



HORIZON CITY

Incorporated 1988

**AGENDA
PUBLIC MEETING
REGULAR CITY COUNCIL MEETING
THE TOWN OF HORIZON CITY, TEXAS
Tuesday, September 14, 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, September 14, 2021 at 6:00 PM** at City Council Chambers Room, 15001 Darrington Road, Horizon City, TX 79928, at which time the following will be discussed and considered:

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

CONSENT AGENDA

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

- 3. Approval of Minutes from:** **6**
8/31/21 Special City Council Meeting
- 4. Discussion and Action:** **9**
Mayor/Planning Director
On the appointment of David Miller to the Board of Adjustments.
- 5. Discussion and Action:** **11**
Mayor/Planning Director
On the appointment of Eva Flores by Alderman Miller (Place 1) to the Planning and Zoning Commission.
- 6. Discussion and Action:** **12**
Mayor/Planning Director
On the recording plat application and authorizing the Mayor to sign the recording plat for the City Center Unit One subdivision (#SUB002474-2021), legally described as Tract 1M, W.J. Rand Survey No. 325, ABST 8814, Town of Horizon City, El Paso County, Texas.
- 7. Request to Excuse Absent Council Members:**

REGULAR AGENDA

- 8. Presentation:**
Mayor
On a presentation of appreciation awards to the Horizon City Police Department and the Horizon City City Council by Clint ISD Superintendent, Dr. Juan I. Martinez.
- 9. PUBLIC HEARING:** **23**
Mayor/CIP Manager
On a Resolution adopting the updated Capital Improvement Program for FY 2022 - FY 2024.
- 10. Discussion and Action:** **62**
Mayor/CIP Manager
On a Resolution adopting the updated Capital Improvement Program for FY 2022 - FY 2024.
- 11. Discussion and Action** **101**
Mayor/CIP Manager

This item was postponed at the 8/31/21 Special City Council Meeting.

On a resolution authorizing the Mayor to sign an agreement for Construction Management Services with Huitt-Zollars, Inc. for the 2020 Street Maintenance Project and authorizing the Mayor to approve additional services in an amount not to exceed ten percent (10%) of the total estimated project amount.

12. Discussion and Action:

121

Mayor/Planning Director

This item was postponed at the 7/13/21 Regular City Council Meeting, the 8/4/2021 Special City Council Meeting and the 8/10/21 Regular City Council Meeting.

On a preliminary and final plat subdivision applications (#SUB002477-2021) for Aria Subdivision, legally described as a portion of the E1/2 of the SW1/4 of the SW1/4 of section 39, Block 78, Township 3, Texas and Pacific RR Co. Surveys, El Paso County, Texas. Application submitted by CAD Consulting Co.

13. PUBLIC HEARING:

Mayor/Finance Director

2nd Reading of Ordinance No. _____ An Ordinance of the Town of Horizon City, Texas enacting the municipal budget for 2021-2022 fiscal year; funding municipal purposes; authorizing expenditures; providing for repealer and severability clauses.

14. Discussion and Action:

133

Mayor/Finance Director

2nd Reading of Ordinance No. _____ An Ordinance of the Town of Horizon City, Texas enacting the municipal budget for 2021-2022 fiscal year; funding municipal purposes; authorizing expenditures; providing for repealer and severability clauses.

15. Discussion and Action:

Mayor/Finance Director

On ratifying the property tax increase reflected in the adopted annual budget for Fiscal Year 2021/2022.

16. PUBLIC HEARING:

Mayor/Finance Director

Public Hearing on the Proposed Tax Rate - On the proposed 2021 tax rate of \$0.565503, which is an increase to the total tax revenues from properties on the tax roll in the preceding tax year of \$227,461 or 4.04%. Individual taxes may increase at a greater or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted.

17. PUBLIC HEARING:

Mayor/Finance Director

2nd Reading of Ordinance _____, An Ordinance of the City Council of the Town of Horizon City, Texas, approving the 2021 ad valorem tax rate and levy of assessed valuation of all taxable property within the corporate limits of the city; providing for penalties and interest; and providing for the following: findings of fact; severability; savings clause; publication and effective date.

18. Discussion and Action:

154

Mayor/Finance Director

2nd Reading of Ordinance _____, An Ordinance of the City Council of the Town of Horizon City, Texas, approving the 2021 ad valorem tax rate and levy of assessed valuation of all taxable property within the corporate limits of the city; providing for penalties and interest; and providing for the following: findings of fact; severability; savings clause; publication and effective date.

19. PUBLIC HEARING:

Mayor/Finance Director

2nd Reading of Ordinance No, 0260 Amendment No. 02, an Ordinance amending Ordinance No. 0260 of the Town of Horizon City, adopting the municipal budget for the 2020-2021 fiscal year, to allow for the budgeting and expenditure of funds for the purchase of pothole patching equipment; and providing for repealer and severability clauses.

20. Discussion and Action: **176**
Mayor/Finance Director

2nd Reading of Ordinance No, 0260 Amendment No. 02, an Ordinance amending Ordinance No. 0260 of the Town of Horizon City, adopting the municipal budget for the 2020-2021 fiscal year, to allow for the budgeting and expenditure of funds for the purchase of pothole patching equipment; and providing for repealer and severability clauses.

21. Discussion and Action: **180**
Mayor/Planning Director

On authorizing the purchase of an asphalt pothole patcher from H.D. Industries, Inc. for an amount not to exceed \$98,343.00, through Buy Board Contract #597-21, and authorizing the Mayor to execute the documents, as approved by the City Attorney.

22. Discussion and Action: **186**
Mayor/Finance Director

On the extension of the employment contract for Pat Randleel as part-time Finance Director.

23. PUBLIC HEARING: **191**
Mayor/Chief McConnell

2nd Reading of Ordinance No _____, An Ordinance of the Town of Horizon City repealing Ordinance 0049 codified as Section 8.04 "Noise" in the Town of Horizon City Municipal Code and replacing it in its entirety; declaring certain noises to be a nuisance; enacting noise regulations, providing for enforcement including criminal fines not to exceed \$500 and civil penalties not to exceed \$100 per offense and injunctive relief.

24. Discussion and Action: **206**
Mayor/Chief McConnell

2nd Reading of Ordinance No _____, An Ordinance of the Town of Horizon City repealing Ordinance 0049 codified as Section 8.04 "Noise" in the Town of Horizon City Municipal Code and replacing it in its entirety; declaring certain noises to be a nuisance; enacting noise regulations, providing for enforcement including criminal fines not to exceed \$500 and civil penalties not to exceed \$100 per offense and injunctive relief.

25. Discussion: **221**
Mayor/Chief McConnell

On an Update concerning the 2021 National Night Out Program.

26. Discussion and Action: **222**
Mayor/Municipal Court Judge

On the First Amendment to the Employment Contract with Mario Gonzalez for Municipal Court Judge services pursuant to section 4.04 of the City Charter.

27. Discussion: **224**
Mayor/Planning Director

1st Reading of Ordinance No. _____, An ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning one parcel from C-1, A-1, A-2, R-2, R-3, R-4A, R-6, and R9 to R-3; containing approximately 276.104 acres; being situated in Section 30, Block 78, Township 3, Texas and Pacific Railway Company Surveys, El Paso County, Texas; north and east of the intersection of Desert Mist Drive 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.

28. Discussion: **265**
Mayor/Planning Director

1st Reading of Ordinance No. _____, An ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning one parcel from R-2 to C-1; containing approximately 1.983 acres;

being situated in Section 30, Block 78, Township 3, Texas and Pacific Railway Company Surveys, El Paso County, Texas; east of the intersection of Desert Mist Drive 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.

29. Discussion: 273

Mayor/Planning Director

1st Reading of Ordinance No. _____, An ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning one parcel from R-2 to C-1; containing approximately 1.453 acres; being situated in Section 30, Block 78, Township 3, Texas and Pacific Railway Company Surveys, El Paso County, Texas; east of the intersection of Desert Mist Drive 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.

30. Discussion: 281

Mayor/Planning Director

1st Reading of Ordinance No. _____, An ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning one parcel from C-1 and R-2 to R-3; containing approximately 45.426 acres; being situated in Section 30, Block 78, Township 3, Texas and Pacific Railway Company Surveys, El Paso County, Texas; east of the intersection of Desert Mist Drive 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.

31. Discussion: 289

Mayor/Planning Director

1st Reading of Ordinance No. _____, An ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning one parcel from R-2 to C-1; containing approximately 1.918 acres; being situated in Section 30, Block 78, Township 3, Texas and Pacific Railway Company Surveys, El Paso County, Texas; east of the intersection of Desert Mist Drive 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.

32. Discussion: 297

Mayor/Planning Director

1st Reading of Ordinance No. _____, An ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning one parcel from R-2 to C-1; containing approximately 1.642 acres; being situated in Section 30, Block 78, Township 3, Texas and Pacific Railway Company Surveys, El Paso County, Texas; east of the intersection of Desert Mist Drive 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.

33. Discussion: 305

Mayor/Planning Director

1st Reading of Ordinance No. _____, An ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning one parcel from R-2 to R-3; containing approximately 185.716 acres; being situated in Section 32, Block 78, Township 3, Texas and Pacific Railway Company Surveys, El Paso County, Texas; north and west of the intersection of Eastlake Boulevard and Horizon Boulevard (FM 1281); 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.

34. Discussion: 315

Mayor/Planning Director

1st Reading of Ordinance No. _____, An ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning one parcel from R-2 to C-2; containing approximately 13.451 acres; being situated in Section 32, Block 78, Township 3, Texas and Pacific Railway Company Surveys, El Paso County, Texas; north and west of the intersection of Eastlake Boulevard and Horizon Boulevard (FM

1281); 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.

35. Discussion:

324

Mayor/Planning Director

1st Reading of Ordinance No. _____, An ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning one parcel from R-2 to R-3; containing approximately 212.581 acres; being situated in Section 32, Block 78, Township 3, Texas and Pacific Railway Company Surveys, El Paso County, Texas; north and west of the intersection of Eastlake Boulevard and Horizon Boulevard (FM 1281); 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.

36. Discussion:

334

Mayor/Planning Director

1st Reading of Ordinance No. _____, An ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning one parcel from R-2 to C-2; containing approximately 4.263 acres; being situated in Section 32, Block 78, Township 3, Texas and Pacific Railway Company Surveys, El Paso County, Texas; north and west of the intersection of Eastlake Boulevard and Horizon Boulevard (FM 1281); 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.

37. Executive Session

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

Adjournment:

Motion to Adjournment: _____ 2nd _____

Dated this Friday, 9/10/21

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, 9/10/21 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
Tuesday, August 31, 2021, 6:00 PM**

Notice is hereby given that a Special City Council Meeting of the Town of Horizon City, Texas was held on **Tuesday, August 31, 2021 at 6:00 PM**, at City Council Chambers Room, 15001 Darrington Road, Horizon City, TX 79928, at which time the following was discussed and considered:

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

Meeting called to order at 6:00 pm. Mayor, Ruben Mendoza was absent. Mayor Pro Tem, Johnny Duran presided over the meeting. 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:

8/10/21 Regular City Council Meeting.

4. Discussion and Action:

Mayor/Planning Director

On an Interlocal Agreement with the Town of Clint to provide vector control services in an amount not to exceed \$15,000.00 and for the Mayor or his designee to execute the required documents.

5. Request to Excuse Absent Council Members:

A motion was made by Alderman Renteria and seconded by Alderman Ortega to approve the Consent Agenda. Alderman Renteria amended to motion to include excusing Mayor Mendoza's absence. Alderman Ortega seconded the motion. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

REGULAR AGENDA

Item #6 was taken after Item #10.

6. Discussion and Action:

Mayor/CIP Manager

On Change Order #9 to the construction contract with Hawk Construction for the Golden Eagle Park Improvements Solicitation No. CIP 2018-001 and authorizing the Mayor to execute documents.

CIP Manager, Terry Quezada and Hawk Construction Manager, Saul Trejo spoke regarding this item.

A motion was made by Alderman Renteria and seconded by Alderman Corral to approve Change Order #9 to the construction contract with Hawk Construction for the Golden Eagle Park Improvements Solicitation No. CIP 2018-001 and authorizing the Mayor to execute documents. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

7. **Discussion and Action**

Mayor/CIP Manager

On a resolution authorizing the Mayor to sign an agreement for Construction Management Services with Huitt-Zollars, Inc. for the 2020 Street Maintenance Project and authorizing the Mayor to approve additional services in an amount not to exceed ten percent (10%) of the total estimated project amount.

Planning Director, Michelle Garcia spoke regarding this item and requested postponement of this item until the next City Council Meeting.

A motion was made by Alderman Miller and seconded by Alderman Corral to postpone this item until the next City Council Meeting. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

8. **Discussion and Action:**

Mayor/Finance Director

On an Interlocal Agreement with the City of El Paso for Public Health and Environmental Services for the Town of Horizon City and authorizing the Mayor to execute. Compensation for these services provided by the City of El Paso will be \$174,542.00 for the FY 2021/2022 Contract. The term of the Agreement is September 1, 2021 through August 31, 2022.

Finance Director, Pat Randleel spoke regarding this item.

A motion was made by Alderman Miller and seconded by Alderman Renteria to approve the Interlocal Agreement with the City of El Paso for Public Health and Environmental Services for the Town of Horizon City and authorizing the Mayor to execute. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Abstain. Motion passed.

9. **PUBLIC HEARING:**

Mayor/Finance Director

Public Hearing on Adoption of the Fiscal Year 2021/2022 Budget: For the purpose of allowing the public to question and comment on the proposed Fiscal Year 2021/2022 Budget. Copies of the proposed budget are available for your review at the City Clerk's Office at the Town of Horizon City, 14999 Darrington Road, Horizon City, Texas between the hours of 8:00 am to 5:00 pm Monday through Friday and are available on the City's website.

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

10. **Discussion:**

Mayor/Finance Director

1st Reading of Ordinance No, 0260 Amendment No. 02, an Ordinance amending Ordinance No. 0260 of the Town of Horizon City, adopting the municipal budget for the 2020-2021 fiscal year, to allow for the budgeting and expenditure of funds for the purchase of pothole patching equipment; and providing for repealer and severability clauses.

Finance Director, Pat Randleel spoke regarding this item.

11. **Discussion and Action:**

Mayor/Alderman Miller

On the approval of FY 2021 - 2022 Administrative Cost Agreement for Far West Texas Water Plan.

Alderman Miller spoke regarding this item and recommended the membership for the Far West Texas Water Planning Group be transferred to the Horizon City Economic Development Corporation.

A motion was made by Alderman Padilla and seconded by Alderman Corral to approve the transfer of the Far West Texas Water Planning Group membership to the Horizon City Economic Development Corporation. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

12. Discussion and Action:

Mayor/Asst. City Atty

To approve a collective bargaining agreement between the Town of Horizon City and the Horizon City Police Officer's Association for the period starting October 1, 2021 through September 30, 2024.

