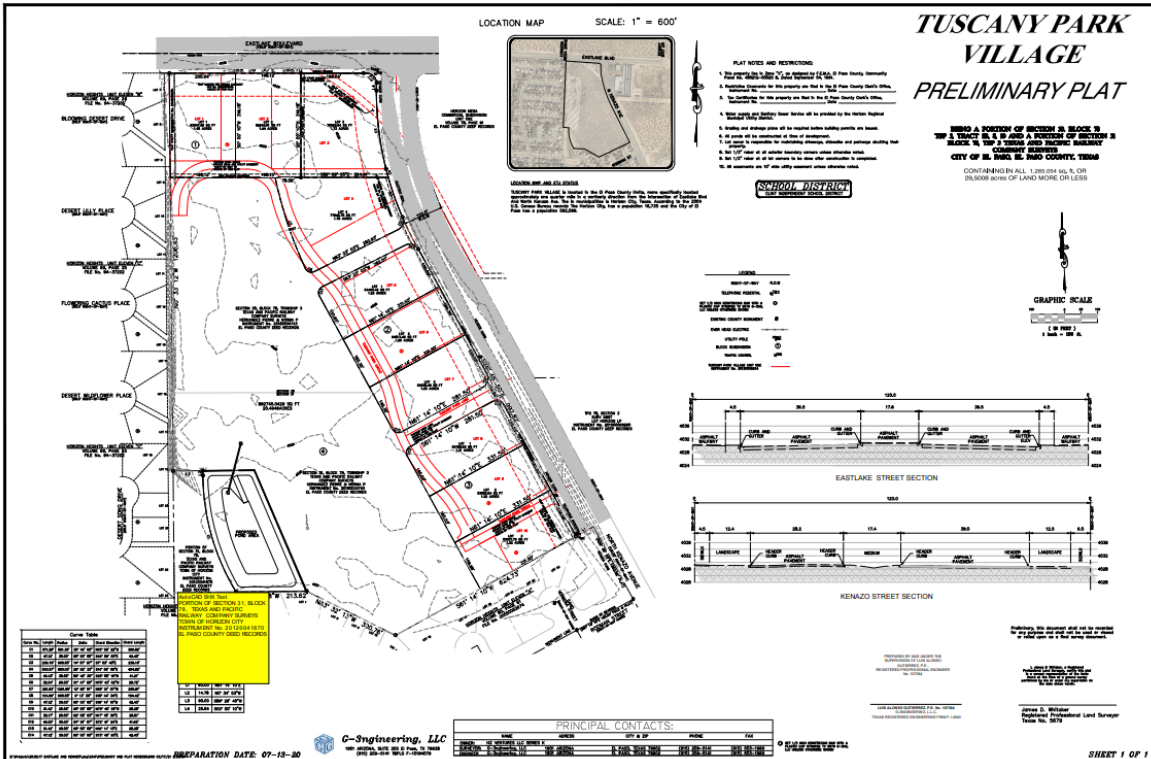
Applicant Signature [Signature] EMAIL diego@drselpaso.net

**APPLICATION MUST BE COMPLETE & VALIDATED PRIOR TO SUBDIVISION PROCESSING**

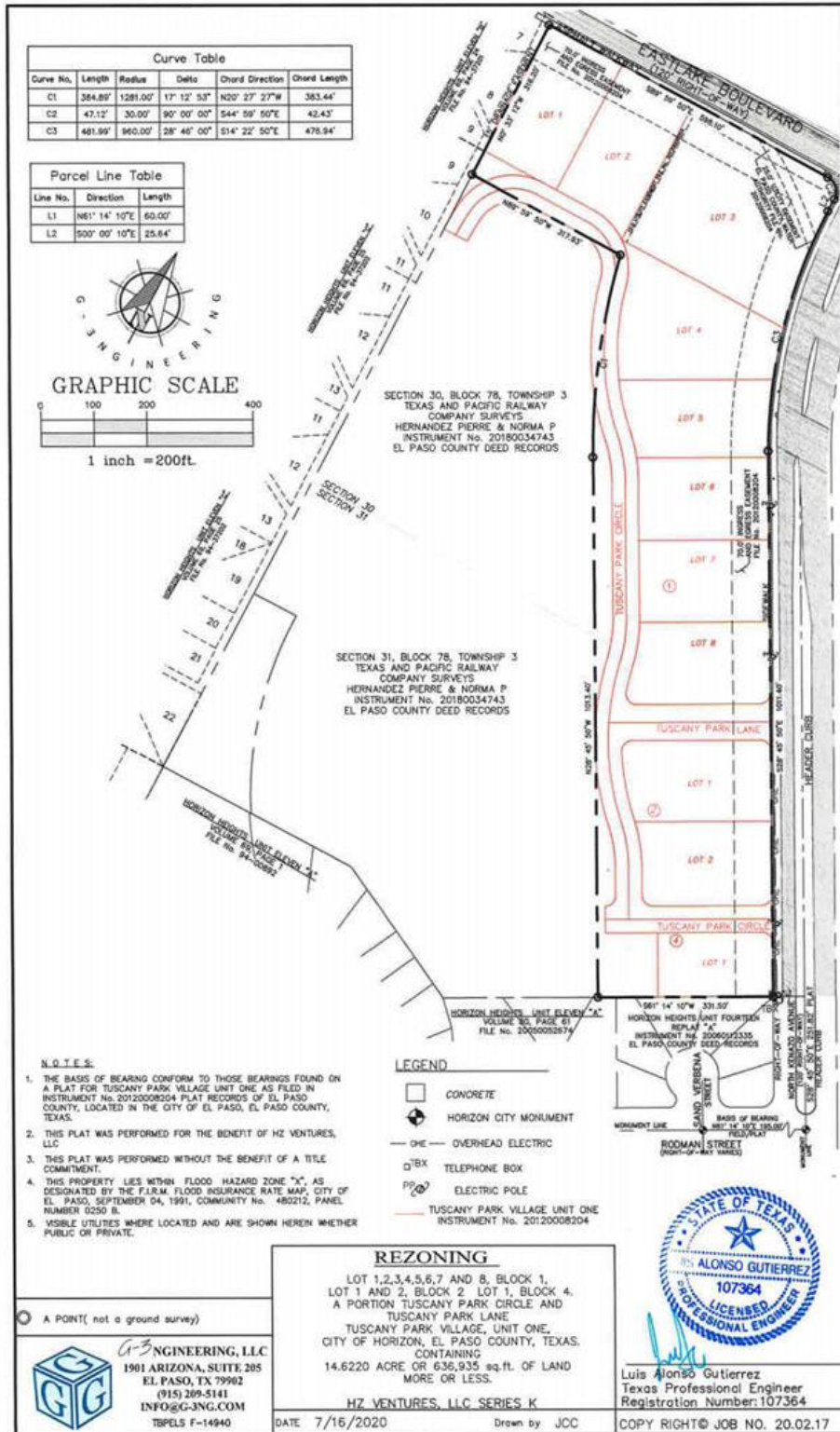
Acceptance of fee does not grant acceptance of application.

Non Refundable Deposit \$500 | Application Fees: \$100 | Publishing Fee Deposit (if applicable): \$260

**Attachment 6: Replat**



# Attachment 7: Boundary Survey for Rezoning



**Attachment 7: Zoning Conditions**

**ORDINANCE NO. 0148**

**AN ORDINANCE CHANGING THE ZONING OF PORTIONS OF SECTIONS 30 AND 31, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILROAD SURVEYS, EL PASO COUNTY, TEXAS FROM R-2 (RESIDENTIAL) TO C-2 (HEAVY COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS THEREON.**

Whereas, an application was made to change a designated zone within the municipal limits of the Town of Horizon City; and,

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

Whereas, the Horizon City Planning and Zoning Commission has complied with all state and local laws affecting the changing of zones and held public hearings to obtain public comments; now therefore,

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

**I.**

That the zoning be changed from R-2 (Single-family Residential) to C-2 (Heavy Commercial), within the meaning of the Zoning Ordinance, for portions of Sections 30 and 31, Block 78, Township 3, Texas and Pacific Railroad Surveys, El Paso County, Texas, as more particularly described by metes and bounds attached hereto.

**II.**

That the property be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning from R-2 (Residential) to C-2 (Heavy Commercial), and are desirable to integrate subsequent development on the subject parcel with adjoining single-family residential developments, and to properly relate the proposed commercial development with adjoining thoroughfares, both considerations of which are necessary in order to protect the health, safety and welfare of adjacent property owners and the residents of this city:

1. Uses permitted in the subject property shall be restricted to those otherwise allowable in the C-1 district, except that a shopping center on a site of 10-acres or more will be allowed.
2. The owner of the subject property shall cause a subdivision plat of the property to be prepared providing for the on-site detention of stormwater. The city shall allow the owner to position a drainage ponding area within property adjacent to, but not being rezoned by this Ordinance, but otherwise under the control of the owner.

3. The owner of the subject property shall cause a detailed site development plan to be prepared and shall submit the same to the Director of Public Works of the Town of Horizon City for review and approval. The detailed site development plan shall reflect the following:
  - The owner shall provide new or rebuilt median openings in both Eastlake Boulevard and North Kenazo Avenue, the design of which shall be subject to the review and approval of the Director of Public Works, and the locations of which are to be coordinated with surrounding developments.
  - The owner shall be responsible for constructing concrete curbing at the edges of the existing pavement of both Eastlake Boulevard and North Kenazo Avenue so as to protect the pavement from deterioration.
  - The owner shall be responsible for landscaping those portions of the medians in North Kenazo and Eastlake Boulevard where the subject property has frontage; said landscaping shall use low-water use xeriscaping compatible with the existing landscaped median in Eastlake Boulevard immediately east of its intersection with North Kenazo Avenue.
  - The owner shall provide a landscaped strip, not less than five-feet in width, between the street right-of-way and any parking lot within the subject property; such landscaping shall employ low-water use xeriscaping.
  - The owner shall provide a landscaped 'buffer' between that portion of the commercial development that abuts Lots 7 through 9, Block 11, Horizon Heights Unit 11B, and Lot 9, Block 10, Horizon Heights Unit 11C, to visually 'screen' the commercial development from said residential properties.
  - The owner shall design lighting, in terms of the height, lumen output, placement, and fixture design, for that portion of the commercial development adjoining residentially-zoned properties, to minimize glare.
4. All improvements shown on the detailed site development plan shall be completed prior to the occupancy of the property by any use requiring commercial zoning.

### **III.**

That these conditions run with the land, are a charge and servitude thereon, and bind the current property owner and any successors in title. The Town of Horizon City may enforce these conditions by injunction, by rescission of the zoning, which is made appropriate as a result of these conditions, or by any other legal or equitable remedy. The Town Council of Horizon City may amend or release the above conditions in its discretion without the consent of any third person that may be benefited thereby, and without affecting the validity of this ordinance.

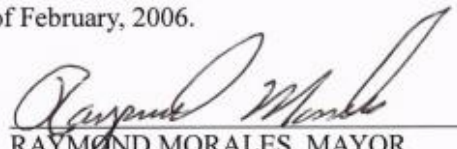
### **IV.**

That the Zoning Map for the Town of Horizon City be revised to include the zoning changes directed by this ordinance.


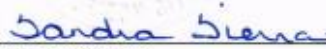
**v.**

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below.

**PASSED AND APPROVED** this 14<sup>th</sup> day of February, 2006.

  
\_\_\_\_\_  
RAYMOND MORALES, MAYOR

ATTEST:

  
  
\_\_\_\_\_  
Sandra Sierra  
Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Robert A. Duran  
Town Attorney

First Reading: 01/10/06  
Second Reading: 02/14/06  
Approved: 02/14/06

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING ELEVEN PARCELS FROM R-PD, RESIDENTIAL, AND C-2C, COMMERCIAL WITH CONDITIONS, TO C-2, COMMERCIAL, FOR COMMERCIAL USE, CONTAINING APPROXIMATELY 14.6220 ACRES; BEING LOTS 1 THROUGH 7, BLOCK 1, LOTS 1 AND 2, BLOCK 2, LOT 1, BLOCK 4, TUSCANY PARK LANE AND A PORTION OF TUSCANY PARK CIRCLE, TUSCANY PARK VILLAGE, EL PASO COUNTY, TEXAS; LOCATED SOUTH AND WEST OF THE INTERSECTION OF EASTLAKE BOULEVARD AND KENAZO AVENUE; AND REPEALING ORDINANCE NO. 0148 IMPOSING CERTAIN CONDITIONS; AND AUTHORIZING THE NOTATION OF THE CHANGE ON THE OFFICIAL ZONING MAP OF THE TOWN; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; AND PROPER NOTICE AND HEARING.**

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

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

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

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

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

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

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

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

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

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

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

**WHEREAS,** the Town Council finds that it is necessary and proper for the good government, peace and order of the Town of Horizon City to adopt this Ordinance.

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

### **I. REZONING**

The zoning be changed from R-PD (Residential) and C-2c (Commercial with conditions) to C-2 (Commercial), within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, as amended, for approximately 14.6220 acres, more or less and legally described by Metes and Bounds Description, Exhibit "A" attached hereto and by reference included herein.

### **II. ZONING MAP**

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

### **III. FINDINGS OF FACT**

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

### **IV. REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**V. SEVERABILITY**

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

**VI. PROPER NOTICE AND MEETING**

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

**PASSED AND APPROVED** this the \_\_\_ day of \_\_\_\_\_, 2021, by a vote of \_\_\_ (ayes) to \_\_\_ (nays) to \_\_\_ (abstentions) of the **Town Council of Horizon City, Texas.**

Town of Horizon City

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

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Sylvia Firth, Assistant City Attorney

First Reading: 5/11/2021  
Second Reading: 6/8/2021



A field note description of 14.6220 acres or 636,935 square feet parcel or tract of land being a portion of Lot 1, 2, 3, 4, 5, 6, 7, and 8, Block 1, Lot 1 and 2, Block 2, Lot 1, Block 4, a portion of Tuscany Park Circle and Tuscany Park Village and Tuscany Park Lane lying within the corporate limits of Horizon City, El Paso County, Texas. The said Tuscany Park Village Unit One is recorded in the Instrument No. 20120008204 found in the El Paso County Clerk's Office Deeds and Records located in the City of El Paso, El Paso County, Texas.

This survey conforms to the Plat of Tuscany Park Village Unit One found in the El Paso County Clerk's Office Deeds and Records located in the City of El Paso, El Paso County, Texas.

The Basis of Bearings are based on those bearing depicted on the plat of Horizon Height Unit Fourteen<sup>132</sup> is recorded in the Instrument No. 20060112325, found in the El Paso County Plat Records located in the City of El Paso, Texas. The parcel or tract of land is being more particularly described by metes and bounds as follows:

Beginning at a half-Inch reinforcement bar with a cap stamped TX 5679 G-3NG set on the Westerly right-of-way of North Kenazo Avenue (120-foot wide right-of-way) and the Southeasterly corner of the 14.6220 acres being described, from which two found City of Horizon Monument, bears the following courses;

Thence, from the said southeasterly corner, North 61°14'10" East, a distance of 60.00 feet to a point on the monument line North Kenazo;

Thence, continuing from said Monument and along the monument line, South 28°45'50" East, a distance of 251.83 feet to the first City of Horizon Monument at the intersection of Rodman Street(68.0-foot wide right-of-way) And North Kenazo Avenue.

Thence, along the monument line of Rodman Street, North 61°14'10" East, a distance of 195.00 feet (field and plat call)to the second City of Horizon monument;

Thence, form the Beginning, South 61°14'10" West, a distance of 331.50 feet to a point;

Thence, North 28°45'50" West, a distance of 1013.40 feet to a point;

Thence, a distance of 384.89 feet along the arc of a radial curve to the right, with an interior angle of 17°12'53" and having a radius of 1281.00 feet with a long chord that bears North 20°27'27" West, with a chord distance of 383.44' feet to a point;

Thence, North 89°59'50" West, a distance of 317.93 feet to a point;

Thence, North 00°33'12" West, a distance of 316.20 feet to a point;



Thence, South 89°59'50" East, a distance of 598.10 feet to a point;

Thence, a distance of 47.12 feet along the arc of a radial curve to the right, with an interior angle of 90°00'00" and having a radius of 30.00 feet with a long chord that bears South 44°59'50" East, with a chord distance of 42.43' feet;

Thence, South 00°00'10" East, a distance of 25.64 feet to a point;

Thence, a distance of 481.99 feet along the arc of a radial curve to the right, with an interior angle of 28°46'00" and having a radius of 960.00 feet with a long chord that bears South 14°22'50" East, with a chord distance of 476.94' feet;


133

Thence, from the said southeasterly corner, South 28°45'50" East, a distance of 1011.40 feet to a point to the Beginning and containing 14.6220 acres or 636,935 square feet of land more or less.