Police Officer's Association President, Lt. Jesus Ortega spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderman Renteria to approve the collective bargaining agreement between the Town of Horizon City and the Horizon City Police Officer's Association for the period starting October 1, 2021 through September 30, 2024. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

13. Discussion and Action:

Mayor/Chief McConnell

On a request to authorize the issuance of purchase orders for police equipment as listed in attachment "A", not to exceed \$70,840.68, and authorizing the Mayor or designee to sign the necessary documents.

Police Chief, Mike McConnell spoke regarding this item.

A motion was made by Alderman Corral and seconded by Alderman Padilla to approve the request to authorize the issuance of purchase orders for police equipment as listed in attachment "A", not to exceed \$70,840.68, and authorizing the Mayor or designee to sign the necessary documents. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Aye; DURAN – Aye; PADILLA – Aye; CORRAL – Aye. Motion passed.

14. 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 Renteria and seconded by Alderman Ortega to adjourn at 6:41 PM.

Approved this ____ day of _____, 20__.

Attest:

Elvia Schuller, City Clerk

Ruben Mendoza, Mayor



TOWN OF HORIZON BOARDS AND COMMISSIONS APPLICATION

PLEASE PRINT OR TYPE

Name: David W. Miller Home pH: 915-500-5061
Home address: 15090 Isola Cell pH: 214-325-0172
City/State: Horizon City, TX Zip: 79928 Email: toro-industries@yahoo.com
Occupation: Retired Resident of Horizon City for 1/2 year; of Texas 60 years

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

Board of Adjustment Planning and Zoning Commission

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

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

Please list any specific municipal officials' training, or any special knowledge, education or experience that qualifies you to serve in the areas you have indicated: BA-Govt, 1 Year Grad Study City Mgt. 7 Years Work experience City Mgt Austin & Dallas, Graduate School certificates in Homeland Security and Criminal Justice Mgt.

If applicable, please list any scheduled training, etc. you intend to complete that will further qualify you to serve in the areas indicated: None

Explain why you are seeking an appointment. Also, list any business or personal relationships with the city that might create a conflict of interest or that may affect your ability to serve. Want to serve the community. No conflicts.

What do you perceive to be Horizon City's two greatest strengths? Motivated Population, they are choosing to move/live here. Potential for favorable growth.

Signature: David W. Miller Date: 8/10/21

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

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

9



ELIZABETH LUNA
 PLANNING SPECIALIST/BOARD SEC'Y
 (915) 852-1046 EXT. 404
 eluna@horizoncity.org

Date: August 11, 2021

To: Honorable Mayor- Ruben Mendoza
 Michelle Padilla, Planning Director

From: Liz Luna, Planning Specialist/Board Secretary

RE: Update of Boards and Commissioners

The chart has been updated to reflect the re-appointed members, however as shown below we still have 3 vacancies on P&Z and 2 vacancies on BoA. In order to assure we have quorum at all meetings, your assistance with appointing members to the boards & commission is greatly appreciated.

PLACE	ALDERMAN/COUNCIL	TERM ENDS (Staggered)	P&Z COMMISSION MEMBERS	TERM ENDS (Reg Even/Alt Odd)	BOA COMMISSION MEMBERS
	Mayor, Ruben Mendoza		<i>Appointments: Chosen by place of corresponding Council Person</i>		<i>Appointments: No Place Selection. 5 Reg & 4 Alternate</i>
"A"	Mayor	2022	Cecily Armstrong	2022	Jorge Ojeda (Chair)
"B"	Mayor	2023	Crispin Melendez	2022	VACANT
1	Walter Miller	2022	VACANT	2022	Wilfredo Lopez
2	Scott Quiroz	2021	VACANT	2022	Cruz Alvarez
3	Charlie Ortega	2022	Charles Berry	2022	Michael McElroy
4	Andy Renteria	2021	VACANT		
5	Johnny "Doc" Duran	2022	Kelly Duran		
6	Rafael (Ralph) Padilla Jr.	2023	Roberto Avila		
7	Samantha Corral	2022	Mathew Gardea		
(A) Alt.				2023	VACANT
(A) Alt.				2023	Jesus Ramos
(A) Alt.				2023	VACANT
(A) Alt.				2023	John Laemlein

Application & Process:

Current & newly interested individuals desiring to serve on the *Board & Commissions* shall submit an application found on the City's website linked below.

☞ Website address:

<https://www.horizoncity.org/wp-content/uploads/Board-Commission-Application-1.pdf>

☞ Email, mail or drop off the completed application to Liz Luna (eluna@horizoncity.org)



TOWN OF HORIZON BOARDS AND COMMISSIONS APPLICATION

PLEASE PRINT OR TYPE

Name: Eva Flores Home pH: _____

Home address: 14281 Desert Sky Dr. Cell pH: (915)493-1161

City/State: Horizon City, TX Zip: 79928 Email: evaolivas20@gmail.com

Occupation: Community Impact Director Resident of Horizon City for 9 years; of Texas 34 years

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

Board of Adjustment

Planning and Zoning Commission

Provide the name and the date(s) of prior service, if any, on any Horizon board: N/A

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

Please list any specific municipal officials' training, or any special knowledge, education or experience that qualifies you to serve in the areas you have indicated: I do not have any formal training, education or experience in Planning and Zoning.

If applicable, please list any scheduled training, etc. you intend to complete that will further qualify you to serve in the areas indicated: None at this time.

Explain why you are seeking an appointment. Also, list any business or personal relationships with the city that might create a conflict of interest or that may affect your ability to serve. I would like to learn and contribute towards the improvement of my community by being a part of the planning and zoning committee.

What do you perceive to be Horizon City's two greatest strengths? I admire Horizon City's resilience and its ability to promote sustainable economic growth and the city's leadership, who has had a role in the city's focus on promoting health and providing us with safe walking trails.

Signature: Eva Flores Date: 8/31/2021

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

Public service opportunities are offered by the City of Horizon without regard ¹¹to race, color, national origin, religion, gender or disability.



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: September 9, 2021; **REVISED September 14, 2021**

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

SUBJECT: On the recording plat application and authorizing the Mayor to sign the recording plat for the City Center Unit One subdivision (#SUB002474-2021), legally described as Tract 1M, W.J. Rand Survey No. 325, ABST 8814, Town of Horizon City, El Paso County, Texas.

On May 11, 2021, the City Council approves the preliminary and final plats for the subject property with the following conditions:

- The proposed address shall be approved by the 911 District and reflected accordingly on the recording plat.
- The utility easements along the western boundary of the property need to be further clarified on the recording plat in accordance with the Public Works Director's comments.

~~All comments have been addressed; therefore, staff recommends that the City Council approve the recording plat and authorize the Mayor to sign the plat so that it can be recorded.~~

One comment from the City Engineer is pending; therefore, staff recommends that the City Council approve the recording plat and authorize the Mayor to sign the plat once it has met the following conditions:

- **A plat note that states that all set rebars are marked with a cap that can be traced back to the surveyor of record shall be provided to comply with minimum survey requirements in Texas.**
- **The County Clerk's signature block shall be corrected by removing the City Clerk's name.**

Attached for your review is the staff report that was presented at the May 11, 2021 City Council meeting and the recording plat.



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

Case No.: SUB-002474-2021
City Center One
Application Type: **Preliminary and Final Plat**
P&Z Hearing Date: April 19, 2021
Staff Contact: Emily Offer, Planning Staff
 915-238-0691; eoffer@horizoncity.org

Address/Location: Abutting N. Darrington Dr., just North of Horizon Blvd.
Legal Description: TRACT M1, W.J. Rand Survey No. 325, ABST 88514
 Town of Horizon City, El Paso County, Texas
Acreage: Approximately 5.4916 ± Acres
Owner: Town of Horizon City
Applicant: Town of Horizon City
Nearest Park: Corky Park
Nearest School: Desert Hills Elementary School

SURROUNDING PROPERTIES:

	Zoning	Land Use
N	R-1 (Residential)	Single Family (SF) Homes
NE	R-4 (Residential)	Vacant
E	C-1 (Commercial)	Vacant
S	C-1 (Commercial)	City Hall and Horizon Police Dept.
SW	C-2 (Commercial)	Shopping Centers
NW	S-1 (Green Space)	Golf Course

LAND USE AND ZONING:

	Existing
Land Use	Vacant
Zoning	A-1 (Apartments)

Application Description:

The proposed development is approximately 5.4916 acres, zoned A-1 (apartments), and includes one site intended for a new municipal building that will house the Police, Public Works, and Courts departments and will provide a new meeting space for City Council and Court. On-site ponding will be provided once the site is developed.

Staff Recommendation:

Staff recommends **approval** of the proposed preliminary and final plats.

Planning Comments:

The subject plat is in conformance with the Municipal Code.

Public Works Director Comments:

Preliminary Plat Review:

1. Missing Address (El Paso County 9-1-1 District approval is required).
2. Need clarification on the 5' utility easements since the property line is located in the middle. Is this a 10ft. utility easement with 5ft. U.E. on each side? OR is this a 5' utility easement with 2.5' U.E. on each side?
3. Verify the if the easement on the north side also belongs to E.P.E.C. as there is an overhead utility line.
4. Verify if the easement on the west and north sides also belongs to TX Gas services as there is a 2'' gas line as per N. Darrington Drainage improvements Record Drawings sheets C-5 and C-12.
5. Provide square footage of lot below the acreage.
6. Missing the location of any existing utilities with the size of sewer or water mains if they exist with in the area.

Final Plat Review:

1. Missing Address (El Paso County 9-1-1 District approval is required).
2. Need clarification on the 5' utility easements since the property line is located in the middle. Is this a 10ft. utility easement with 5ft. U.E. on each side? OR is this a 5' utility easement with 2.5' U.E. on each side?
3. Verify the if the easement on the north side also belongs to E.P.E.C. as there is an overhead utility line.
4. Verify the if the easement on the west and north sides also belongs to TX Gas services as there is a 2'' gas line as per N. Darrington Drainage improvements Record Drawings sheets C-5 and C-12.
5. Provide square footage of lot below the acreage

Town Engineer Comments:

Recommended Conditions for Preliminary Plat Approval:

1. Show size and location of existing utilities.
2. See plat comments

THENCE, South 33° 04' 20" East, with the southwesterly right-of-way line of Darrington Road, a distance of 674.82 feet to a 1/2" rebar set, set in the northerly boundary line of **Horizon Star Commercial Center Unit 1 Block 1, conveyed to Jerry Oxner in Document No. 20050023532**, Official Public Records of El Paso County, Texas, for a corner of this parcel;

Property not shown on plat.

THENCE, South 56° 55' 40" West, with said northerly boundary line, a distance of 174.15 feet to a 1/2" rebar set for a corner of this parcel;

THENCE, North 89° 56' 57" West, continuing with said northerly boundary line, a distance of 244.51 feet to a 1/2" rebar set, set in the easterly boundary line of East Placitas Subdivision Block 1, for a corner of this parcel;

THENCE, North 00° 03' 03" East, with said easterly boundary line, a distance of 53.19 feet to a 1/2" rebar set, set in the northerly boundary line of said East Placitas Subdivision Block 1, for a corner of this parcel;

THENCE, North 89° 56' 57" West, with said northerly boundary line, a distance of 30.00 feet to a 1/2" rebar set, set in the northeasterly boundary line of **Golf Course Tract 1Fl, W.J. Rand Survey No. 325**, for a corner of this parcel;

Property not shown on plat at this point.

3. The set monuments should have a cap that is traceable to the licensed surveyor or the company, per Texas minimum standards.

Recommended Conditions for Final Plat Approval:

1. The metes and bounds description reference properties that have not been labeled on the plat. The property calls really do not follow descriptions. See comments for preliminary plat.

2. The set monuments should have a cap that is traceable to the licensed surveyor or the company, per Texas minimum standards.
3. Coordinate with the Town of Horizon City with regard to any additional comments they may have.

El Paso Electric Comments:

Developer is to coordinate with EPE's Operation Departments (Distribution) to discuss/perform construction.

Developer is to provide Engineering plans (construction drawings) to EPE for review and comment.

School District Comments:

Center One is within SISD jurisdiction and this development will be served by the Horizon Heights Elementary, Colonel John Ensor Middle and Eastlake High attendance areas.

This development is not within CISD's jurisdiction; therefore, they are providing no comments.

El Paso County 9-1-1 District Comments:

The property must establish and provide the assigned address on the plat.

Additional Requirements:

Failure of the subdivider to submit a recording plat within twelve (12) months of approval of the final plat by the City Council will nullify the approval of the final plat and obligate the subdivider to reapply for preliminary plat approval should the subdivider wish to pursue the subdivision. (§4.11.2 Subdivision Municode Chapter 10)

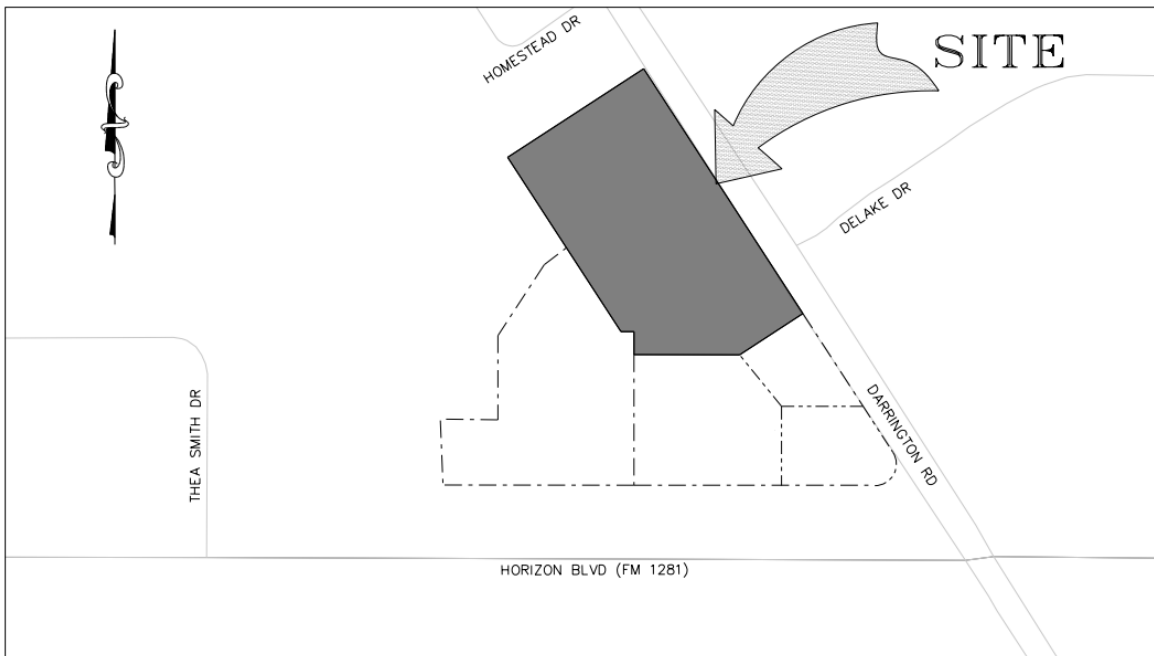
Attachments:

- 1 **Aerial**
- 2 **Zoning Map**
- 3 **Location Map**
- 4 **Preliminary Plat**
- 5 **Final Plat**
- 6 **Plat Applications**

Attachment 1: Aerial



Attachment 3- Location Map



LOCATION MAP

SCALE: 1" = 600'

Attachment 5 – Applications



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: CITY CENTER ONE SUBMITTAL DATE: MARCH 24, 2021

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.)
TRACT 1M, W.J. RAND SURVEY No. 325, ABST 8814 TOWN OF HORIZON CITY EL PASO COUNTY, TEXAS

2. PROPERTY LAND USES:

	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	_____	_____	OFFICE	_____	_____
DUPLEX	_____	_____	STREET & ALLEY	_____	_____
APARTMENT	_____	_____	PONDING & DRAINAGE	_____	_____
MOBILE HOME	_____	_____	INSTITUTIONAL	_____	_____
P.U.D.	_____	_____	OTHER	_____	_____
PARK (Min 1 acre)	_____	_____	<u>HORIZON MUNICIPAL FACILITIES</u>	5.4916	_____
SCHOOL	_____	_____		_____	_____
COMMERCIAL	_____	_____	TOTAL NO. SITES	1 SITE	_____
INDUSTRIAL	_____	_____	TOTAL (GROSS) ACREAGE	5.4916 ACRES	_____

3. WHAT IS THE EXISTING ZONING OF THE PROPERTY DESCRIBED ABOVE? A1 PROPOSED ZONING NOT APPLICABLE

4. WILL THE RESIDENTIAL SITES, AS PROPOSED, PERMIT DEVELOPMENT IN FULL COMPLIANCE WITH ALL ZONING REQUIREMENTS OF THE EXISTING RESIDENTIAL ZONE(S)? YES NO NOT APPLICABLE

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

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

7. IF SINGLE-FAMILY OR DUPLEX DEVELOPMENT IS PROPOSED: AVERAGE FLOOR AREA OF HOUSES NOT APPLICABLE

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 ON-SITE LANDSCAPING

11. REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES: EXPANSION OF TOWN OF HORIZON CITY MUNICIPAL FACILITIES

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 Town Of Horizon City 14999 Darrington Road, Horizon City, Texas 79928 @horizoncity.org (915) 852-1046
 (NAME & ADDRESS) (EMAIL) (PHONE)

15. DEVELOPER Town Of Horizon City 14999 Darrington Road, Horizon City, Texas 79928 @horizoncity.org (915) 852-1046
 (NAME & ADDRESS) (EMAIL) (PHONE)

16. ENGINEER GRV Integrated Engineering Solutions LLC (GRV) 11385 James Watt Drive, Suite B-13, El Paso, Texas 79936 mgomez@grvies.com (915) 351-6701
 (NAME & ADDRESS) (EMAIL) (PHONE)

17. APPLICANT Town Of Horizon City 14999 Darrington Road, Horizon City, Texas 79928 @horizoncity.org (915) 852-1046
 (NAME & ADDRESS) (EMAIL) (PHONE)

18. REP/POINT OF CONTACT Marvin Gomez P.E. (GRV) 11385 James Watt Drive, Suite B-13, El Paso, Texas 79936 mgomez@grvies.com (915) 351-6701
 (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 PM
 Applicant Signature [Signature] EMAIL _____

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



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

**MAJOR SUBDIVISION
 FINAL PLAT APPLICATION**

SUBDIVISION PROPOSED NAME: CITY CENTER ONE SUBMITTAL DATE: MARCH 24, 2021

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.)
TRACT 1M, W.J. RAND SURVEY No. 325, ABST 8814 TOWN OF HORIZON CITY EL PASO COUNTY, TEXAS

PROPERTY LAND USES:	ACRES	SITES	ACRES	SITES
SINGLE-FAMILY	_____	_____	_____	_____
DUPLEX	_____	_____	_____	_____
APARTMENT	_____	_____	_____	_____
MOBILE HOME	_____	_____	_____	_____
P.U.D.	_____	_____	_____	_____
PARK (Min 1 Acre)	_____	_____	_____	_____
SCHOOL	_____	_____	_____	_____
COMMERCIAL	_____	_____	_____	_____
INDUSTRIAL	_____	_____	_____	_____
OFFICE	_____	_____	_____	_____
STREET & ALLEY	_____	_____	_____	_____
PONDING & DRAINAGE	_____	_____	_____	_____
INSTITUTIONAL	_____	_____	_____	_____
OTHER	_____	_____	_____	_____
HORIZON MUNICIPAL FACILITIES	_____	_____	5.4916	_____
TOTAL NO. SITES	_____	_____	_____	1 SITE
TOTAL (GROSS) ACREAGE	_____	_____	5.4916 ACRES	_____

3. WHAT IS THE EXISTING ZONING OF THE PROPERTY DESCRIBED ABOVE? A1 PROPOSED ZONING NOT APPLICABLE

4. WILL THE RESIDENTIAL SITES, AS PROPOSED, PERMIT DEVELOPMENT IN FULL COMPLIANCE WITH ALL ZONING REQUIREMENTS OF THE EXISTING RESIDENTIAL ZONE(S)? YES NO NOT APPLICABLE

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

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

7. IF SINGLE-FAMILY OR DUPLEX DEVELOPMENT IS PROPOSED: AVERAGE FLOOR AREA OF HOUSES NOT APPLICABLE

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 ON-SITE LANDSCAPING

11. REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES: EXPANSION OF TOWN OF HORIZON CITY MUNICIPAL FACILITIES

12. WILL PLAT BE RECORDED PRIOR TO SUBDIVISION IMPROVEMENTS BEING COMPLETED & APPROVED? YES NO N/A INITIALS _____
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13. WILL ANY RESTRICTIONS AND COVENANTS BE RECORDED WITH PLAT? YES NO INITIALS _____ IF YES, PLEASE SUBMIT COPY.

14. OWNER OF RECORD Town Of Horizon City 14999 Darrington Road, Horizon City, Texas 79928 @horizocity.org (915) 852-1046
 (NAME & ADDRESS) (EMAIL) (PHONE)

15. DEVELOPER Town Of Horizon City 14999 Darrington Road, Horizon City, Texas 79928 @horizocity.org (915) 852-1046
 (NAME & ADDRESS) (EMAIL) (PHONE)

16. ENGINEER GRV Integrated Engineering Solutions LLC (GRV) 11385 James Watt Drive, Suite B-13, El Paso, Texas 79936 mgomez@grvies.com (915) 351-6701
 (NAME & ADDRESS) (EMAIL) (PHONE)

17. APPLICANT Town Of Horizon City 14999 Darrington Road, Horizon City, Texas 79928 @horizocity.org (915) 852-1046
 (NAME & ADDRESS) (EMAIL) (PHONE)

18. REP/POINT OF CONTACT Mervin Gomez P.E. (GRV) 11385 James Watt Drive, Suite B-13, El Paso, Texas 79936 mgomez@grvies.com (915) 351-6701
 (NAME & ADDRESS) (EMAIL) (PHONE)

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

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: \$150

CITY CENTER ONE

TRACT 1M, W.J. RAND
SURVEY No. 325, ABST 8814
TOWN OF HORIZON CITY,
EL PASO COUNTY, TEXAS
CONTAINING: 5.4916 ACRES
(239,214 SQUARE FEET)
D E D I C A T I O N

THE TOWN OF HORIZON CITY, TEXAS, property owner of this land hereby presents this plat and dedicate to the use of the public, drives, gas easements, public drainage easements, and utility easements as hereon laid down and designated, including easements for overhead of service wires for pole type utilities, and buried service wires, conduits and pipes for underground utilities, and the right to ingress and egress for service and constructions and the right to trim interfering trees and shrubs.
Witness our signature this _____ day of _____, 2021.

RUBEN MENDOZA MAYOR, TOWN OF HORIZON CITY, TEXAS

A C K N O W L E D G E M E N T

STATE OF TEXAS
COUNTY OF EL PASO
Before me, the undersigned authority, on this personally appeared, MAYOR OF THE TOWN OF HORIZON CITY, known to me to be the person's whose name is subscribed to the foregoing instrument and acknowledge to me that they executed the same for purposes and considerations herein expressed.

Given under my hand and seal of office this _____ day of _____, 2021

NOTARY PUBLIC IN THE COUNTY OF EL PASO, TEXAS MY COMMISSION EXPIRES _____

TOWN OF HORIZON CITY TOWN COUNCIL

This subdivision is hereby approved as to the platting and as to the conditions of the dedication in accordance with Chapter 212 of the Local Government Code of Texas, this _____ day of _____, 2021.

Accepted and adopted by the City Council of Town of Horizon City this _____ day of _____, 2021.

Elvia Schuller, City Clerk Ruben Mendoza, Mayor

Approved for filing this _____ day of _____, 2021.

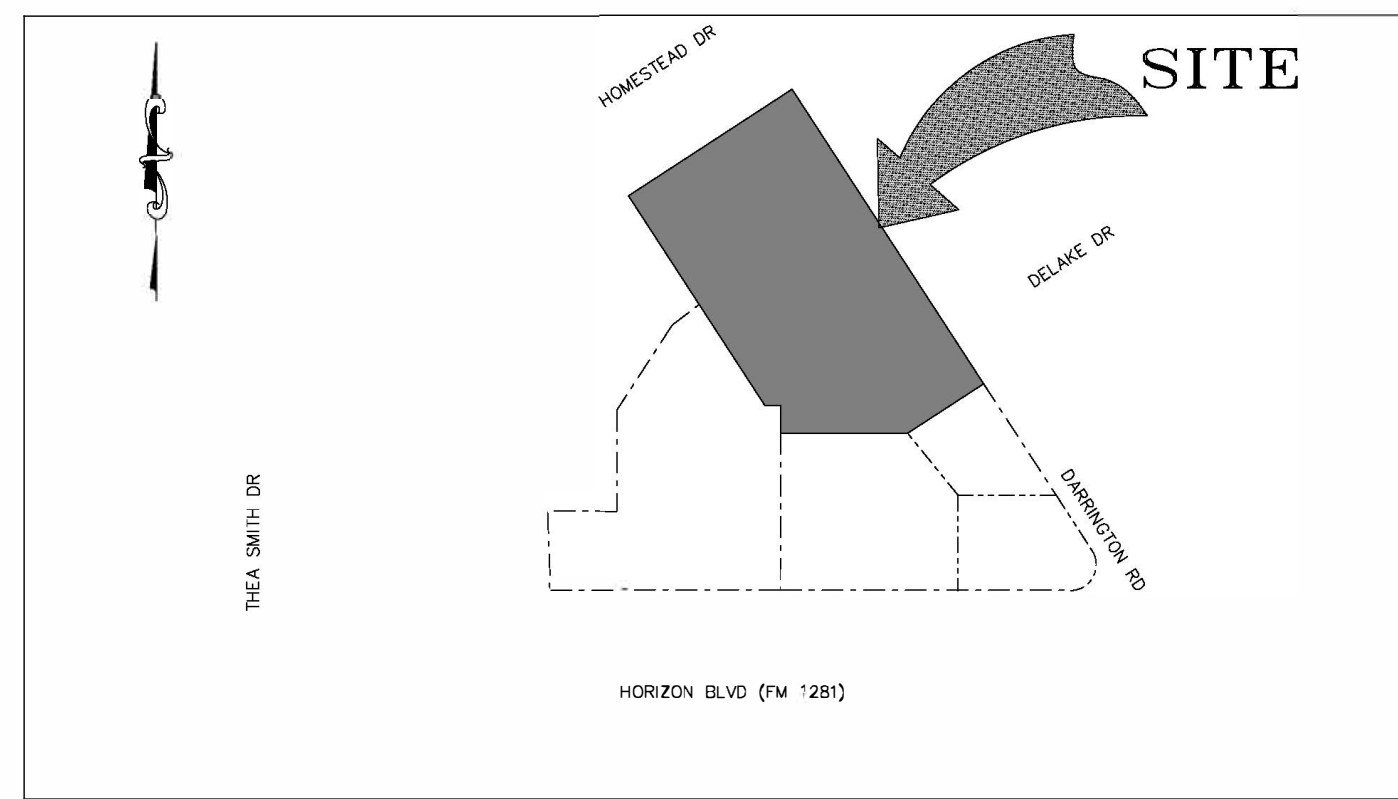
Huitt-Zollars Inc. (Town Engineer)
By: Isabel Vasquez, P.E., Vice President

F I L I N G

Filed and recorded in the office of the County Clerk of El Paso County, Texas, this _____ day of _____, 2021, A.D.

in the plat record, Clerks File No. _____

County Clerk By Deputy



LOCATION MAP
SCALE: 1" = 600'

PLAT NOTES AND RESTRICTIONS:

- This property lies in Zone X, as designated by F.E.M.A.; El Paso County, Community Panel No. 480212 0250 B dated September 4, 1991. "X" are areas determined to be minimal flooding (outside 500-year flood-plain) and by definition is not in a special flood hazard zone.
- Restrictive Covenants for Subdivision are filed in El Paso County Clerk's Office. Instrument No. _____, Date _____.
- Water supply and sewage disposal will be provided by Horizon Regional Municipal Utility District.
- Tax Certificates for the Subdivision are filed in El Paso County Clerk's Office, Instrument No. _____, Date _____.
- Stormwater runoff will be contained in a new ponding area and drainage swales.
- Postal delivery service will be provided by USPS.
- This property may be subject to easement whether of record or not, (not shown).
- The property owners are solely responsible for complying with all title commitment provisions and confirming the size and use of all recorded easements pertaining to this property, in spite of the accuracy or defects of this plat.
- This survey was done without the benefit of a title commitment.
- The retention of the difference between historic and developed storm-water runoff discharge volume is required within the subdivisions' limits in compliance with all provisions of The Town of Horizon City, Texas.
- The Benchmark is located at intersection of Lago Seco Drive and Veny Webb Street with an elevation of 4023.74' based on the North American Vertical Datum of 1988 (N.A.V.D. 88) determined through the City-wide Virtual Reference System (V.R.S.) owned by Allterra Central Data System.