I

February 17, 2021



  
\_\_\_\_\_  
Luis Alonso Gutierrez P.E.  
Registration Number: 107364

This field note description was prepared  
For the benefit of HZ VENTURES LLC  
TBPELS F-14940 (not a ground survey)



## **EMERGENCY ORDINANCE NO. 11**

### **CONTINUING THE DECLARATION OF EMERGENCY AND RE-ENACTING THE EMERGENCY ORDINANCE INSTITUTING EMERGENCY MEASURES DUE TO A PUBLIC HEALTH EMERGENCY; SEVERABILITY CLAUSE; PENALTY AS PROVIDED HEREIN**

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas declared state of disaster and the President of the United States of America declared a national emergency in relation to COVID-19; and

**WHEREAS**, Chapter 418 of the Government Code governs Emergency Management at state and local levels, and Chapters 121 and 122 of the Texas Health and Safety Code, establishes the powers and authority of local regulation of public health; and

**WHEREAS**, by order issued on March 13, 2020 the County Judge of the County of El Paso has declared a county state of disaster for El Paso County, Texas; and

**WHEREAS**, by proclamation issued on March 16, 2020, the Mayor declared a local state of disaster for the Town of Horizon City resulting from a public health emergency; and

**WHEREAS**, on March 19, 2020, April 14, 2020, May 12, 2020, June 9, 2020, July 14, 2020, August 11, 2020, and October 13, 2020 the City Council of the Town of Horizon City renewed, extended and continued the Mayor's declaration of disaster for thirty days, in accordance with Section 418.108 of the Texas Government Code; and

**WHEREAS**, on March 19, 2020, the City Council adopted an Emergency Order instituting Emergency Measures due to a Public Health Emergency and extended such ordinance by Emergency Ordinance No. 2 on April 14, 2020, Emergency Ordinance No. 3 on May 12, 2020, Emergency Ordinance No. 4 on June 9, 2020, Emergency Ordinance No. 5 on July 14, 2020, Emergency Ordinance No. 6 on August 11, 2020; Emergency Ordinance No. 7 on October 13, 2020; Emergency Ordinance No. 8 on November 10, 2020; Emergency Ordinance No. 9 on January 12, 2021; Emergency Ordinance No. 10 on February 9, 2021; and

**WHEREAS**, the Texas Governor continues his emergency declaration, and continues to issue emergency orders to address those certain services to be reopened on such reopening date stated in each order, and to provide guidance for each category of reopened services and urge people and governmental entities to take actions necessary to reopen the economy while slowing the spread of COVID-19;

**WHEREAS**, on May 5, 2021, Governor Abbott renewed the COVID-19 Disaster Declaration for all counties in Texas; and

**WHEREAS**, on May 20, 2021, Dr. John Hellerstedt, Commissioner of Public Health issued a new declaration of a Public Health Disaster, stating that "the novel coronavirus continues to present an immediate threat, poses a high risk of death to a large number of people and creates a substantial risk of public exposure because of the disease's method of transmission and evidence that there is community spread in Texas"; and

**WHEREAS**, the number of COVID-19 cases in Horizon City and in the adjacent El Paso County areas have begun to decrease, the same is not true in Ciudad Juarez and in April 2021 the Mexican government instituted shut downs in an effort to contain a three-fold increase in COVID-19 cases;

**WHEREAS**, in recognition of the geographic proximity to the population in Ciudad Juarez that is not yet widely vaccinated, the El Paso County Judge issued Order No. 17 on May 21, 2021 in an attempt to continue to reduce the infection rate;

**WHEREAS**, the Town of Horizon City is a home rule municipality and under City Charter Section 3.17 allows for the City Council to adopt an emergency ordinance to meet a public emergency affecting, life, health, property or the public peace; and

**WHEREAS**, the state of disaster requires that certain emergency measures be taken pursuant to the Executive Order of the Governor Relating to Emergency Management; therefore, the declaration of disaster continued on March 19, 2020 and extended on April 14, 2020, May 12, 2020 and June 9, 2020, and the regulations adopted by Emergency Ordinance of the City Council on March 19, 2020 as amended by Emergency Ordinance No. 2 on April 14, 2020, Emergency Order No. 3 on May 12, 2020, Emergency Order No. 4 on June 9, 2020, Emergency Ordinance No. 5 on July 14, 2020, Emergency Ordinance No. 6 on August 11, 2020, and Emergency Ordinance No. 7 on October 13, 2020 shall be continued and shall remain in effect until the state of disaster is terminated.

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

1. The state of disaster proclaimed for the Town of Horizon City by the Mayor on March 16, 2020 and extended by Resolution of the Council on March 19, 2020, April 14, 2020, May 12, 2020, June 9, 2020, July 14, 2020, August 11, 2020; October 13, 2020, November 10, 2020, January 12, 2021 and February 9, 2021 is hereby continued for thirty (30) days unless reenacted by the City Council or until terminated by the City Council.

2. The rules and regulations adopted by the City Council by Emergency Ordinance on March 19, 2020 as amended by Emergency Ordinance No. 2 on April 14, 2020, Emergency Order No. 3 on May 12, 2020, Emergency Ordinance No. 4 on June 9, 2020, Emergency Ordinance No. 5 on July 14, 2020, Emergency Ordinance No. 6 on August 11, 2020, Emergency Ordinance No. 7 on October 13, 2020 Emergency Ordinance No. 8 on November 10, 2020; Emergency Ordinance No. 9 on January 12, 2021; Emergency Ordinance No. 10 on February 9, 2021; shall continue to be in full force and effect for thirty (30) days or until such emergency is terminated.

3. With regard to Section 5, MOVEMENT OF PEOPLE AND OCCUPANCY OF PREMISES of the March 19 Emergency Ordinance, the City Council acknowledges that under Texas Government Code Section 418.108(h), the County Judge has the authority to issue orders regarding Movement of People within any incorporated or unincorporated area of the County. The provisions of this Section 5, Movement of People and Occupancy of Premises shall be modified or superseded by any Order of the County Judge during the term of this Ordinance with

regard to the judge's authority under Section 418108(h), and the terms and conditions of such order shall be hereby incorporated into this Ordinance by reference.

In the event of any conflict between the order of the County Judge and the Town Mayor, the order of the County Judge shall prevail, pursuant to Section 418.108(h)(2) of the Texas Government Code.

#### 4. ENFORCEMENT

Pursuant to Texas Government Code Section 418.173(b), it is an offense for an individual to violate a condition or restriction of any Order issued by the Governor of the State of Texas, the El Paso County Judge or any Ordinance adopted by the City Council of the Town of Horizon City and during a public health crisis/disaster. Said offense shall be a Class C Misdemeanor punishable by fine not to exceed \$500. No civil or criminal penalty shall be issued for failure to wear a face covering.

Any peace officer is hereby authorized to enforce the provisions of this Ordinance in accordance with the authority granted under Chapter 418 of the Texas Government Code. To the extent allowed by law, this ordinance may be enforced by any code enforcement officers or other similar designation, in the same manner that the municipal codes and ordinances are enforced.

#### 5. EMERGENCY

This emergency ordinance shall take effect immediately upon its adoption and publication and it is accordingly so ordained. This ordinance shall remain in effect for 30 days, unless re-enacted in accordance with City Charter section 3.17 or until the state of disaster is terminated, whichever is sooner.

#### 6. SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, sentences, paragraphs and sections of this ordinance are severable. If any part of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remaining phrases, sentences, paragraphs and sections.

PASSED AND ADOPTED, this \_\_ day of June, 2021.

TOWN OF HORIZON CITY, TEXAS

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Ruben Mendoza  
Mayor

ATTEST:

Approved as to Legal Form:

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Elvia Schuller  
City Clerk

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Sylvia Borunda Firth  
Assistant City Attorney

2021 MAY 20 AM 11:43

**ORDER NO. 17**

**BY THE COUNTY JUDGE OF EL PASO COUNTY, TEXAS  
STAY SAFE ORDER  
DATE ORDER ISSUED: May 21, 2021**

**DELIA BRIONES**  
COUNTY CLERK  
EL PASO COUNTY, TEXAS

**WHEREAS**, in December 2019, a novel coronavirus designated SARS-CoV-2 which causes the disease COVID-19 was identified; and

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas declared a state of disaster, the President of the United States of America declared a national emergency and the El Paso County Judge issued a Declaration of Local Disaster for Public Health Emergency pursuant to Texas Government Code Section 418.108, in order to respond to the COVID-19 pandemic; and

**WHEREAS**, on March 19, 2020, the El Paso County Commissioners Court issued an Emergency Order extending the County Judge's state of disaster and instituting emergency measures due to a public health emergency until terminated by order of the El Paso County Commissioners Court; and

**WHEREAS**, on April 25, 2021, Governor Abbott issued Executive Order No. 35 ("GA-35") which barred a governmental entity from compelling the COVID-19 vaccine, or requiring an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual's vaccination status; and

**WHEREAS**, GA-35 also prohibits any public or private entity that is receiving or will receive public funds through any means, from denying service or requiring a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer's vaccination status; and

**WHEREAS**, though hopes of reaching herd immunity prompted many to receive the COVID-19 vaccine, a general inability to know an individual's vaccination status complicates the return to the new normal; and

**WHEREAS**, in order to resume operations despite the knowledge of who is or is not vaccinated, the County of El Paso, like many other businesses, relied on face coverings to protect their employees and customers alike; and

**WHEREAS**, on May 5, 2021, Governor Abbott renewed the COVID-19 Disaster Declaration for all counties in Texas; and

**WHEREAS**, on May 10, 2021, Dr. John Hellerstedt, Commissioner of Public Health, once more issued a declaration of a Public Health Disaster Declaration, stating that "the novel coronavirus (SAR-CoV-2, the causes the disease COVID-19) continues to present an immediate threat, poses a high risk of death to a large number of people and creates a substantial risk of public exposure because of the disease's method of transmission and evidence that there is community spread in Texas;" and

**WHEREAS**, on May 13, 2021, with nearly 38% of all Americans fully vaccinated, the U.S. Centers for Disease Control updated its guidance to allow fully vaccinated people to resume activities without wearing a mask or physically distancing, except where required by federal, state, local, tribal, or territorial laws, rules, and regulations, including local business and workplace guidance; and

**WHEREAS**, on May 17, 2021, U.S. Customs and Border Protection said that current restrictions for non-essential crossings at U.S. land border ports of entry with Mexico were extended until June 21, 2021; and

**WHEREAS**, though non-essential travel restrictions have reduced the volume of individuals traveling into the United States through El Paso land ports, both El Paso and Juarez residents continue to cross the shared border daily for permitted reasons; and

**WHEREAS**, once land travel restrictions lift on June 21, 2021 thousands of individuals will travel back and forth between Juarez and El Paso each day; and

**WHEREAS**, on May 18, 2021, Governor Abbott issued Executive Order No. 36 (“GA-36”) which, with limited exceptions, aimed to restrict a governmental entity, including a county, and government officials from requiring or having the authority to require any person from wearing a face covering; and

**WHEREAS**, though El Paso County is fortunate to be experiencing a decrease in new COVID-19 cases and deaths, the same is not true in El Paso’s sister city, Juarez, who in April 2021 instituted shut downs in an effort to contain a three-fold increase in COVID-19 cases; and

**WHEREAS**, El Paso is uniquely situated directly next to a country still struggling to obtain sufficient vaccine doses for its population; and

**WHEREAS**, while over 50% of the population over 12 years of age in El Paso is fully vaccinated, Juarez has managed to vaccinate less than 10% of its population of 1.5 million; and

**WHEREAS**, though other Texas counties are geographically insulated, El Pasoans remain at risk until more people along both sides of the El Paso-Juarez border are vaccinated; and

**WHEREAS**, El Pasoans who have not yet been immunized against COVID are encouraged to take advantage of the COVID-19 vaccine; and

**WHEREAS**, as we prepare for the full reopening of El Paso’s land ports of entry, I call upon each El Pasoan to seize the opportunity to save lives, avoid setback, and model an unwavering commitment to the welfare of the most vulnerable within our borderland by wearing a face covering and maintaining social distancing.

**NOW THEREFORE, TO CONTINUE TO REDUCE THE SPREAD OF COVID-19 THROUGHOUT EL PASO COUNTY AND TO REDUCE THE INFECTION RATE OF THE PEOPLE CONSIDERED AT RISK THAT WILL REQUIRE HOSPITALIZATION**

**AND TO LIMIT DEATH FROM COMPLICATIONS OF COVID-19, I, COUNTY JUDGE FOR EL PASO COUNTY, TEXAS, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER:**

**SECTION 1. STAY SAFE AT HOME.**

Unvaccinated residents are encouraged to stay at home, whenever possible, and leave their residence mindful of the continued risk of COVID-19 within our border community. All individuals over the age of 12 are eligible and encouraged to receive the COVID-19 vaccine. If the community as a whole remains vigilant, adheres to standard health protocols, and is vaccinated, hundreds of lives may be saved.

**SECTION 2. FACE COVERING.**

Because an infected person can transmit the COVID-19 virus to others before showing any symptoms, the covering of a person's nose and mouth is necessary to help slow the spread of the virus. Despite over half of eligible El Pasoans being fully immunized, the inability to know an individual's vaccination status makes it increasingly important for the community to adhere to standard health protocols, including wearing a face covering. Therefore, every person in El Paso is **STRONGLY ENCOURAGED** to wear some form of face covering over their nose and mouth, when inside a commercial entity or other building or space open to the public, or when in an outdoor public space, whenever it is not feasible to maintain six feet of social distancing from others.

Wearing a face covering is not a substitute for maintaining 6-foot social distancing and hand-washing, as these remain important steps to slowing the spread of the virus.

Nothing in this order precludes businesses or other establishments from **requiring** employees and customers to follow additional hygiene measures, including the wearing of a face covering.

**SECTION 3. LABORATORY CONFIRMED COVID-19 TEST RESULTS.**

Pursuant to the Local Health Authority directive, an individual that receives a positive COVID-19 test result but that has not yet been contacted by the City's Department of Public Health within 24 hours of receiving the laboratory results, must isolate, and those from within their household must quarantine, and must report to (915) 212-6520 within 24 hours of receiving the positive test result. Healthcare workers, first responders and individuals who test positive for COVID-19 should follow the current Department of Public Health's Guidelines, as published on epstrong.org.

**SECTION 4. HEALTH AND SAFETY POLICY- BUSINESSES.**

All businesses in El Paso County can develop and continue to implement a health and safety policy ("**Health and Safety Policy**"). The Health and Safety Policy can include:

- a. All businesses can require employees, including volunteers, to have a face covering when either in an area or performing an activity which will necessarily involve close contact or proximity to co-workers or the public, where six (6) feet of separation from other individuals not in the same household is not feasible, and to the extent allowed by law;
- b. All businesses can require that all visitors, to include contractors and vendors, wear face coverings while on the business's premises;
- c. All businesses can maintain and provide face coverings for visitors;
- d. All businesses can include any internally set occupancy limits within their Health and Safety Policy;
- e. All businesses can alert customers to evolving changes to operating limits and standards in their Health and Safety Policy;
- f. All businesses can post the Health and Safety Policy suggested by this Order in a conspicuous location sufficient to provide notice to employees, volunteers and visitors;
- g. The Health and Safety Policy suggested to be developed and implemented by this Order may also include other mitigating measures designed to control and reduce the transmission of COVID-19 such as temperature checks and health screenings;
- h. Businesses are encouraged to review the following business resources for standard health protocols:
  - CDC Guidelines  
<https://www.cdc.gov/coronavirus/2019-ncov/community/workplaces-businesses/index.html>
  - Texas DSHS Guidelines  
<https://www.dshs.texas.gov/coronavirus/>
  - Occupational Safety and Health Administration Guidelines (OSHA)  
<https://www.osha.gov/coronavirus/safework>.

Nothing in this Order precludes requiring an employee or customer to follow additional hygiene measures, including wearing a face covering.

## **SECTION 5. EL PASO COUNTY GOVERNMENT FUNCTIONS.**

**County Essential Government Functions.** For purposes of this Order, County employees that perform essential government functions may continue to work onsite. All County departments shall follow the County's Reconstitution of Operations Policy (ROOP) and only allow up to the applicable number of employees to return to the office/workspace. County employees who do not return to the office/workspace pursuant to the ROOP and who can work from home shall do so.

Elected officials are strongly encouraged to follow the ROOP or establish similar standards before employees return to work onsite, and when possible, continue to allow their employees to work from home.

All onsite employees are urged to wear face coverings when he or she is unable to maintain social distancing around others. Elected officials are urged to similarly encourage their employees to wear face coverings when working onsite or returning to the office.

To protect the County work force, individuals interacting with the County workforce, and to ensure the continuity of government services and activities, the County is instituting additional hygiene measures on County property and county-operated transportation. All **individuals entering or within County buildings, including common areas, are highly encouraged to wear a face covering over the nose and mouth, and are required to maintain physical distance, and adhere to other public health measures**, as provided in those County buildings and by County property operators. Individuals within the court rooms in County buildings should adhere to all measures instituted by the presiding judge.