METES AND BOUNDS DESCRIPTION

A 5.4916 ACRE PARCEL OF LAND BEING TRACT 1M, W.J. RAND SURVEY NO. 325, ABST 8814, TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for reference at a city monument at the intersection of Lago Seco Drive and Veny Webb Street (Eastlake Unit One) North THENCE, North 88° 06' 39" West, at a distance of 1891.18' to a POINT OF BEGINNING for reference a found 5/8" rebar set at the common easterly boundary corner of Horizon Heights Unit 2, recorded in Volume 18, Page 53, Plat Records of El Paso County, Texas and Tract 1M, W.J. Rand Survey No. 325 for the following parcel description:

THENCE, South 33° 04' 20" East, with the southwesterly right-of-way line of Darrington Road, a distance of 674.82 feet to a 1/2" rebar set, in the northerly boundary line of Horizon Star Commercial Center Unit 1, Lot 2, Block 1 recorded in Document No. 20160056922, Official Public Records of El Paso County, Texas, for a corner of this parcel;

THENCE, South 56° 55' 40" West, with said northerly boundary line, a distance of 174.15 feet to a 1/2" rebar set for a corner of this parcel;

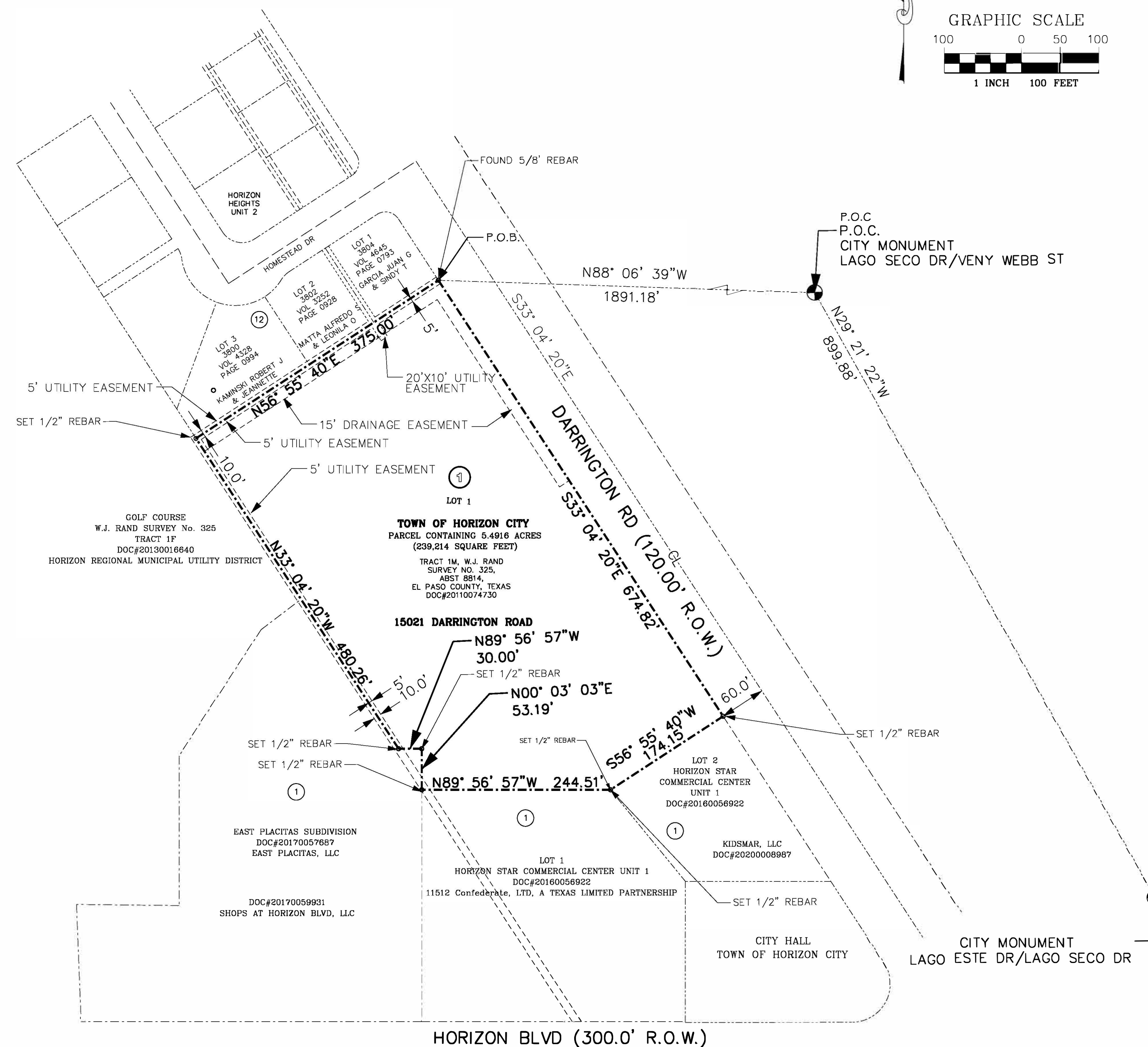
THENCE, North 89° 56' 57" West, continuing with said northerly boundary line, a distance of 244.51 feet to a 1/2" rebar set, in the easterly boundary line of East Placitas Subdivision Block 1, for a corner of this parcel;

THENCE, North 00° 03' 03" East, with said easterly boundary line, a distance of 53.19 feet to a 1/2" rebar set, in the northerly boundary line of said East Placitas Subdivision Block 1, for a corner of this parcel;

THENCE, North 89° 56' 57" West, with said northerly boundary line, a distance of 30.00 feet to a 1/2" rebar set, in the northeasterly boundary line of Golf Course Tract 1F, W.J. Rand Survey No. 325, for a corner of this parcel;

THENCE, North 33° 04' 20" West, with said northeasterly boundary line of said Tract 1F and continuing with the northeasterly boundary line of Golf Course Tract 1F, W.J. Rand Survey No. 325, a distance of 480.26 feet to a 1/2" rebar set lying at the southwesterly boundary corner of Horizon Heights Unit 2, for corner of this parcel;

THENCE, North 56° 55' 40" East, with the southerly boundary line of Horizon Heights Unit 2, a distance of 375.00 feet to the POINT OF BEGINNING.



Name	Address	City & Zip	Phone	Fax
OWNER:	Town of Horizon City	14999 Darrington Rd,	El Paso, TX 79928	(915) 852-1046 (915) 852-1005
ENGINEER:	Marvin H. Gomez, P.E.	11385 James Watt Suite B13,	El Paso, TX 79936	(915) 351-6701 (915) 243-6010
SURVEYOR:	Jose Luis Rodarte, R.P.L.S.	11385 James Watt Suite B13,	El Paso, TX 79936	(915) 351-6701 (915) 243-6010

LEGEND

- PROJECT BOUNDARY
- TRACT/LOT LINE
- EASEMENT
- CENTERLINE OF ROW
- BLOCK NUMBER
- POINT OF BEGINNING
- POINT OF COMMENCEMENT
- DENOTES A 5/8" REBAR FOUND
- DENOTES A 1/2" REBAR SET
- DENOTES A PAINTED "X" SET
- DENOTES A PK NAIL SET
- DENOTES A CITY MONUMENT & BENCHMARK

TOTAL NUMBERS OF LOTS
1 LOT

SCHOOL DISTRICT
SOCORRO INDEPENDENT SCHOOL DISTRICT

DATE OF PREPARATION: AUGUST 9, 2021

GRV PROJECT #20-014

PLAT PREPARED BY:



11385 JAMES WATT DR., SUITE B-13 EL PASO, TX 79936
(915) 351-6701 - FAX: (915) 243-6010
TBP# F#15313 TBP# F#10194278

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

Prepared by and under the supervision of: Marvin H. Gomez Licensed Professional Engineer

JOSE LUIS RODARTE, R.P.L.S.
Registered Professional Land Surveyor Texas License No. 3513

MARVIN H. GOMEZ, Texas P.E. No. 86920



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: September 9, 2021

To: Honorable Mayor and Members of City Council

From: Teresa Quezada, CIP Manager

SUBJECT: **On a Resolution adopting the updated Capital Improvement Program for FY 2022 - FY 2024**

Per the City Charter, staff is presenting the three-year Capital Improvement Program (CIP) for Council's consideration. The CIP includes projects funded through the 2014 Certificates of Obligation, 2019 Certificates of Obligation (2018 CIP), federal funds distributed through the El Paso Metropolitan Organization (MPO), anticipated TRZ funds and other potential funding sources that staff intends to pursue.

Notice of the public hearing on September 14, 2021 was published and posted on the City's website.

The proposed 2022 – 2024 CIP includes

- Projects identified during FY 2021 on the adopted Tax Increment Reinvestment Zone program of work.
- Anticipated capital improvement projects that will result from the Town's ADA transition plan which is currently under development.
- Updates to existing parks that may arise from the adoption of proposed park development standards; the standards will be brought to Council for their consideration during FY 2021-2022.
- Safety lighting projects on N. Kenazo and S. Darrington are also included. These projects were submitted to TxDOT for safety funds and were selected for funding. Design for these projects must be funded with City funds, but staff anticipates construction will be completely funded with federal funds.
- Transportation projects recommended for inclusion in the El Paso Metropolitan Planning Organization's (MPO) 2050 Metropolitan Transportation Plan (MTP). This long-range plan identifies projects of regional significance and includes them in the transportation and air quality modeling the MPO must complete as part of their federal mandate. While these projects are not fully funded, inclusion in the long-range plan allows the Town to pursue federal funding opportunities.

- Unfunded Transportation Projects Council has approved and staff previously submitted to the Metropolitan Planning Organization to consider for the long-term regional transportation plan. Some of these projects are recommended for much later implementation through the 2050 MTP. However, staff anticipates these infrastructure projects remain a capital project need for the community. Given their scope and character, the CIP includes the projects to afford staff the opportunity to develop long-term plans for funding and executing the projects.
- Unfunded projects identified in the 2020 Update to Horizon City's Comprehensive Plan. These projects are primarily recreation facilities.

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

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

Staff recommends approval of the resolution adopting the FY 2022-2024 CIP.

RESOLUTION

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

WHEREAS, the proposed 2022-2024 CIP projects include projects funded through the 2014 issuance of certificates of obligation (“2014 C.O.”) and other street and right-of-way improvements, drainage improvements, park improvements and municipal facilities; and

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

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

WHEREAS, the proposed 2022-2024 CIP Projects include some 2018 CIP projects that were funded through the 2019 issuance of certificates of obligation, which are primarily park improvements and certain planning and design costs relating to proposed Phase I and Phase II municipal facilities and TXDOT project matches that will be funded in future years by additional public finance issuances and other available funding (“2019 C.O.”); and

WHEREAS, the CIP projects in this Annual 2022-2024 CIP also include specific location projects and categorical projects such as Sign Replacement and ADA Ramp Construction, Miscellaneous Drainage Improvements, and Upgrades to Stormwater Ponds and Rockwall Construction which do not indicate specific locations; and

WHEREAS, the City Council desires to ensure that the 2014 C.O. and 2019 C.O. projects listed in this Annual 2022-2024 CIP are completed in a timely manner; and

WHEREAS, the City Council desires to ensure that the 2018 CIP, including 2019 C.O. and Municipal Facility Phase 1 and 2 projects listed in this Annual 2022-2024 CIP are completed in a timely manner; and

WHEREAS, the City Council desires to reaffirm the procedures to consider modifications to the 2014 C.O. and 2019 C.O. project listings during the implementation of the Annual 2022-2024 CIP; and

WHEREAS, the City Council desires to ensure that a 3-year plan in the Annual 2022-2024 CIP includes future projects to be developed as funds become available.

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

1. That the City Council has held public hearing on a proposed three-year 2022-2024 Capital Improvement Program (CIP) on September 14, 2021 required to be approved annually in accordance with Section 5.08 of the Town of Horizon City Charter.
2. That the City Council adopts the Master Capital Improvement Program for 2022-2024 as proposed in Attachment A, which is attached hereto.
3. That City staff will present 2014 C. O. and 2018 CIP project updates in this Annual 2022-2024 CIP at least twice a year to the City Council.
4. That the projects in the 2014 C.O. and 2019 C.O. program continue to be the highest priority projects for the City.
5. That, in the event a 2014 C.O. project requires additional funding to carry out the project goals and objectives, the Mayor shall recommend to the City Council that it allocate funding to the project from within the 2014 C.O. program.
6. That, in the event, a 2014 C.O. project is deemed unfeasible, the Mayor shall recommend to the City Council that it delete the project from the 2014 C.O. program
7. That, in the event a project is deleted from the 2014 C.O. program, the Mayor shall recommend changes to the project listing in the following order of priority:
 - a. Additional locations to the categorical projects as the first option to utilize the capital funds made available due to the original project's deletion.
 - b. Additional and enhanced scope to other projects in the 2014 C.O. Program as the second option to utilize the capital funds made available due to the original project's deletion.
 - c. That the capital funds made available due to the original project's deletion be used as match for a project eligible for federal or state funding.
 - d. That the capital funds made available due to the original project's deletion be used to begin developing an unfunded street and drainage project listed in Attachment A.
 - e. That the capital funds made available due to the original project's deletion be used to retire debt.
8. That, in the event a project or projects in the 2014 C.O. program result in savings, the Mayor shall recommend to the City Council that the balance within the project be utilized in the same order of priority as would be utilized for a deleted project.
9. That, with regard to the 2019 C.O. projects, the City establishes the following procedures:
 - a. That, in the event a 2019 C.O. project requires additional funding to carry out the project goals and objectives, the Mayor shall recommend to the City Council funding the project from within the 2019 C.O..
 - b. That, in the event a 2019 C.O. project is deemed unfeasible, the Mayor shall recommend to the City Council that it delete the project from the 2019 C.O. list

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

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:

Theresa Cullen
Assistant City Attorney

Michelle Padilla, AICP
Planning Director

Teresa Quezada, Ph.D.
CIP Manager

ATTACHMENT A

MASTER CAPITAL IMPROVEMENT PROGRAM FY 2022 to FY 2024

In accordance with Section 5.08 of the Town of Horizon City Charter, the following three-year capital program is submitted for adoption.

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

Proposed funding sources include:

Certificates of Obligation (2014 and 2019)	CO
Coordinated Border Infrastructure (federal funds available from MPO)	CBI
Parkland Dedication Fees	Park Fees
Surface Transportation Program (federal funds available from MPO)	STP
Transportation Alternatives Program (federal funds available from MPO)	TAP
Transportation Alternatives Set-Aside (Replaced TAP)	TASA
Tax Increment Reinvestment Zone (adopted December 2020) TIRZ #1	
Transportation Reinvestment Zone #2 (adopted December 2014)	TRZ #1
U.S. Department of Agriculture – Loan Program	USDA
Coronavirus Aid, Relief, and Economic Security Act	CARES

Tables continue on following pages.