The call to continue to wear face coverings in this Section *does not apply* to the following:

- a. any person younger than 2 years of age (note, parents and guardians of children over the age of 2 and under the age of 10 are responsible for appropriately making their children wear a face covering as required herein);
- b. any person with a medical condition or disability that prevents wearing a face covering;
- c. any person while the person is (a) exercising outdoors or engaging in physical activity outdoors, and (b) maintaining a safe distance from other people not in the same household;
- d. any person while the person is driving alone;
- e. any person obtaining a service that requires temporary removal of the face covering for security surveillance, screening, or a need for specific access to the face, but only to the extent necessary for the temporary removal;
- f. any person who is voting, assisting a voter, or serving as a poll watcher, but wearing a face covering is strongly encouraged; or
- g. any person while the person is giving a speech for a broadcast or to an audience.

County buildings and facilities shall remain limited to the percent of the normal operating limits based on the County ROOP.

All County operated public transportation activities must be performed in compliance with social distancing including, to the extent possible, maintaining six-foot social distancing for both employees and the general public; washing hands with soap and water for at least twenty seconds often or using hand sanitizer; covering coughs and sneezes; cleaning high-touch surfaces; and not shaking hands. Individuals failing to abide with these requirements will be denied service and instructed to leave the premises or property.

Individuals on all County operated public transportation are strongly encouraged to wear a face covering over the nose and mouth, unless subject to an exception noted above in this section.

The County may implement additional hygiene measures in County buildings or property.

## **SECTION 6. RURAL COUNTY COVID-19 RESTRICTIONS.**

While the County is not mandating local municipalities to adopt additional hygiene measures, some municipalities may voluntarily elect to institute COVID-19 hygiene measures within their corresponding municipal facilities. For more information, please visit the municipality's websites.

## **SECTION 7. COUNTY RECREATION AREAS AND PARKS.**

All County parks, and recreational areas shall reopen, as approved by the El Paso County Commissioners Court. Information regarding the reopening of county parks and recreational areas can be found at <https://www.epcountyparks.com/>.

## **SECTION 8. NURSING HOMES.**

Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow guidance from the Texas Health and Human Services Commission (HHSC) regarding visitations, and should follow infection control policies and practices set forth by HHSC, including minimizing the movement of staff between facilities whenever possible.

## **SECTION 9. LOCAL PUBLIC HEALTH AUTHORITY ORDERS.**

For additional guidance for all reopened businesses, activities and services, see:

- Local Public Health Authority Orders  
<http://epstrong.org/health-orders.php>;
- State of Texas Recommended Health Protocols  
<https://www.dshs.state.tx.us/coronavirus/opentexas.aspx>;
- CDC Guidelines  
<https://www.cdc.gov/coronavirus/2019-ncov/community/workplaces-businesses/index.html>
- Texas DSHS Guidelines  
<https://www.dshs.texas.gov/coronavirus/>
- Occupational Safety and Health Administration Guidelines (OSHA)  
<https://www.osha.gov/coronavirus/safework>

## **SECTION 10. POSTING OF THIS ORDER.**

The County will post this Order and links to the Local Health Authority Orders.

## **SECTION 11. PRIOR ORDERS.**

This Order is issued in accordance with and incorporates by reference declarations, ordinances, findings, and recitals set out in the preamble to this Order. All prior County Judge Orders and relevant amendments shall stand superseded.

## **SECTION 12. SAVINGS CLAUSE.**

If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision

of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

**SECTION 13. DURATION OF ORDER.**

This Order shall remain in full force and effect until it is modified, rescinded, superseded or amended pursuant to applicable law.

**SECTION 14. EFFECTIVE DATE.**

This Seventeenth Order shall take effect at 11:59 P.M. on May 21, 2021.

ORDERED this the 21st day of May 2021.

**COUNTY OF EL PASO, TEXAS**



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Ricardo A. Samaniego,  
El Paso County Judge

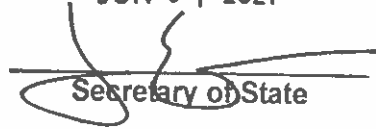


GOVERNOR GREG ABBOTT

June 4, 2021

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
2pm O'CLOCK

JUN 04 2021

  
Secretary of State

Mr. Joe Esparza  
Deputy Secretary of State  
State Capitol Room 1E.8  
Austin, Texas 78701

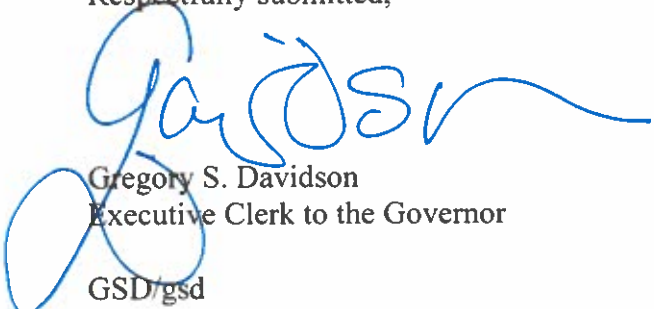
Dear Mr. Deputy Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the declaration stating that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in Texas.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

  
Gregory S. Davidson  
Executive Clerk to the Governor  
GSD/gsd

Attachment

# PROCLAMATION

BY THE

## Governor of the State of Texas

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TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, in each subsequent month effective through today, I have issued proclamations renewing the disaster declaration for all Texas counties; and

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, a state of disaster continues to exist in all counties due to COVID-19;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the disaster proclamation for all counties in Texas.

Pursuant to Section 418.017, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster.

Pursuant to Section 418.016, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. However, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to cope with this declared disaster, I hereby suspend such statutes and rules for the duration of this declared disaster for that limited purpose.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 4th day of June, 2021.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
2:00  
O'CLOCK

JUN 04 2021

ATTESTED BY:

  
\_\_\_\_\_  
JOE ESPARZA  
Deputy Secretary of State

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
2:00 O'CLOCK



1301 S. Mopac Suite 400 Austin 78746 | [texasgasservice.com](http://texasgasservice.com)

May 24, 2021

Via UPS Delivery  
Via Email

Honorable Mayors and Members of the City Councils  
of the following Texas cities:

Andrews, Anthony, Barstow, Clint, Crane, Dell City, El Paso, Horizon City, McCamey, Monahans, Pecos, Pyote, San Elizario, Socorro, Thorntonville, Wickett, Wink, and Vinton, Texas

Re: Request for written approval for continued use of financial instruments for hedging gas costs for 2021-2022 heating season

Dear Mayors and Members of the City Councils:

Texas Gas Service Company, a division of ONE Gas Inc. (“TGS”) is requesting written approval for use of financial instruments to mitigate natural gas costs for incorporated customers in the West Texas Service Area for the upcoming 2021-22 heating season. In accordance with Rate Schedule No. 1 Cost of Gas Clause, Section B.3 requires the City’s written approval in advance of TGS purchasing financial instruments annually.

For many years TGS has used financial call options to mitigate against potential spikes in the price of natural gas passed through to our customers. TGS requests the City provide written approval by council minutes expressing the City’s approval for TGS to continue the use of financial instruments for hedging gas costs for the 2021-22 heating season. If the City elects to take no action your customers will not be included in the program for the upcoming year. **TGS is requesting the Cities electing to participate take action on or before July 30, 2021** Please contact Jeff Quinn at [Jeff.Quinn@onegas.com](mailto:Jeff.Quinn@onegas.com) or 512-370-8642 with any questions.

Sincerely,

Jeff Quinn  
Manager, Gas Supply

## MEMORANDUM

*“This memo to the City Council operating in its Legislative capacity is attorney work product and subject to both the Attorney-Client Privilege and the Deliberative Process Privilege.”*

To: Mayor and City Council of Town of Horizon City

From: Bertha A. Ontiveros, Asst. City Attorney

Date: June 3, 2021

Re: Texas Gas Services Use of Financial Instruments to Hedge the Cost of Gas,  
2021-22 Winter Season

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In 2016 the Railroad Commission of Texas issued its order in GUD No. 10506 approved certain rate increases and its order further states that the “Cost of Purchased Gas shall not include the cost of financial instruments that were entered into after March 1, 2016, unless the use of such financial instruments is approved in advance and in writing by the Regulatory Authority.”

Since 2016, the TGS has each year requested that the cities in El Paso County approve TGS’ use of such financial instruments to hedge the cost of gas for the winter seasons. TGS will make their best projections on what the cost will be, but the cost may go up or down depending on many factors (length and timing of cold season not just for TGS but all over US that could affect the available natural gas supply, equipment breakdowns, delay in delivery, etc.). TGS’ purchase of these instruments will ensure that they do not have to pay more for such gas and pass the increased costs to customers.

These financial instruments operate like insurance – they will assume that the cost of gas is the amount projected by TGS but if the cost is greater, the issuer of these financial instruments will pay the difference, and the additional costs won’t be passed through to customers.

On May 24, 2021, TGS requested that the Horizon City Council approve the use of financial instruments for the 2021-2022 winter season. A copy of the letter is attached as Attachment A.

It is recommended that the Town accept TGS proposal that the use of financial instruments to hedge the cost of gas for 2021-2022 winter season is reasonable.

If you need further information, please let me know.

**A RESOLUTION BY THE CITY COUNCIL OF THE TOWN OF  
HORIZON CITY APPROVING THE USE OF CERTAIN  
HEDGING CONTRACTS BY TEXAS GAS SERVICE COMPANY,  
2021-2022**

**WHEREAS,** Texas Gas Service Company, a division of ONE Gas, Inc., ("TGS" ) is a regulated gas utility subject to the original jurisdiction of the Town of Horizon City ("City") for rates, services and operations in the City and operates within the City under a franchise agreement;

**WHEREAS,** TGS had filed a Statement of Intent to Increase Gas Utility Rates in the City and other municipalities in the El Paso Service Area and such proposed increases were denied by the City and other municipalities having original jurisdiction;

**WHEREAS,** following the appeal of the proposed rate increase to the Railroad Commission of Texas ("Commission"), on September 27, 2016 the Commission issued its order in GUD No. 10506 denying the rate changes as proposed by the Utility but approving a rate increase as more specifically set forth in the Commission's Order;

**WHEREAS,** the Commission's Order states that the "Cost of Purchased Gas shall not include the cost of financial instruments that were entered into after March 1, 2016, unless the use of such financial instruments is approved in advance and in writing by the Regulatory Authority", which instruments include the instruments intended to hedge the cost of the Utility system's supply of gas;

**WHEREAS,** in accordance with Rate Schedule No. 1 Cost of Gas Clause, Section B.3 TGS must secure the written approval of the City in advance of purchasing financial instruments each year;

**WHEREAS,** TGS has requested that the City consider the Utility's use of such financial instruments to hedge the cost of gas for the 2021-2022 winter season; and

**WHEREAS,** the City Council of the City finds that use of hedging contracts is reasonable and in the public interest.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the Town of Horizon City , Texas, that:

1. The foregoing recitals are adopted as facts and are incorporated fully herein.
2. The City hereby approves the use of financial instruments to hedge the cost of gas by TGS for the 2021-2022 heating season.

3. The Mayor shall so notify TGS of this approval by delivery of a copy of this Resolution to TGS prior to July 30, 2021.
4. This Resolution shall be effective immediately upon passage and adoption.

**PASSED AND APPROVED** this, the \_\_\_\_ day of \_\_\_\_\_, 2020, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) of the City Council of the Town of Horizon City, Texas.

**TOWN OF HORIZON CITY**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

**MEMO**



**TO:** Honorable Mayor and City Council Members

**FROM:** Police Chief McConnell

**RE:** Adoption of updated 2021 El Paso County, Texas Multi-Jurisdiction Hazard Mitigation Action Plan (HMP)

**DATE:** June 8, 2021

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During the past 12 months, the County of El Paso and all cities within El Paso County have been working on updating the 2015 Multijurisdictional Hazardous Mitigation Plan (HMP) for El Paso County, including the Town of Horizon City. The 2015 plan was recently analyzed and updated by a mitigation program management company. This new plan required a significant amount of work from all participating entities contained within the plan. The newly updated El Paso County HMP has been approved by FEMA, subject to adoption from the jurisdictions covered by the plan.

The updated plan consists of 544-pages, and the URL to the document is listed below.  
<https://www.dropbox.com/s/v59j2e2y6mcdh0k/El%20Paso%20County%20HMAP%20Update%20-%20APA.pdf?dl=0>

**Recommendation:** On a resolution of the Town of Horizon City adopting the updated 2021 El Paso County, Texas, Hazard Mitigation Action Plan.

**RESOLUTION FOR TOWN OF HORIZON CITY**  
**APPROVAL OF HAZARD MITIGATION ACTION PLAN UPDATE**

WHEREAS, natural hazards in the Town of Horizon City area historically have caused significant disasters with losses of life and property and natural resources damage; and

WHEREAS, the Federal Disaster Mitigation Act of 2000 and Federal Emergency Management Agency (FEMA) require communities to adopt a hazard mitigation action plan to be eligible for the full range of pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, FEMA requires that communities update hazard mitigation action plans every five years in order to be eligible for the full range of pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, the Town of Horizon City has assessed the community's potential risks and hazards and is committed to planning for a sustainable community and reducing the long-term consequences of natural and man-caused hazards; and

WHEREAS, the El Paso County Hazard Mitigation Action Plan Update outlines a mitigation vision, goals and objectives; assesses risk from a range of hazards; and identifies risk reduction strategies and actions for hazards that threaten the community.

NOW THEREFORE BE IT RESOLVED THAT:

1. The El Paso County Hazard Mitigation Action Plan Update is approved in its entirety;
2. The Town of Horizon City will pursue available funding opportunities for implementation of the proposals designated therein, and will, upon receipt of such funding or other necessary resources, seek to implement the actions contained in the mitigation strategies;
3. The Town of Horizon City vests with the Mayor the responsibility, authority, and means to inform all parties of this action; assure that the Hazard Mitigation Action Plan Update will be reviewed at least annually; and that any needed adjustments will be presented to the City Council for consideration; and
4. The Town of Horizon City to take such other action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Action Plan Update and report on progress as required by FEMA and the Texas Division of Emergency Management (TDEM).

ADOPTED this \_\_\_\_ day of\_\_\_\_, 2021.

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(Clerk)



May 17, 2021

The Honorable Ricardo Samaniego  
El Paso County  
500 E. San Antonio, Ste 301  
El Paso, TX 79901

RE: Approvable Pending Adoption of El Paso County, Texas Multi-Jurisdiction Hazard Mitigation Plan (HMP)

Funding Source: PDM18

Dear Judge Samaniego

Congratulations! FEMA has concluded the review of the El Paso County Multi-Jurisdiction HMP, and the plan is found to be approvable pending adoption. In order for this plan to receive final FEMA approval, the jurisdiction(s) must adopt this plan and submit the complete adoption package to the state within 90 days. The plan update timeline will begin on the date of the FEMA approval letter. Please e-mail the complete adoption package to [tdem-mitigation@tdem.texas.gov](mailto:tdem-mitigation@tdem.texas.gov) and [timothy.frere@tdem.texas.gov](mailto:timothy.frere@tdem.texas.gov) as follows:

- The final plan formatted as a single document
  - Plan must be dated to match the date of the first adoption
  - Remove track changes, strikethroughs and highlights
- All signed resolutions as a separate single document

The previous review tool may contain recommendations to be applied to your next update. DO NOT make any further changes to your plan until it has been approved.

If you have any questions concerning this procedure, please do not hesitate to contact [tdem-mitigation@tdem.texas.gov](mailto:tdem-mitigation@tdem.texas.gov). We commend you for your commitment to mitigation.

Respectfully,

*Timothy Frere*

**Timothy Frere**

Hazard Mitigation Planner

Hazard Mitigation Unit

Texas Division of Emergency Management

Cc: Heather Ferrara, [heather@h2opartnersusa.com](mailto:heather@h2opartnersusa.com)  
Patrick Kelley, [patrick.kelley@tdem.texas.gov](mailto:patrick.kelley@tdem.texas.gov)

TF

**MEMO**



**TO:** Honorable Mayor and City Council Members  
**FROM:** Police Chief McConnell  
**RE:** Request to Purchase Two Vehicles and Equipment Using CARES Act Funding  
**DATE:** June 8, 2021

---

The police department requests to purchase two police vehicles using CARES Act funding. The first vehicle is a standard equipped Ford Explorer, which will primarily be assigned to COVID-19 activities such as traffic control at vaccination and test sites. The vehicle will also be used secondarily for general purpose police activities.

The Ford Explorer will be purchased at Silsbee Fleet using the TIPS Interlocal Purchasing System at \$36,005.50 plus \$22,545.00 for equipment for a grand total of \$59,816.50. TIPS is a Texas-based purchasing cooperative that offers access to competitively procured purchasing contracts to its membership. TIPS is housed at and managed by the Region 8 Education Service Center located in Pittsburg, Texas.

The second vehicle is an unmarked off-the-lot sedan that will primarily be used to deliver El Paso County health (quarantine) orders and other COVID-19 related activities. We have been using regular city police vehicles for these assignments. This vehicle will also be used secondarily for general purpose police activities. The police department received three quotes (attached) for similarly equipped off-the-lot Nissan Altima 2.5 SV, and we recommend the low quote of \$22,765.68 from CASA Nissan, El Paso, Texas. The cost to equip the vehicle with emergency equipment is \$4,339.10.