**FY 2022 - FY 2024 CIP
Funded and Unfunded Projects**

Project Type	Project Name	Project Estimate	FY2022	FY 2023	FY 2024	Funding Source(s)
STREET IMPROVEMENTS	Sign Replacement & ADA Ramp Construction	223,829	Assessment			FY 2014 C.O.s
STREET IMPROVEMENTS	Oxbow Street Improvements	469,466	Construct			FY 2014 C.O.s
STREET IMPROVEMENTS	Pawling Drive Improvements	426,371	Construct			FY 2014 C.O.s
STREET IMPROVEMENTS	Pavement Management Information System	69,689	Purchase			FY 2014 C.O.s
DRAINAGE IMPROVEMENTS	Carson Dr. Drainage Improvements	756,155				FY 2014 C.O.s
DRAINAGE IMPROVEMENTS	Miscellaneous Drainage Improvements	1,000,000	Design & Construct			FY 2014 C.O.s
DRAINAGE IMPROVEMENTS	Upgrades to storm water ponds & rock wall construction	83,998	Design & Construct			FY 2014 C.O.s
STREET IMPROVEMENTS	ADA Transition Plan	TBD	Procure & Develop			FY 2014 C.O.s
STREET IMPROVEMENTS	N. Kenazo Ave. Safety Lighting	500,000	Design	Construct		FY 2014 C.O.s for design

Project Type	Project Name	Project Estimate	FY2022	FY 2023	FY 2024	Funding Source(s)
STREET IMPROVEMENTS	Darrington Rd. Safety Lighting	1,000,000	Design	Construct		FY 2014 C.O.s for design
STREET IMPROVEMENTS	N. Darrington Reconstruction	15,600,000	Construct	Construct		2014 C.O.s and federal & state funding
STREET IMPROVEMENTS	S. Darrington Rd. Repaving	13,450,000				TBD
STREET IMPROVEMENTS	N. Kenazo Ave. Reconstruction	15,703,000				TBD
STREET IMPROVEMENTS	S. Kenazo Ave. Reconstruction	9,530,000				TBD
STREET IMPROVEMENTS	Kenazo Dr. Extension	6,177,000				TBD
STREET IMPROVEMENTS	Alberton Ave./Antwerp Rd. Construction	16,519,000				TBD
RECREATIONAL FACILITIES	Golden Eagle Park Improvements including Illumination and Splash Pad	3,528,000	Closeout			2018 CIP
RECREATIONAL FACILITIES	Corky Park Improvements including illumination and skate park	2,096,000	Construct			2018 CIP

Project Type	Project Name	Project Estimate	FY2022	FY 2023	FY 2024	Funding Source(s)
RECREATIONAL FACILITIES	New Municipal Ball Park	4,273,000	Market Analysis/ Property Acquisition/ Design	Design	Construct	2018 CIP
RECREATIONAL FACILITIES	Benton/Ryderwood Dog Park	787,000	Design & Construct	Construct		2018 CIP
RECREATIONAL FACILITIES	Horizon Blvd. Path Solar Lighting & Ensor/Welch path bollard lighting	615,000	Design/ Construct	Construct		2018 CIP
RECREATIONAL FACILITIES	Duaneburg to Carroll T. Welch Open Space Path	TBD	Design	Construct		TBD
RECREATIONAL FACILITIES	Build a multi-purpose community recreation Center - Comp Plan 2030	TBD		Planning		TBD
DRAINAGE IMPROVEMENTS	Master Drainage Study	TBD				TBD
MUNICIPAL FACILITIES	Municipal Facilities - Police Facilities and City Hall	TBD	Construct			2018 CIP/USDA funding
MUNICIPAL FACILITIES	Municipal Facilities - Phase 1 - Police Facilities, Public Works and temporary Council Chambers/Municipal Court	11,000,000	Construct			2018 CIP/USDA funding

Project Type	Project Name	Project Estimate	FY2022	FY 2023	FY 2024	Funding Source(s)
MUNICIPAL FACILITIES	Municipal Facilities - Phase 2 - Town Hall and Municipal Court (permanent)	13,400,000	Land Acquisiton/ Design			Local funds/USDA funding/TIRZ
MUNICIPAL FACILITIES	Transit Plaza - first phase of TOD	3,200,000	Land Acquisiton/ Design			TIRZ/Others
RECREATIONAL FACILITIES	Renovate Oz Glaze Center		TBD	TBD		TBD
RECREATIONAL FACILITIES	Update and expand Hike and Bike Trails		TBD	TBD		TBD
RECREATIONAL FACILITIES	Develop a Community Pool		TBD	TBD		TBD
RECREATIONAL FACILITIES	Upgrades to Parks to meet proposed standards	TBD	Assessment	Phase 1	Phase 2	TBD
RECREATIONAL FACILITIES	ADA Transition Plan - Implementation	TBD	Assessment	Phase 1	Phase 2	TBD
STREET IMPROVEMENTS	School Zone Upgrades	TBD				TBD
STREET IMPROVEMENTS	Darrington Illumination	TBD				TBD
STREET IMPROVEMENTS	Sidewalk Construction on Arterials & Collectors	TBD				TBD
STREET IMPROVEMENTS	New Traffic Signals/ Roundabouts	TBD				TBD

Project Type	Project Name	Project Estimate	FY2022	FY 2023	FY 2024	Funding Source(s)
DRAINAGE IMPROVEMENTS	Drainage & ROW Improvements - Horizon Blvd.	TBD				TBD
STREET IMPROVEMENTS	McMahon Street Improvements	TBD				TBD
STREET IMPROVEMENTS	Breaux Street Improvements (from Horizon Blvd. to Nunda)	TBD				Street Maintenance Fund
STREET IMPROVEMENTS	Texas Rainbow Extension to N. Kenazo	TBD				TBD
STREET IMPROVEMENTS	Duanesburg Street Improvements (from Horizon Blvd. to S. Kenazo)	TBD				TBD
STREET IMPROVEMENTS	Dilley & Delake	8,700,000	Design			TIRZ/Others
STREET IMPROVEMENTS	Howard Lowe Rd. Improvements	TBD				TBD
STREET IMPROVEMENTS	N. Darrington Resurfacing	855,000	Construct			Street Maintenance Fund
STREET IMPROVEMENTS	ADA Transition Plan - Implementation	TBD	Assessment	Phase 1	Phase 2	TBD
	Total	129,962,508				

Town of Horizon City
Capital Planning and Budgeting
Capital Improvement Program and Acquisition Guidelines

CAPITAL IMPROVEMENT PROGRAM

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

Definitions

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

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

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

Policies and Procedures

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

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

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

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

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

CAPITAL ACQUISITION

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

Definitions

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

Policies and Procedures

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

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

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

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

Town of Horizon City Capital Improvement Program

Council Meeting
September 14, 2021

Capital Program

Per Charter requirement for 3-year program,
submitted to Council.

Initial presentation on May 24, 2021.

Updates to Current Plan

TxDOT-funded

- Horizon Blvd. Medians
- Horizon Blvd. Walking Path –Green Ribbon Program increased vegetation
- Horizon Blvd. at Town Crossing intersection signal installation

Program of Work Estimates

Project	Estimated Project Costs
Dilley and Delake Drainage Infrastructure	\$2,700,000
Dilley and Delake Street Infrastructure	\$4,200,000
Dilley and Delake Water and Wastewater Infrastructure	\$1,800,000
Shared Use Path along Darrington Rd.	\$650,000
Transit Center and Parking Lot	\$3,200,000
Municipal Court	\$4,700,000
City Hall	\$8,700,000
TOTALS	\$25,950,000

Safety Lighting Projects

- Town is 100% responsible for design
- Construction is 100% funded through federal funds
- **N. Kenazo Ave Safety Lighting – FY 2022**
 - Total project budget: \$500,000
 - Estimated City Cost: \$100,000
- **S. Darrington Rd. Safety Lighting – FY 2023**
 - Total project budget: \$1,000,000
 - Estimated City Cost: \$ 200,000

ADA Transition

- Developing scope of work for assessment
- Consultant selection – late fall 2021 through A/E process

Park Upgrades

- Staff developing new park standards
- Assess existing facilities to ensure they meet the minimums
- Develop phased plan for upgrades

Capital Improvement Plan

Master Capital Improvement Program Funded Projects – 2014 CIP

Project	Estimate	FY 2022	FY 2023	FY2024	Status
Sign Replacement & ADA Ramp Construction	223,829	Assessment			Available funding to be used for ADA transition plan

Master Capital Improvement Program

Funded Projects – 2014 CIP

Project	Estimate	FY 2022	FY 2023	FY2024	Status
Oxbow Street Improv.	469,466	Construct			Coordinating with HRMUD work.
Pawling Dr. Improv.	426,371	Construct			
Pavement Mgmt. Information System	69,689	Purchase			Comprehensive Plan Action Item

Master Capital Improvement Program Funded Projects – 2014 CIP

Project	Estimate	FY 2022	FY2023	FY 2024	Status
Carson Dr. Drainage Improv.	756,155	Potential Reprogram			Evaluate funding for N. Darrington Reconstruction Match
Misc. Drainage Improv.	1,000,000	Potential Reprogram			Evaluate funding for N. Darrington Reconstruction Match

Master Capital Improvement Program Funded Projects – 2014 CIP

Project	Estimate	FY2022	FY2023	FY2024	Status
Upgrades to storm water ponds & rock wall construction	83,998	Program			Evaluate eligible projects

Master Capital Improvement Program Funded Projects – 2014 CIP

Project	Estimate	FY2022	FY2023	FY2024	Status
ADA Transition Plan	TBD	Procure services & develop			Finalizing scope of work
N. Kenazo Ave. Safety Lighting	500,000	Design	Construct		Identify funding
S. Darrington Rd. Safety Lighting	1,000,000	Design	Construct		Identify funding

Unfunded Capital Improvement Program FY 2022- 2024

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024 & Beyond
STREET IMPROVEMENTS	N. Darrington Reconstruction	15,600,000	Design	Construct	Construct
STREET IMPROVEMENTS	S. Darrington Rd. Repaving	13,450,000			2041
STREET IMPROVEMENTS	N. Kenazo Ave. Reconstruction	15,703,000			2041
STREET IMPROVEMENTS	S. Kenazo Ave. Reconstruction	9,530,000			TBD
STREET IMPROVEMENTS	Kenazo Dr. Extension	6,177,000			TBD
STREET IMPROVEMENTS	Alberton Ave. / Antwerp Rd. Construction	16,519,000			2041

Blue font represents the programming year in the proposed 2050 MTP at the MPO.

Master Capital Improvement Program Funded Projects – 2018 CIP

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024	Status
RECREATIONAL FACILITIES	Golden Eagle Park Improvements including Illumination and Splash Pad	3,528,000	Closeout			Closeout process
RECREATIONAL FACILITIES	Corky Park Improvements including illumination and skate park	2,096,000	Construct			Under construction

Master Capital Improvement Program

Funded Projects – 2018 CIP

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024	Status
RECREATIONAL FACILITIES	New Municipal Ball Park	4,273,000	Market Analysis/ Land Acq. & Design	Design	Construct	Comp.Plan Action
RECREATIONAL FACILITIES	Benton/ Ryderwood Dog Park	787,000	Design	Construct		
RECREATIONAL FACILITIES	Horizon Blvd. Path Solar Lighting & Ensor/Welch path bollard lighting	615,000	Design	Construct		

Unfunded Capital Improvement Program FY 2022- 2024

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024 & Beyond
RECREATIONAL FACILITIES	Duaneburg to Carroll T. Welch Open Space Path	TBD	Design	Construct	
RECREATIONAL FACILITIES	Multipurpose Center	TBD		Planning	
DRAINAGE IMPROVEMENTS	Master Drainage Study	TBD			

Unfunded Capital Improvement Program FY 2022- 2024

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024 & Beyond
MUNICIPAL FACILITIES	Municipal Facilities Ph. 1	11,000,000	Construct	Construct	
MUNICIPAL FACILITIES	Municipal Facilities Ph. 2	13,400,000	Land Acq./ Design	Design	Construct
MUNICIPAL FACILITIES	Transit Plaza @ TOD	3,200,000	Land Acq./ Design	Design/ Construct	

Unfunded Capital Improvement Program FY 2022- 2024

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024 & Beyond
RECREATIONAL FACILITIES	Renovate Oz Glaze Senior Center	TBD			Comprehensive plan In 6 to 10 years
RECREATIONAL FACILITIES	Update and Expand Hike and Bike Trails	TBD			Comprehensive Plan Within next 5 years
RECREATIONAL FACILITIES	Develop a community pool	TBD			Comprehensive plan In 6 to 10 years
RECREATIONAL FACILITIES	Park Upgrades – New Standards	TBD	Assess	Phase 1	
RECREATIONAL FACILITIES	ADA Transition Plan – Implementation	TBD	Assess	Phase 1	

Unfunded Capital Improvement Program

FY 2022- 2024

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024 & Beyond	Funding Source
STREET IMPROVEMENTS	School Zone upgrades	TBD				TBD
STREET IMPROVEMENTS	Sidewalk construction on Arterials & Collectors	TBD				TBD
STREET IMPROVEMENTS	Darrington Illumination	TBD				TBD
STREET IMPROVEMENTS	New Traffic Signals/Roundabouts	TBD				TBD
STREET IMPROVEMENTS	Drainage & ROW Improvements – Horizon Blvd.	TBD				TBD

Unfunded Capital Improvement Program

FY 2022- 2024

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024 & Beyond	Funding Source
STREET IMPROVEMENTS	McMahon Street Improvements	TBD				TBD
STREET IMPROVEMENTS	Breaux Street Improvements (from Horizon Blvd. to Nunda)	TBD				TBD
STREET IMPROVEMENTS	Texas Rainbow Extension to N. Kenazo	TBD				TBD
STREET IMPROVEMENTS	Duanesburg Street Improvements (from Horizon Blvd. to S. Kenazo)	TBD				TBD

Unfunded Capital Improvement Program FY 2022- 2024

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024 & Beyond	Funding Source
STREET IMPROVEMENTS	Dilley Dr. & Delake Dr.	8,700,000		Design		TIRZ/ Others
STREET IMPROVEMENTS	Howard Lowe Rd. Improvements	TBD				TBD
STREET IMPROVEMENTS	N. Darrington Resurfacing	855,000	Construct	Construct		Street Maint.
STREET IMPROVEMENTS	ADA Transition Plan	TBD	Assess	Phase 1	Phase 2	TBD

CIP Totals:

\$129,962,508

Projects by Category

Category	Amount
2014 CIP Projects	\$3,029,508
2018 CIP Projects	\$11,299,000
Unfunded Projects	\$115,634,000
Total Funded and Unfunded Projects	\$129,962,508

Town of Horizon City Capital Improvement Program

Council Meeting

May 24, 2021



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: September 9, 2021

To: Honorable Mayor and Members of City Council

From: Teresa Quezada, CIP Manager

SUBJECT: **On a Resolution adopting the updated Capital Improvement Program for FY 2022 - FY 2024**

Per the City Charter, staff is presenting the three-year Capital Improvement Program (CIP) for Council's consideration. The CIP includes projects funded through the 2014 Certificates of Obligation, 2019 Certificates of Obligation (2018 CIP), federal funds distributed through the El Paso Metropolitan Organization (MPO), anticipated TRZ funds and other potential funding sources that staff intends to pursue.

Notice of the public hearing on September 14, 2021 was published and posted on the City's website.

The proposed 2022 – 2024 CIP includes

- Projects identified during FY 2021 on the adopted Tax Increment Reinvestment Zone program of work.
- Anticipated capital improvement projects that will result from the Town's ADA transition plan which is currently under development.
- Updates to existing parks that may arise from the adoption of proposed park development standards; the standards will be brought to Council for their consideration during FY 2021-2022.
- Safety lighting projects on N. Kenazo and S. Darrington are also included. These projects were submitted to TxDOT for safety funds and were selected for funding. Design for these projects must be funded with City funds, but staff anticipates construction will be completely funded with federal funds.
- Transportation projects recommended for inclusion in the El Paso Metropolitan Planning Organization's (MPO) 2050 Metropolitan Transportation Plan (MTP). This long-range plan identifies projects of regional significance and includes them in the transportation and air quality modeling the MPO must complete as part of their federal mandate. While these projects are not fully funded, inclusion in the long-range plan allows the Town to pursue federal funding opportunities.