**Summary**

Ford Explorer	-	\$36,005.50
Emergencny Equipment	-	\$22,545.00
Delivery Charge	-	<u>\$ 1,266.00</u>
Explorer Total	-	\$59,816.50
Nissan Altima	-	\$22,765.68
Emergency Equipment	-	<u>\$ 4,339.10</u>
Nissan Total	-	\$27,104.78
<b>Grand Total</b>	-	<b>\$86,921.28</b>

**Recommendation:** On the purchase of two equipped police department vehicles using CARES Act funding in an amount not to exceed \$86,921.28 and to allow the Mayor or designee to issue purchase orders.



**PRODUCT PRICING SUMMARY**  
**TIPS USA 200206 TRANSPORTATION VEHICLES**  
**VENDOR- Silsbee Ford, 1211 Hwy 96 N., Silsbee TX 77656**

**End User:** TOWN OF HORIZON CITY  
**Contact:** LT. ORTEGA 915.342.2416  
**Email:** JORTEGA@HORIZONCITY.ORG  
**Product Description:** FORD INTERCEPTOR UTILITY

**Prepared by:** RICHARD HYDER  
**Phone:** 409.300.1385  
**Email:** RHYDER.COWBOYFLEET@GMAIL.COM  
**Date:** May 19, 2021

A. Bid Item: 62 A. Base Price: **\$ 33,326.00**

**B. Factory Options**

Code	Description	Bid Price	Code	Description	Bid Price
K8A	2021 INTERCEPTOR UTILITY AWD	\$ 1,245.00	55F	REMOTE KEYLESS ENTRY FOBS	\$ 340.00
99B	3.3L V6 GAS	\$ -		WIRELESS PHONE CONNECTIVITY	\$ -
51R	DRIVER SIDE LED SPOTLIGHT	\$ 395.00	60A	GRILL/SIREN PREWIRE	\$ 50.00
	FRONT HEADLAMP HOUSING	\$ -		REAR VIEW CAMERA	\$ -
86T	POLICE TAIL LAMP HOUSING	\$ 60.00	61B	OBD-II INTERFACE	\$ 55.00
17A	REAR AIR CONDITIONING	\$ 610.00			
YZ	EXTERIOR WHITE	\$ -			
96	CLOTH FRONT VINYL REAR SEATING	\$ -			

Total of B. Published Options: **\$ 2,755.00**

Published Option Discount (5%) **\$ (75.50)**

C. Unpublished Options [not to exceed 25%] \$= 25.0 %

Description	Bid Price	Options	Bid Price

Total of C. Unpublished Options: **\$ -**

D. Floor Plan Interest (for in-stock and/or equipped vehicles): **\$ -**

E. Lot Insurance (for in-stock and/or equipped vehicles): **\$ -**

F. Contract Price Adjustment: EMERGENCY EQUIPMENT QUOTE 051921 **\$ 22,545.00**

G. Additional Delivery Charge: 844 miles **\$ 1,266.00**

H. Subtotal: **\$ 59,816.50**

I. Quantity Ordered 1 x H = **\$ 59,816.50**

J. Trade in: 157 **\$ -**

K. Total Purchase Price Including TIPS Fee **\$ 59,816.50**

Town of Horizon City 2021 Ford Police Interceptor Utility (K8A) patrol equipment list

5/19/2021

Part#	Description	Quantity	Unit Price	Extended Price
C3.PT47A	47" CODE3 PURSUIT LIGHTBAR	1	\$ 1,990.00	\$ 1,990.00
C3.Z3	CODE3 Z3 SIREN	1	\$ 645.00	\$ 645.00
BI.FL40I	BROOKINGS HEADLAMP FLASHER	1	\$ 240.00	\$ 240.00
C3.Z1BR	ZENITH HIDE-A-BLAST R/B (FRT)	2	\$ 85.00	\$ 170.00
C3.HB6PAK-PI-R	TWIST LOCK HIDE-A-BLAST R (TLMP)	2	\$ 65.00	\$ 130.00
C3.HB6PAK-PI-B	TWIST LOCK HIDE-A-BLAST B (TLMP)	2	\$ 65.00	\$ 130.00
C3.M180SMC-RB	SIDE MIRROR R/B W/PUDDLE LGHT	2	\$ 105.00	\$ 210.00
C3.BSM-BKT-PI	M180 MIRROR MOUNT BRKT	1	\$ 30.00	\$ 30.00
C3.HB6PAK-RB	6PAK HIDE-A-BLAST R/B (FENDER)	2	\$ 65.00	\$ 130.00
C3.HB6PAK-RB	6PAK HIDE-A-BLAST R/B (QTR PNL)	2	\$ 65.00	\$ 130.00
C3.C3100UX	CODE 3 SPEAKER AND BRACKET	1	\$ 192.00	\$ 192.00
911.CH27ELPASO	911 WIRING HARNESS	1	\$ 605.00	\$ 605.00
911.SAPD	FRONT CORNER CONNECTORS	1	\$ 35.00	\$ 35.00
R.5344	GO RHINO STEEL PUSHBUMPER	1	\$ 360.00	\$ 360.00
LM.FE7502-RB	LAGUNA 3P PRIS SEAT W/ CARGO BARRIER	1	\$ 1,125.00	\$ 1,125.00
PG.PVS4717UIN20A	PROGARD 4700 PARTITION W/ VIPER SHIELD	1	\$ 3,045.00	\$ 3,045.00
AA.EZ-UP-VAULT	EZ UP VAULT SINGLE DRAWER	1	\$ 1,125.00	\$ 1,125.00
GJ.7160-0412	GAMBER JOHNSON CONSOLE	1	\$ 265.00	\$ 265.00
GJ.7160-0500	LOCKING SLIDE ARM	1	\$ 165.00	\$ 165.00
GJ.7160-0846	INTERNAL DUAL CUPHOLDER	1	\$ 36.00	\$ 36.00
GJ.7110-1001	INTERNAL ARMREST	1	\$ 88.00	\$ 88.00
GJ.7160-0063	12V OUTLET KIT	2	\$ 16.00	\$ 32.00
SI.240-IH	SECURE IDLE ANTI THEFT	1	\$ 130.00	\$ 130.00
DC.73980	5 TERMINAL 30A RELAY	2	\$ 6.00	\$ 12.00
WGV.4RESTDGPSRV2	WATCHGUARD 4RE VIDEO W LIC KEY	1	\$ 4,995.00	\$ 4,995.00
WGV.KEYEL4DEV001	EVIDENCE LIBRARY SOFTWARE	1	\$ 150.00	\$ 150.00
KS.RP-1	RAPTOR DUAL K-BANK RADAR WITH DIRECTIONAL AND SAME LANE ANTENNAS	1	\$ 1,985.00	\$ 1,985.00
SET.GK11222B	SETINA 1082E BLC RAC WEAPON MT	1	\$ 1,225.00	\$ 1,225.00
SET.GF1092ITU20	SETINA FREE STANDING MOUNT	1	\$ 175.00	\$ 175.00
CW.10D120410	CABLE PACK (3 CATS/1NM SERIAL	1	\$ 22.00	\$ 22.00
A.417T	ABC 5LB FIRE EXTINGUISHER	2	\$ 119.00	\$ 238.00
Llumar ATR30S	WINDOW TINT SIDE WINDOWS	1	\$ 185.00	\$ 185.00
EQUIPMENT SERVICES	INSTALLATION HOURS	34	\$ 75.00	\$ 2,550.00
			<b>TOTAL</b>	<b>\$ 22,545.00</b>

RE:Nissan Altima


Some content in this message has been blocked because the sender isn't in your Safe senders list. I trust content from solivas@casanissan1.com. | Show blocked content

SO Sal Olivas <solivas@casanissan1.com>  
Fri 5/28/2021 5:22 PM  
To: Jesus Ortega



Jesus,

Here are the figures for the Altima. It is my understanding the the city of Horizon will be doing their own registration. The total that I am showing does not include sales tax.

2021 Nissan Altima 2.5 SV		
 2021 Nissan Altima 2.5 SV	Regular Unleaded I-4 2.5 L/152, FWD, CVT, 5 miles, Pearl White Tricoat, stock # C381842, new, This fantastic Altima is just waiting to bring the right owner lots of joy and happiness with years of trouble-free use*... <a href="#">view details</a>	Price \$27,630

Please disregard the color in the picture. This Altima just came in and they have not had a chance to take pictures. It is a white SV model Atltima. Your total amount is \$22,765.68. If you have any questions, call me on my cell phone: 915-920-2816.