- Unfunded Transportation Projects Council has approved and staff previously submitted to the Metropolitan Planning Organization to consider for the long-term regional transportation plan. Some of these projects are recommended for much later implementation through the 2050 MTP. However, staff anticipates these infrastructure projects remain a capital project need for the community. Given their scope and character, the CIP includes the projects to afford staff the opportunity to develop long-term plans for funding and executing the projects.
- Unfunded projects identified in the 2020 Update to Horizon City's Comprehensive Plan. These projects are primarily recreation facilities.

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

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

Staff recommends approval of the resolution adopting the FY 2022-2024 CIP.

RESOLUTION

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

WHEREAS, the proposed 2022-2024 CIP projects include projects funded through the 2014 issuance of certificates of obligation (“2014 C.O.”) and other street and right-of-way improvements, drainage improvements, park improvements and municipal facilities; and

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

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

WHEREAS, the proposed 2022-2024 CIP Projects include some 2018 CIP projects that were funded through the 2019 issuance of certificates of obligation, which are primarily park improvements and certain planning and design costs relating to proposed Phase I and Phase II municipal facilities and TXDOT project matches that will be funded in future years by additional public finance issuances and other available funding (“2019 C.O.”); and

WHEREAS, the CIP projects in this Annual 2022-2024 CIP also include specific location projects and categorical projects such as Sign Replacement and ADA Ramp Construction, Miscellaneous Drainage Improvements, and Upgrades to Stormwater Ponds and Rockwall Construction which do not indicate specific locations; and

WHEREAS, the City Council desires to ensure that the 2014 C.O. and 2019 C.O. projects listed in this Annual 2022-2024 CIP are completed in a timely manner; and

WHEREAS, the City Council desires to ensure that the 2018 CIP, including 2019 C.O. and Municipal Facility Phase 1 and 2 projects listed in this Annual 2022-2024 CIP are completed in a timely manner; and

WHEREAS, the City Council desires to reaffirm the procedures to consider modifications to the 2014 C.O. and 2019 C.O. project listings during the implementation of the Annual 2022-2024 CIP; and

WHEREAS, the City Council desires to ensure that a 3-year plan in the Annual 2022-2024 CIP includes future projects to be developed as funds become available.

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

1. That the City Council has held public hearing on a proposed three-year 2022-2024 Capital Improvement Program (CIP) on September 14, 2021 required to be approved annually in accordance with Section 5.08 of the Town of Horizon City Charter.
2. That the City Council adopts the Master Capital Improvement Program for 2022-2024 as proposed in Attachment A, which is attached hereto.
3. That City staff will present 2014 C. O. and 2018 CIP project updates in this Annual 2022-2024 CIP at least twice a year to the City Council.
4. That the projects in the 2014 C.O. and 2019 C.O. program continue to be the highest priority projects for the City.
5. That, in the event a 2014 C.O. project requires additional funding to carry out the project goals and objectives, the Mayor shall recommend to the City Council that it allocate funding to the project from within the 2014 C.O. program.
6. That, in the event, a 2014 C.O. project is deemed unfeasible, the Mayor shall recommend to the City Council that it delete the project from the 2014 C.O. program
7. That, in the event a project is deleted from the 2014 C.O. program, the Mayor shall recommend changes to the project listing in the following order of priority:
 - a. Additional locations to the categorical projects as the first option to utilize the capital funds made available due to the original project's deletion.
 - b. Additional and enhanced scope to other projects in the 2014 C.O. Program as the second option to utilize the capital funds made available due to the original project's deletion.
 - c. That the capital funds made available due to the original project's deletion be used as match for a project eligible for federal or state funding.
 - d. That the capital funds made available due to the original project's deletion be used to begin developing an unfunded street and drainage project listed in Attachment A.
 - e. That the capital funds made available due to the original project's deletion be used to retire debt.
8. That, in the event a project or projects in the 2014 C.O. program result in savings, the Mayor shall recommend to the City Council that the balance within the project be utilized in the same order of priority as would be utilized for a deleted project.
9. That, with regard to the 2019 C.O. projects, the City establishes the following procedures:
 - a. That, in the event a 2019 C.O. project requires additional funding to carry out the project goals and objectives, the Mayor shall recommend to the City Council funding the project from within the 2019 C.O..
 - b. That, in the event a 2019 C.O. project is deemed unfeasible, the Mayor shall recommend to the City Council that it delete the project from the 2019 C.O. list

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

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:

Theresa Cullen
Assistant City Attorney

Michelle Padilla, AICP
Planning Director

Teresa Quezada, Ph.D.
CIP Manager

ATTACHMENT A

MASTER CAPITAL IMPROVEMENT PROGRAM FY 2022 to FY 2024

In accordance with Section 5.08 of the Town of Horizon City Charter, the following three-year capital program is submitted for adoption.

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

Proposed funding sources include:

Certificates of Obligation (2014 and 2019)	CO
Coordinated Border Infrastructure (federal funds available from MPO)	CBI
Parkland Dedication Fees	Park Fees
Surface Transportation Program (federal funds available from MPO)	STP
Transportation Alternatives Program (federal funds available from MPO)	TAP
Transportation Alternatives Set-Aside (Replaced TAP)	TASA
Tax Increment Reinvestment Zone (adopted December 2020) TIRZ #1	
Transportation Reinvestment Zone #2 (adopted December 2014)	TRZ #1
U.S. Department of Agriculture – Loan Program	USDA
Coronavirus Aid, Relief, and Economic Security Act	CARES

Tables continue on following pages.

**FY 2022 - FY 2024 CIP
Funded and Unfunded Projects**

Project Type	Project Name	Project Estimate	FY2022	FY 2023	FY 2024	Funding Source(s)
STREET IMPROVEMENTS	Sign Replacement & ADA Ramp Construction	223,829	Assessment			FY 2014 C.O.s
STREET IMPROVEMENTS	Oxbow Street Improvements	469,466	Construct			FY 2014 C.O.s
STREET IMPROVEMENTS	Pawling Drive Improvements	426,371	Construct			FY 2014 C.O.s
STREET IMPROVEMENTS	Pavement Management Information System	69,689	Purchase			FY 2014 C.O.s
DRAINAGE IMPROVEMENTS	Carson Dr. Drainage Improvements	756,155				FY 2014 C.O.s
DRAINAGE IMPROVEMENTS	Miscellaneous Drainage Improvements	1,000,000	Design & Construct			FY 2014 C.O.s
DRAINAGE IMPROVEMENTS	Upgrades to storm water ponds & rock wall construction	83,998	Design & Construct			FY 2014 C.O.s
STREET IMPROVEMENTS	ADA Transition Plan	TBD	Procure & Develop			FY 2014 C.O.s
STREET IMPROVEMENTS	N. Kenazo Ave. Safety Lighting	500,000	Design	Construct		FY 2014 C.O.s for design

Project Type	Project Name	Project Estimate	FY2022	FY 2023	FY 2024	Funding Source(s)
STREET IMPROVEMENTS	Darrington Rd. Safety Lighting	1,000,000	Design	Construct		FY 2014 C.O.s for design
STREET IMPROVEMENTS	N. Darrington Reconstruction	15,600,000	Construct	Construct		2014 C.O.s and federal & state funding
STREET IMPROVEMENTS	S. Darrington Rd. Repaving	13,450,000				TBD
STREET IMPROVEMENTS	N. Kenazo Ave. Reconstruction	15,703,000				TBD
STREET IMPROVEMENTS	S. Kenazo Ave. Reconstruction	9,530,000				TBD
STREET IMPROVEMENTS	Kenazo Dr. Extension	6,177,000				TBD
STREET IMPROVEMENTS	Alberton Ave./Antwerp Rd. Construction	16,519,000				TBD
RECREATIONAL FACILITIES	Golden Eagle Park Improvements including Illumination and Splash Pad	3,528,000	Closeout			2018 CIP
RECREATIONAL FACILITIES	Corky Park Improvements including illumination and skate park	2,096,000	Construct			2018 CIP

Project Type	Project Name	Project Estimate	FY2022	FY 2023	FY 2024	Funding Source(s)
RECREATIONAL FACILITIES	New Municipal Ball Park	4,273,000	Market Analysis/ Property Acquisition/ Design	Design	Construct	2018 CIP
RECREATIONAL FACILITIES	Benton/Ryderwood Dog Park	787,000	Design & Construct	Construct		2018 CIP
RECREATIONAL FACILITIES	Horizon Blvd. Path Solar Lighting & Ensor/Welch path bollard lighting	615,000	Design/ Construct	Construct		2018 CIP
RECREATIONAL FACILITIES	Duaneburg to Carroll T. Welch Open Space Path	TBD	Design	Construct		TBD
RECREATIONAL FACILITIES	Build a multi-purpose community recreation Center - Comp Plan 2030	TBD		Planning		TBD
DRAINAGE IMPROVEMENTS	Master Drainage Study	TBD				TBD
MUNICIPAL FACILITIES	Municipal Facilities - Police Facilities and City Hall	TBD	Construct			2018 CIP/USDA funding
MUNICIPAL FACILITIES	Municipal Facilities - Phase 1 - Police Facilities, Public Works and temporary Council Chambers/Municipal Court	11,000,000	Construct			2018 CIP/USDA funding

Project Type	Project Name	Project Estimate	FY2022	FY 2023	FY 2024	Funding Source(s)
MUNICIPAL FACILITIES	Municipal Facilities - Phase 2 - Town Hall and Municipal Court (permanent)	13,400,000	Land Acquisiton/ Design			Local funds/USDA funding/TIRZ
MUNICIPAL FACILITIES	Transit Plaza - first phase of TOD	3,200,000	Land Acquisiton/ Design			TIRZ/Others
RECREATIONAL FACILITIES	Renovate Oz Glaze Center		TBD	TBD		TBD
RECREATIONAL FACILITIES	Update and expand Hike and Bike Trails		TBD	TBD		TBD
RECREATIONAL FACILITIES	Develop a Community Pool		TBD	TBD		TBD
RECREATIONAL FACILITIES	Upgrades to Parks to meet proposed standards	TBD	Assessment	Phase 1	Phase 2	TBD
RECREATIONAL FACILITIES	ADA Transition Plan - Implementation	TBD	Assessment	Phase 1	Phase 2	TBD
STREET IMPROVEMENTS	School Zone Upgrades	TBD				TBD
STREET IMPROVEMENTS	Darrington Illumination	TBD				TBD
STREET IMPROVEMENTS	Sidewalk Construction on Arterials & Collectors	TBD				TBD
STREET IMPROVEMENTS	New Traffic Signals/ Roundabouts	TBD				TBD

Project Type	Project Name	Project Estimate	FY2022	FY 2023	FY 2024	Funding Source(s)
DRAINAGE IMPROVEMENTS	Drainage & ROW Improvements - Horizon Blvd.	TBD				TBD
STREET IMPROVEMENTS	McMahon Street Improvements	TBD				TBD
STREET IMPROVEMENTS	Breaux Street Improvements (from Horizon Blvd. to Nunda)	TBD				Street Maintenance Fund
STREET IMPROVEMENTS	Texas Rainbow Extension to N. Kenazo	TBD				TBD
STREET IMPROVEMENTS	Duanesburg Street Improvements (from Horizon Blvd. to S. Kenazo)	TBD				TBD
STREET IMPROVEMENTS	Dilley & Delake	8,700,000	Design			TIRZ/Others
STREET IMPROVEMENTS	Howard Lowe Rd. Improvements	TBD				TBD
STREET IMPROVEMENTS	N. Darrington Resurfacing	855,000	Construct			Street Maintenance Fund
STREET IMPROVEMENTS	ADA Transition Plan - Implementation	TBD	Assessment	Phase 1	Phase 2	TBD
	Total	129,962,508				

Town of Horizon City
Capital Planning and Budgeting
Capital Improvement Program and Acquisition Guidelines

CAPITAL IMPROVEMENT PROGRAM

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

Definitions

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

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

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

Policies and Procedures

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

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

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

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

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

CAPITAL ACQUISITION

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

Definitions

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

Policies and Procedures

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

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

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

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

Town of Horizon City Capital Improvement Program

Council Meeting
September 14, 2021

Capital Program

Per Charter requirement for 3-year program,
submitted to Council.

Initial presentation on May 24, 2021.

Updates to Current Plan

TxDOT-funded

- Horizon Blvd. Medians
- Horizon Blvd. Walking Path –Green Ribbon Program increased vegetation
- Horizon Blvd. at Town Crossing intersection signal installation

Program of Work Estimates

Project	Estimated Project Costs
Dilley and Delake Drainage Infrastructure	\$2,700,000
Dilley and Delake Street Infrastructure	\$4,200,000
Dilley and Delake Water and Wastewater Infrastructure	\$1,800,000
Shared Use Path along Darrington Rd.	\$650,000
Transit Center and Parking Lot	\$3,200,000
Municipal Court	\$4,700,000
City Hall	\$8,700,000
TOTALS	\$25,950,000

Safety Lighting Projects

- Town is 100% responsible for design
- Construction is 100% funded through federal funds
- **N. Kenazo Ave Safety Lighting – FY 2022**
 - Total project budget: \$500,000
 - Estimated City Cost: \$100,000
- **S. Darrington Rd. Safety Lighting – FY 2023**
 - Total project budget: \$1,000,000
 - Estimated City Cost: \$ 200,000

ADA Transition

- Developing scope of work for assessment
- Consultant selection – late fall 2021 through A/E process

Park Upgrades

- Staff developing new park standards
- Assess existing facilities to ensure they meet the minimums
- Develop phased plan for upgrades

Capital Improvement Plan

Master Capital Improvement Program Funded Projects – 2014 CIP

Project	Estimate	FY 2022	FY 2023	FY2024	Status
Sign Replacement & ADA Ramp Construction	223,829	Assessment			Available funding to be used for ADA transition plan

Master Capital Improvement Program

Funded Projects – 2014 CIP

Project	Estimate	FY 2022	FY 2023	FY2024	Status
Oxbow Street Improv.	469,466	Construct			Coordinating with HRMUD work.
Pawling Dr. Improv.	426,371	Construct			
Pavement Mgmt. Information System	69,689	Purchase			Comprehensive Plan Action Item

Master Capital Improvement Program Funded Projects – 2014 CIP

Project	Estimate	FY 2022	FY2023	FY 2024	Status
Carson Dr. Drainage Improv.	756,155	Potential Reprogram			Evaluate funding for N. Darrington Reconstruction Match
Misc. Drainage Improv.	1,000,000	Potential Reprogram			Evaluate funding for N. Darrington Reconstruction Match

Master Capital Improvement Program Funded Projects – 2014 CIP

Project	Estimate	FY2022	FY2023	FY2024	Status
Upgrades to storm water ponds & rock wall construction	83,998	Program			Evaluate eligible projects

Master Capital Improvement Program Funded Projects – 2014 CIP

Project	Estimate	FY2022	FY2023	FY2024	Status
ADA Transition Plan	TBD	Procure services & develop			Finalizing scope of work
N. Kenazo Ave. Safety Lighting	500,000	Design	Construct		Identify funding
S. Darrington Rd. Safety Lighting	1,000,000	Design	Construct		Identify funding

Unfunded Capital Improvement Program FY 2022- 2024

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024 & Beyond
STREET IMPROVEMENTS	N. Darrington Reconstruction	15,600,000	Design	Construct	Construct
STREET IMPROVEMENTS	S. Darrington Rd. Repaving	13,450,000			2041
STREET IMPROVEMENTS	N. Kenazo Ave. Reconstruction	15,703,000			2041
STREET IMPROVEMENTS	S. Kenazo Ave. Reconstruction	9,530,000			TBD
STREET IMPROVEMENTS	Kenazo Dr. Extension	6,177,000			TBD
STREET IMPROVEMENTS	Alberton Ave. / Antwerp Rd. Construction	16,519,000			2041

Blue font represents the programming year in the proposed 2050 MTP at the MPO.

Master Capital Improvement Program Funded Projects – 2018 CIP

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024	Status
RECREATIONAL FACILITIES	Golden Eagle Park Improvements including Illumination and Splash Pad	3,528,000	Closeout			Closeout process
RECREATIONAL FACILITIES	Corky Park Improvements including illumination and skate park	2,096,000	Construct			Under construction

Master Capital Improvement Program

Funded Projects – 2018 CIP

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024	Status
RECREATIONAL FACILITIES	New Municipal Ball Park	4,273,000	Market Analysis/ Land Acq. & Design	Design	Construct	Comp.Plan Action
RECREATIONAL FACILITIES	Benton/ Ryderwood Dog Park	787,000	Design	Construct		
RECREATIONAL FACILITIES	Horizon Blvd. Path Solar Lighting & Ensor/Welch path bollard lighting	615,000	Design	Construct		

Unfunded Capital Improvement Program FY 2022- 2024

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024 & Beyond
RECREATIONAL FACILITIES	Duaneburg to Carroll T. Welch Open Space Path	TBD	Design	Construct	
RECREATIONAL FACILITIES	Multipurpose Center	TBD		Planning	
DRAINAGE IMPROVEMENTS	Master Drainage Study	TBD			

Unfunded Capital Improvement Program FY 2022- 2024

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024 & Beyond
MUNICIPAL FACILITIES	Municipal Facilities Ph. 1	11,000,000	Construct	Construct	
MUNICIPAL FACILITIES	Municipal Facilities Ph. 2	13,400,000	Land Acq./ Design	Design	Construct
MUNICIPAL FACILITIES	Transit Plaza @ TOD	3,200,000	Land Acq./ Design	Design/ Construct	

Unfunded Capital Improvement Program FY 2022- 2024

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024 & Beyond
RECREATIONAL FACILITIES	Renovate Oz Glaze Senior Center	TBD			Comprehensive plan In 6 to 10 years
RECREATIONAL FACILITIES	Update and Expand Hike and Bike Trails	TBD			Comprehensive Plan Within next 5 years
RECREATIONAL FACILITIES	Develop a community pool	TBD			Comprehensive plan In 6 to 10 years
RECREATIONAL FACILITIES	Park Upgrades – New Standards	TBD	Assess	Phase 1	
RECREATIONAL FACILITIES	ADA Transition Plan – Implementation	TBD	Assess	Phase 1	

Unfunded Capital Improvement Program

FY 2022- 2024

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024 & Beyond	Funding Source
STREET IMPROVEMENTS	School Zone upgrades	TBD				TBD
STREET IMPROVEMENTS	Sidewalk construction on Arterials & Collectors	TBD				TBD
STREET IMPROVEMENTS	Darrington Illumination	TBD				TBD
STREET IMPROVEMENTS	New Traffic Signals/Roundabouts	TBD				TBD
STREET IMPROVEMENTS	Drainage & ROW Improvements – Horizon Blvd.	TBD				TBD

Unfunded Capital Improvement Program FY 2022- 2024

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024 & Beyond	Funding Source
STREET IMPROVEMENTS	McMahon Street Improvements	TBD				TBD
STREET IMPROVEMENTS	Breaux Street Improvements (from Horizon Blvd. to Nunda)	TBD				TBD
STREET IMPROVEMENTS	Texas Rainbow Extension to N. Kenazo	TBD				TBD
STREET IMPROVEMENTS	Duanesburg Street Improvements (from Horizon Blvd. to S. Kenazo)	TBD				TBD

Unfunded Capital Improvement Program

FY 2022- 2024

Project Type	Project Name	Estimate	FY 2022	FY 2023	FY 2024 & Beyond	Funding Source
STREET IMPROVEMENTS	Dilley Dr. & Delake Dr.	8,700,000		Design		TIRZ/ Others
STREET IMPROVEMENTS	Howard Lowe Rd. Improvements	TBD				TBD
STREET IMPROVEMENTS	N. Darrington Resurfacing	855,000	Construct	Construct		Street Maint.
STREET IMPROVEMENTS	ADA Transition Plan	TBD	Assess	Phase 1	Phase 2	TBD

CIP Totals:

\$129,962,508

Projects by Category

Category	Amount
2014 CIP Projects	\$3,029,508
2018 CIP Projects	\$11,299,000
Unfunded Projects	\$115,634,000
Total Funded and Unfunded Projects	\$129,962,508

Town of Horizon City Capital Improvement Program

Council Meeting

May 24, 2021

RESOLUTION

WHEREAS, on or about December 9, 1998, based on a process to select a firm based on qualifications, the parties entered into an Engineering Services Agreement (“Initial Agreement”) for the Engineer to provide professional engineering services to the Town of Horizon City on an on-call basis for specific projects, under which Engineer essentially functions as the City Engineer for the City; and

WHEREAS, the City and the Engineer have entered into several agreements, amendments and revisions to the Engineering Services Agreement and/or Amendments for the convenience of the parties; and

WHEREAS, the City desires to contract with the Engineer to perform services on an on-call basis for professional construction management and construction administration services, including field engineering and inspection services, which have been determined to be necessary and appropriate for the 2020 Street Maintenance Program; and

WHEREAS, entering into this Agreement is appropriate as the Engineer and subconsultants are qualified, and the Engineer was selected through the City's selection procedure, in accordance with all applicable state and local laws and ordinances.

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

That the Mayor be authorized to sign an Engineering Services Agreement for Professional Services between the Town of Horizon City, Texas and Huitt-Zollars, Inc. for professional construction management and construction administration services, including field engineering and inspection services, for the 2020 Street Maintenance Program and that the Mayor be authorized to approve additional services in an amount not to exceed ten percent (10%) of the total estimated Project amount.

PASSED AND ADOPTED this _____ day of _____, 2021.

THE TOWN OF HORIZON CITY

Ruben Mendoza
Mayor

ATTEST:

Elvia Schuller
City Clerk

APPROVED AS TO FORM:

Theresa Cullen

Theresa Cullen
Assistant City Attorney

APPROVED AS TO CONTENT:

Michelle Padilla
Planning Director

**THE STATE OF TEXAS) ENGINEERING SERVICES AGREEMENT
) FOR PROFESSIONAL SERVICES
COUNTY OF EL PASO) (2020 Street Maintenance Program Construction
Management Services)**

THIS AGREEMENT is made and effective on the last date written on the signature page, by and between the **TOWN OF HORIZON CITY**, a municipal corporation organized and existing under the laws of the State of Texas, hereinafter referred to as the “**City**”, and **HUITT-ZOLLARS, INC.**, a Texas Corporation, hereinafter referred to as the “**Engineer**”.

RECITALS

WHEREAS, on or about December 9, 1998, based on a process to select a firm based on qualifications, the parties entered into an Engineering Services Agreement (“Initial Agreement”) for the Engineer to provide professional engineering services to the Town of Horizon City on an on-call basis for specific projects, under which Engineer essentially functions as the City Engineer for the City; and

WHEREAS, the City and the Engineer have entered into several agreements, amendments and revisions to the Engineering Services Agreement and/or Amendments for the convenience of the parties; and

WHEREAS, the City desires to contract with the Engineer to perform services on an on-call basis for professional construction management and construction administration services, including field engineering and inspection services, which have been determined to be necessary and appropriate for the 2020 Street Maintenance Program; and

WHEREAS, entering into this Agreement is appropriate as the Engineer and subconsultants are qualified, and the Engineer was selected through the City's selection procedure, in accordance with all applicable state and local laws and ordinances.

AGREEMENT

NOW, THEREFORE, for the consideration set forth in the Agreement, the City and the Engineer agree to the following terms and conditions.

**ARTICLE I.
ATTACHMENTS**

1. The below attachments are hereby attached to this Agreement for the construction management and field engineering and inspection services for the 2020 Street Maintenance Program, hereinafter referred to as the “Project” and are incorporated herein by reference for all purposes, as follows:

Attachment "A"	2020 Street Maintenance Program Construction Management Services Scope of Services
Attachment "B"	Insurance certificates

**ARTICLE II.
PROJECT COVERED UNDER THIS AGREEMENT**

- 2.1** The City hereby agrees to retain the Engineer and the Engineer agrees to perform professional services for the Project to perform professional construction management, construction administration services, including Field Engineering and Inspection Services, as a Professional Engineer for the Project covered by this Agreement. The Engineer's services shall consist of the Scope of Services as further described in **Attachment "A"**.
- 2.2** The Engineer shall serve as the City's professional representative in the Project and shall give consultation and advice to the City during the performance of services.
- 2.3** The City shall provide all available information to the Engineer as to the Project for which Engineer will provide the services for the City.
- 2.4** The City hereby designates the CIP Manager as the City's representative with respect to the professional services to be provided by the Engineer pursuant to this Agreement. The CIP Manager shall have complete authority to transmit instructions, receive information, interpret and define City's policies, and decisions with respect to materials, equipment, elements, and systems pertinent to the work covered by this Agreement. The CIP Manager will render written decisions within a five (5) working day time period.

**ARTICLE III.
ENGINEER FEES AND PROJECT'S BUDGET**

3.1 PAYMENT TO ENGINEER. The City shall pay for the Engineer's Services for the Project based on the pre-established rates, in a lump sum amount **Forty-Six Thousand Four Hundred Five and No/100 Dollars (\$46,405.00)** for the Proposed Construction Management Office Support, AND an amount not to exceed **One Hundred Twenty Thousand Six Hundred Sixty Dollars and No/100 (\$120,660.00)** for Field Engineering and Inspection Fees, for a total Project amount not to exceed **One Hundred Sixty-Seven Thousand Sixty-Five and No/100 Dollars (\$167,065.00)** as further set forth in **Attachment "A"**. The amounts listed as fees within the detailed breakdowns of the anticipated and estimated services as set forth in **Attachment "A"**, are estimated amounts of the total cost for this Agreement. The amounts listed as fees within the detailed breakdowns of the anticipated and estimated services as set forth in **Attachment "A"**, are estimated amounts of the total contract cost.

3.1.1 The Mayor may authorize additional services as identified in **Attachment "A"** for this Agreement in an amount not to exceed ten percent (10%) of the total estimated Project amount identified in Section 3.1. Should any additional services as identified in **Attachment "A"** be necessary and the cost of the services exceed the identified additional

ten percent (10%) of the total estimated Project amount identified in Section 3.1, such additional services and payment must be approved by the City Council.

3.2 ENGINEER'S SERVICES. The Engineer shall provide Office and Field Engineering Support Services and Field Engineering and Inspection Services for the Project as set forth in "Attachment A".

3.3 ENGINEER'S INVOICES. The Engineer shall bill the City separately for the services under this Agreement not more often than monthly, through written invoices. Invoices shall indicate the costs for the various services.

3.3.1 Each invoice shall contain a brief summary indicating, at a minimum, the total Project budget(s), the total amount(s) authorized for the Engineer, the current invoiced amount(s) and the amount(s) billed to date. In addition to the Summary, each invoice shall provide a Progress Report. The Progress Report shall describe, at a minimum, the progress of the Project to date also indicating the percentage of completion of each phase. The established schedule for completion shall not be revised except by written amendment to this Agreement, executed by both parties.

3.3.2 The City agrees to pay invoices for all services performed as soon as reasonably possible, but not later than thirty (30) days from receipt. Upon dispute, however, the City may, upon notice to the Engineer, withhold payment to the Engineer for the amount in dispute only, until such time as the exact amount of the disputed amount due the Engineer is determined. The total amount paid to Engineer shall not exceed Engineer's fee proposal, except by written amendment to this Amendment, executed by both parties.

3.4 COSTS NOT ENUMERATED. Except as specifically set forth in this Agreement and its attachments, all costs related to the completion of the services requested herein shall be borne by the Engineer and not passed on to the City or otherwise paid by the City, unless a written amendment to this Agreement is executed by both parties allowing for additional costs.

ARTICLE IV. PERIOD OF SERVICE AND TERMINATION

4.1 PERIOD OF SERVICE. The Construction Management Services for the Project shall continue through the completion of the Project, and as stated in the Schedule in **Attachment "A"**.

4.2 TERMINATION. This Agreement for the Project may be terminated separately without affecting the any other Agreement or amendment by and between the parties for any other project, as provided herein. In the event of a termination of this Agreement, in whole or in part, the Engineer shall surrender all Project related documents to the City within five (5) business days of the effective date of the termination.

4.2.1 TERMINATION BY CITY. It is mutually understood and agreed by the Engineer and City that the City may terminate this Agreement, in whole or in part for the

convenience of the city, upon **fourteen (14) consecutive calendar days** written notice. It is also understood and agreed that upon such notice of termination, the Engineer shall cease the performance of services under this Agreement. Upon such termination, the Engineer shall provide one final invoice for all services completed and reimbursable expenses incurred prior to the City's notice of termination. City shall compensate Engineer in accordance with this Agreement; however, the City may withhold any payment to the Engineer that is held to be in dispute for the purpose of set-off until such time as the exact amount due the Engineer from the City is determined. Nothing contained herein, or elsewhere in this Agreement shall require the City to pay for any services that are not in compliance with the terms of this Agreement and its attachments.

4.2.2 TERMINATION BY EITHER PARTY It is further understood and agreed by the Engineer and City that either party may terminate this Agreement in whole or in part. Such a termination may be made for failure of one party to substantially fulfill its contractual obligations, pursuant to this Agreement, and through no fault of the other party. No such termination shall be made, unless the other party being terminated is granted: a) written notice of intent to terminate enumerating the failures for which the termination is being sought; b) a minimum of **seven (7) consecutive calendar days** to cure such failures; and c) an opportunity for consultation with the terminating party prior to such termination. However, the City retains the right to immediately terminate this Agreement for default if the Engineer violates any local, state, or federal laws, rules or regulations that relate to the performance of this Agreement. In the event of termination by the city pursuant to this subsection, the city may withhold payments to the Engineer for the purpose of setoff until such time as the exact amount due the Engineer from the City is determined.