Thank you,

**Sal Olivas**  
**Casa Nissan**  
5855 Montana Ave  
El Paso, TX 79925  
**Sales: 915 782 1299**  
**Cell: (915) 920-2816**  
**[www.casanissan.com](http://www.casanissan.com)**

Hours Mon-Fri 9:00 am - 8:00 pm  
Saturdays 9:00 - 7:00pm

[View Map](#)

-----Original Message-----



2005 St Michaels Dr Sante Fe NM 87505

Date 6/2/2021

Salesperson Greg Hickey

Company HORIZON CITY  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_  
 County YELLOWSTONE Zip \_\_\_\_\_  
 Home \_\_\_\_\_ Bus Phone \_\_\_\_\_  
 Cell Phone (913) 491-6439  
 Email HORTEGA@HORIZONCITY.ORG

New  Demo  Rental Unit  Used  
 Year 2021 Make NISSAN Stock N21032  
 Model/ALTIMA Body 4D SEDAN DR 2.5L (13511)  
 Color Super Black Clearcoat Top \_\_\_\_\_ Trim \_\_\_\_\_  
 VIN 1N4BL4CV9MP3439333 Miles 10

\*Added Equipment: Door Cops (\$299.00), Edge Guards (\$299.00), Lifetime Nitrogen (\$299.00), Tire (\$399.00), Wheel Locks (\$199.00)

CASH OPTION	
Total	\$26,094.00
Rebate	\$1,250.00

TRADE IN (1)		PURCHASE	
Year	Make	Price	\$25,500.00
Model		Added Equip*	\$1,495.00
VIN			
Miles			
Stock			
TRADE IN (2)		SUBTOTAL	\$26,995.00
Year	Make	Sales Tax	\$0.00
Model		Dealer Service Tr...	\$349.00
VIN			
Miles			
Stock			
Allowance		TOTAL CASH PRICE	\$27,344.00
Rebate	\$1,250.00	Total Credits	(\$1,250.00)
Cash Due	\$0.00	TRADE-IN PAYOFF	\$0.00
Deposit	\$0.00	BALANCE DUE	\$26,094.00
TOTAL CREDITS	\$1,250.00		

Customer

Sales Manager

Prepared by Greg Hickey

This is not a contract

## Jesus Ortega

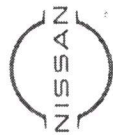
---

**From:** Danny Salas <dsalas@nissanlc.com>  
**Sent:** Wednesday, June 2, 2021 3:11 PM  
**To:** Jesus Ortega  
**Subject:** FW: 2021 nissans  
**Attachments:** doc22960920210602140843.pdf

-----Original Message-----

**From:** tower@nissanlc.com <tower@nissanlc.com>  
**Sent:** Wednesday, June 2, 2021 3:09 PM  
**To:** Danny Salas <dsalas@nissanlc.com>  
**Subject:**

-----  
TASKalfa 4501i  
[00:17:c8:26:6e:a0]  
-----



# 2021 NISSAN ALTIMA 2.5 SV FWD SEDAN



Scan QR code for general model information & options

Manufacturer's Suggested Retail Base Price:	\$25,400.00
Options Included by Manufacturer:	205.00
SPLASH GUARDS	165.00
CHROME BUMPER PROTECTOR	300.00
FLOOR MATS, TRUNK MAT, HIDEAWAY NET, & DRUNK TRUNK HOOKS	165.00
TRUNK ORGANIZER TRAY w/ First Aid Kit and Emergency Road Kit	210.00
IMPACT SENSORS	925.00
<b>DESTINATION CHARGES</b>	
<b>Total*</b>	<b>\$27,370.00</b>

**TOTAL DISCOUNT**  
- 2,250  
25,120  
+ TTL

Standard Equipment Included at No Extra Charge

### MECHANICAL & PERFORMANCE

- 2.5L I4 180-hp VTEC® Engine
- 180-hp Torque
- Xtronic CVT® (Continuously Variable Transmission)
- Intelligent: Race Control

### SAFETY & SECURITY

- Driver & Front Passenger Side Impact & Curtain Airbags
- Driver & Front Passenger Knee Air Bags
- Rear Outboard Passenger Side Impact Air Bags
- Child-Resistant Locks
- Child-Proof Locks
- Automatic Emergency Braking (AEB) w/ Pedestrian Detection
- Intelligent: Forward Collision Warning (I-FCW)
- Rear Automatic Braking (RAB)
- Blind Spot Warning (BSW)
- Rear Cross Traffic Alert (RCTA)
- Lane Departure Warning (LDW)
- High Beam Assist (HBA)
- Rear-View Monitor
- Control System (VDC)
- Vehicle Control System (TCS)
- Tire Pressure Monitoring System (TPMS)
- w/ Easy Fill Tire Alert
- Nissan Vehicle Immobilizer System
- Vehicle Security System (VSS)

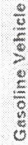
### COMFORT & CONVENIENCE

- 8-way Power Driver Seat
- 50/40 Split Fold-Down Rear Seats
- Manual Air Conditioning
- Remote Engine Start
- Power Windows
- Nissan Intelligent Key® w/ Push Button Ignition
- NissanConnect®
- Apple CarPlay®
- Android Auto™
- 8" Color Display w/ Multi-Touch Control
- Sinus XM® Radio
- Bluetooth® Hands-free Phone System\*
- Streaming Audio via Bluetooth®
- Smartphone Text Messaging Assistant\*
- SmartKey® Entry
- Two Front Illuminated USB Charge Ports

\*Does not include dealer installed options and accessories, local taxes or license fees. This label has been applied pursuant to federal law. Do not remove prior to delivery to the ultimate purchaser.

\*\*Not actual Monroney Label. Provided for informational purposes only. Vehicle features, pricing and other information subject to change, may vary from actual vehicle content and/or Monroney label description. While Nissan makes reasonable efforts to ensure accuracy of information, Nissan is not responsible for changes, errors or omissions. See actual vehicle and/or verify information in question with your Nissan dealer.

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MIDDLE CLASS (mpg) from 14 to 147 (MPG). The Best Value (mpg) is 141 (MPG).

**Fuel Economy**  
**31 MPG**  
combined city/hwy  
27 city  
37 highway

**You Save**  
**\$1,000**  
in fuel costs over 5 years compared to the average new vehicle.

**Fuel Economy & Greenhouse Gas Rating** (to be used only by Smog Rating) (to be used only by Smog Rating)



The vehicle emits 259 grams CO<sub>2</sub> per mile. The best in class (to be used only by Smog Rating) emits 207 grams CO<sub>2</sub> per mile. The worst in class (to be used only by Smog Rating) emits 350 grams CO<sub>2</sub> per mile. The best in class (to be used only by Smog Rating) has a smog rating of 10. The worst in class (to be used only by Smog Rating) has a smog rating of 1.



Actual results will vary for many reasons, including driving conditions and how you drive and maintain your vehicle. The average new vehicle gets 27 MPG and costs \$7,500 to fuel over 5 years. Cost estimates are based on 15,000 miles per year at \$2.70 per gallon. MPGe is miles per gasoline gallon equivalent. Vehicle emissions are a significant cause of climate change and smog.

## fuelconomy.gov

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### GOVERNMENT 5-STAR SAFETY RATINGS

**Overall Vehicle Score** ★★★★★  
Based on the combined ratings for frontal, side and rollover. Should ONLY be compared to other vehicles of similar size and weight.

**Frontal Crash** ★★★★★  
Based on the risk of injury in a frontal crash. Should ONLY be compared to other vehicles of similar size and weight.

**Side Crash** ★★★★★  
Based on the risk of injury in a side-impact crash.

**Rollover** ★★★★★  
Based on the risk of rollover in a single-vehicle crash.

Star ratings range from 1 to 5 stars (★★★★★) with 5 being the highest. Source: National Highway Traffic Safety Administration (NHTSA) [www.safercar.gov](http://www.safercar.gov) or 1-888-327-4236

### Security+Plus Extended Protection Plan

This Vehicle qualifies for Nissan's Security+Plus Extended Protection Plan. The only service agreement backed by Nissan Extended Services North America! Ask your dealer for details, or call 1-800-NISSAN-1 for more information.

### DELIVERY

**VEHICLE COLORS:**  
EXT: BRILLIANT SILVER  
INT: CHARCOAL

**FINAL ASSEMBLY POINT:**  
CANTON

**TRANSPORT METHOD:**  
TRUCK

**DEALER:**



VIN: 1N4BL4DY9AN332765  
EMS: 50 STATE EMISSIONS  
MDL: 13311-332756 K23-G  
OPT: C-B10B63C03L94N2582

303011725029AS6608