4.2.3 TERMINATION SHALL NOT BE CONSTRUED AS RELEASE. Termination by either party shall not be construed as a release of any claims that the terminating party may be lawfully entitled to assert against the terminated party. Further, the terminated party shall not be relieved of any liability for damages sustained by the terminating party by virtue of any breach of this Agreement. The provisions set forth in Section 5.2 shall survive the termination of this Agreement and continue to be applicable to the Agreement, unless otherwise specifically agreed to by the Parties.

ARTICLE V. INSURANCE AND INDEMNIFICATION

5.1 INSURANCE. The Engineer shall maintain insurance, as required by the Initial Agreement, during the term of this Agreement. Failure to maintain said insurance shall be considered a material breach of this Agreement.

5.1.1 CITY AS ADDITIONAL INSURED. The City shall be named as an Additional Insured on all of the Engineer's Insurance Policies, with the exception of Workers' Compensation and Professional Liability Insurance. The Engineer shall provide to the City any defense provided by the Engineer's general liability insurance policies.

5.1.2 PROOF OF INSURANCE. Upon request from the City, the Engineer shall furnish the City Engineer with certificates showing the type of insurance coverages, limits on each insurance policy, class of operations covered under each insurance policy, effective dates and expiration dates of policies, insurance companies providing the insurance coverages, name of agent/broker and include confirmation of any endorsement(s) required in this Agreement.

5.1.3 GENERAL INSURANCE PROVISIONS. All certificates required herein, or copies thereof, shall be attached hereto and incorporated for all purposes as **Attachment “B”**. All certificates shall also include the name of the project on the corresponding insurance certificate.

5.2 INDEMNIFICATION.

THE ENGINEER SHALL INDEMNIFY AND HOLD HARMLESS THE CITY, AND ITS OFFICERS, AGENTS, EMPLOYEES, REPRESENTATIVES, CONTRACTORS, ASSIGNEES, AND/OR DESIGNEES FROM ANY AND ALL LIABILITY, ACTIONS, CLAIMS, DEMANDS, OR SUITS, AND ALL RELATED DAMAGES, COSTS ATTORNEY FEES, AND EXPENSES TO THE EXTENT CAUSE BY, ARISING OUT OF OR RESULTING FROM ANY ACTS OF NEGLIGENCE, INTENTIONAL TORTS, WILLFUL MISCONDUCT, PERSONAL INJURY OR DAMAGE TO PROPERTY, AND/OR OTHERWISE RELATED TO THE ENGINEER’S PERFORMANCE, AND/OR FAILURES TO PAY A SUBCONTRACTOR OR SUPPLIER BY THE ENGINEER OR ITS AGENTS, EMPLOYEES, SUBCONTRACTORS, ORDER FULFILLERS, CONSULTANTS UNDER CONTRACT TO THE ENGINEER, OR ANY OTHER ENTITY OVER WHICH CONTRACTOR EXERCISES CONTROL, OR SUPPLIERS OF SUBCONTRACTORS IN THE EXECUTION OR PERFORMANCE OF THIS AGREEMENT. THE DEFENSE SHALL BE COORDINATED BY THE ENGINEER WITH THE CITY ATTORNEY WHEN THE CITY IS NAMED AS A DEFENDANT IN ANY LAWSUIT AND THE ENGINEER MAY NOT AGREE TO ANY SETTLEMENT WITHOUT FIRST OBTAINING THE CONCURRENCE OF THE CITY ATTORNEY. THE ENGINEER AND THE CITY AGREE TO FURNISH TIMELY WRITTEN NOTICE TO EACH OTHER OF ANY SUCH CLAIM.

The City agrees, to the fullest extent permitted by law, to indemnify and hold harmless the Engineer, its officers, directors, employees and subconsultants (collectively, Engineer) against all damages, liabilities or costs including reasonable attorneys’ fees and defense costs, to the extent caused by the City’s negligent acts in connection with projects under the Agreement and amendments thereto or anyone for whom the City is legally liable, provided however, the liability of the City shall be subject to its sovereign immunity and the City reserves and does not waive its rights of sovereign immunity and similar rights, including but not limited to any immunity, rights, defenses, and limitations on monetary damages under the Texas Tort Claims Act, as may be amended.

Neither the City nor the Engineer shall be obligated to indemnify the other party in any manner whatsoever for the other party's own negligence, or for the negligence of others except as is specifically provided for herein.

ARTICLE VI. GENERAL PROVISIONS

6.1 ENGINEER'S QUALITY OF WORK. Services provided by the Engineer under this Agreement shall be performed with the professional skill and care ordinarily provided by competent engineers practicing in El Paso County, Texas and under the same or similar circumstances and professional license, and such work shall be performed as expeditiously as is prudent considering the ordinary professional skill and care of a competent engineer.

6.2 AUDITING RECORDS FOR THIS PROJECT. Engineer's records subject to audit shall include but not be limited to records which, in the City's discretion, have a bearing on matters of interest to the City in connection with the Engineer's work on the 2020 Street Maintenance Program for the City and shall be open to inspection and subject to audit and/or reproduction by city's agent or its authorized representative to the extent necessary to adequately permit evaluation and verification of (a) Engineer's compliance with contract requirements, and (b) compliance with provisions for computing Direct Personnel Expense with reimbursable expenses, if applicable.

Such records subject to audit shall also include those records necessary to evaluate and verify direct and indirect costs as they may apply to costs associated with this Agreement. In those situations where Engineer's records have been generated from computerized data, Engineer agrees to provide City's representatives with extracts of data files in computer readable format on data disks or suitable alternative computer data exchange format.

The City or its designee shall be entitled, at its expense, to audit all of the Engineer's records related to this Project and shall be allowed to interview any of the Engineer's employees, pursuant to the provisions of this section throughout the term of this contract and for a period of **three (3) years** after final payment or longer if required by law. Such audits may require inspection and photo copying (at the City's sole expense) of selected documents from time to time at reasonable times, places, and charges to the City if Engineer is making copies for the City under this section at the request of the City.

6.3 SUCCESSORS AND ASSIGNS. This Agreement shall be binding on the City and the Engineer, their successors and assigns. Neither party may assign, sublet, or transfer its interest in this Agreement without the written consent of the other.

6.4 VENUE. For the purpose of determining the place and the law governing the same, this Agreement is entered into in the Town of Horizon City and in the County of El Paso, the State of Texas, and shall be governed by the laws of the State of Texas. Venue shall be in the County of El Paso, Texas.

6.5 GOVERNING LAW. The Engineer shall comply with applicable Federal, State, and local laws and ordinances applicable to the work contemplated herein.

6.6 CAPTIONS. The captions of this Agreement are for information purposes only and shall in no way affect the substantive terms or conditions of this Agreement.

6.7 SEVERABILITY. Should any section, paragraph or other provision of this Agreement be found invalid, such invalidity shall not affect the remaining provisions of this Agreement.

6.8 NOTICES. Any notice, demand, request, consent, or approval that either party may or is required to provide to the other shall be in writing and either personally delivered or sent via certified mail, return receipt, to the following addresses:

To the City: The Town of Horizon City
Ruben Mendoza, Mayor
14999 Darrington Road
Horizon City, Texas 79928

With a Copy to: The Town of Horizon City
Teresa Quezada, PhD., CNU-A
CIP Manager
14999 Darrington Road
Horizon City, Texas 79928

To the Engineer: Huitt-Zollars, Inc.
Attn: Isabel Vasquez, P.E.
5822 Cromo Drive, Suite 210
El Paso, Texas 79912

Changes may be made to the names and addresses noted herein through timely, written notice to the other party.

6.9 CONFLICTING PROVISIONS - ATTACHMENTS. Any provision contained in any Attachments to this Agreement or the Initial Agreement, which may be in conflict or inconsistent with any of the provisions in this Agreement shall be void to the extent of such conflict or inconsistency.

6.10 PROHIBITION ON CONTRACTS BOYCOTTING ENERGY COMPANIES. If the Engineer is required to make a verification pursuant to Section 2274.002 of the Texas Government Code, the Engineer verifies that the Engineer does not boycott energy companies during the term of this Agreement and will not boycott energy companies during the term of this Agreement. If the Engineer does not make that verification, the Engineer must notify the City and state why the verification is not required.

6.11 FIREARMS. If the Engineer is required to make a verification pursuant to Section 2274.002 of the Texas Government Code, the Engineer verifies that it (1) does not have a

practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association based solely on its status as a firearm entity or firearm trade association; and (2) will not discriminate during the term of this Agreement against a firearm entity or firearm trade association based solely on its status as a firearm entity or firearm trade association. If the Engineer does not make that verification, the Engineer must notify the City and state why the verification is not required.

6.12 FOREIGN TERRORIST ORGANIZATIONS. The Engineer represents and warrants that it is not engaged in business with Iran, Sudan, or a foreign terrorist organization, as prohibited by Section 2252.152 of the Texas Government Code.

6.13 BOYCOTTING OF ISRAEL. If the Engineer is required to make a certification pursuant to Section 2271.001 of the Texas Government Code, the Engineer certifies that the Engineer does not boycott Israel and will not boycott Israel during the term of this Agreement. If the Engineer does not make that certification, the Engineer must notify the City and state why the certification is not required.

6.14 ENTIRE AGREEMENT FOR PROJECT. This Agreement, along with the Initial Agreement, including attachments, constitutes and expresses the entire agreement between the parties and supersedes all prior negotiations, representations, or agreements, whether written or oral, with respect to the Project defined under this Agreement. This Agreement shall not be amended or modified, except by written amendment, executed by both parties.

(Signatures begin on next page)

WITNESS THE FOLLOWING SIGNATURES AND/OR SEALS:

TOWN OF HORIZON CITY:

Ruben Mendoza, Mayor
Dated: September _____, 2021

ATTEST:

Elvia Schuller
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Theresa Cullen
Assistant City Attorney

Michelle Padilla
Planning Director

ENGINEER:
Huitt-Zollars, Inc.

By: _____

Printed name: _____

Title: _____

Dated: September _____, 2021

(Acknowledgements on the following page)

ACKNOWLEDGEMENTS

THE STATE OF TEXAS §
§
COUNTY OF EL PASO §

This instrument was acknowledged before me on this ____ day of September 2021, by **Ruben Mendoza**, as **Mayor** of the **Town of Horizon City, Texas**.

Notary Public, State of Texas

My commission expires:

THE STATE OF TEXAS §
§
COUNTY OF EL PASO §

This instrument was acknowledged before me on this ____ day of September 2021, by _____, as _____ of **Huitt-Zollars, Inc.**

Notary Public, State of Texas

My commission expires:

Memorandum

To: Michelle Padilla, AICP, CNU-A
Planning Director
Town of Horizon City

From: Isabel Vasquez, PE
Huitt-Zollars, Inc.

Subject: 2020 Street Maintenance Program
Construction Management Services

Date: August 2, 2021

Huitt-Zollars is submitting fee proposal for the Town's consideration for the 2020 Street Maintenance Program Construction Management Services

Please find the attached Scope of Services and fee breakdown.

Deliverables

Deliverables consist of reviewed submittals, the RPR daily field logs and photos, and Closeout documents

Schedule

Upon the Town's authorization to proceed, Huitt-Zollars will perform the tasks as outlined in the Scope of Services. The Contractor's construction schedule is 240 calendar days, Huitt-Zollars will follow the construction schedule.

Compensation

Huitt-Zollars will bill this effort at the pre-established rates in our contract with Horizon City. Fees of **\$46,405** are proposed **Construction Management Office Support (Lump Sum)**, **\$120,660** for **RPR Inspection Services (Hourly)**. Detailed breakdowns of the fees are enclosed for your review. Note: Construction Materials Testing services will be provided by Town of Horizon City.

Thank you for the opportunity to provide this proposal. Please feel free to call if you have any questions.

Attachment A

TOWN OF HORIZON CITY

2020 STREET MAINTENANCE PROGRAM

SCOPE OF SERVICES CONSTRUCTION ADMINISTRATION AND RPR SERVICES

SCOPE OF SERVICES

The Construction Manager shall provide the following Office Administration and Field Construction Management Services for this project:

A. OFFICE CONSTRUCTION ADMINISTRATION SERVICES (LUMP SUM)

1. Provide office construction administration services to include consulting with and advising Owner on resolutions of problems due to actual field conditions encountered; and reviewing shop drawings and submittals from Contractor for compliance with design concepts.
2. Provide the following field support services:
 - a. Conduct pre-construction conference; develop agenda; list of invitees; mail notices; and provide conference minutes.
 - b. Make periodic visits to project site at intervals appropriate to various stages of construction to observe the quality of the executed work and report to Owner.
 - c. Issue instructions from Owner to Contractor, through the RPR.
 - d. Provide construction administration and supervise field staff for the project.
 - e. Review and approve shop drawings and submittals.
 - f. Resolve design related construction problems
 - g. Conduct bi-weekly progress meetings and prepare and distribute meeting minutes.
 - g. Provide monthly activities report whether invoice is sent or not.
 - i. Make necessary interpretations and clarifications of Contract Documents.
 - j. Prepare work directive changes (WDC) within 2 working days of change occurrence. Ensure issuance of approved WDC within 5 working days. WDCs shall include Estimate of Probable Cost, the probable impact to time (or lack thereof), and requires the signature of the Owner's Project Administration Manager. Construction Manager shall subsequently negotiate the cost of each Work Directive Change and incorporate such changes to a proposed Change Order, with appropriate documentation attached, for Owner's written acceptance. Construction Manager is not authorized to commit to a final price or time extension without the written acceptance of the Owner in the form of a Change Order. A cost-price analysis shall be submitted with the proposed Change Order. When outside funding agencies are involved, they review and approve change orders for the following: Eligibility of funding; cost-price analysis; compliance with state design

criteria; and environmental determination.

- k. Review and provide decisions as to suitability of work to RPR.
- l. Review and provide decisions as to suitability of work to RPR
- m. Approve amounts of progress payments due to Contractor based on completion of work and recommend issuance of such payments by the Owner. Transmit with Contractor's and Subcontractor's payrolls to Owner. Pay request once the project is greater than 50% complete, the Contractor's redlines will be required and reviewed prior to approving pay request.
- n. Provide substantial completion inspection walk-through of the project with Contractor.
- o. Issue Certificate of Substantial Completion timely. Include punch list items and all other closeout requirements. Submit to Owner for signature. Contractor's Retainage shall not be reduced below 5% without the written consent of the Owner. When outside funding agencies are involved, their approval of this reduction is required.
- p. Perform final inspection of project, recommend acceptance; and provide Certificate of Final Completion, along with a complete closeout package, and submit to Owner's Contracts office timely. An evaluation of Contractor's performance on the project shall be submitted as part of the closeout package.

B. FIELD ENGINEERING AND INSPECTION SERVICES (HOURLY)

Provide a Resident Project Representative (RPR) to perform work in accordance with Suggested Listing of Duties, Responsibilities and Limitations of Authority of Resident Project Representative prepared by Engineer's Joint Contract Documents Committee, and superseded in amended form below:

- a. Review and approve the progress schedule updates and the schedule of Shop Drawing submittals prepared by Contractor. Consult with Construction Manager concerning acceptability.
- b. Attend meetings with Contractor, such as progress meetings, job conferences and other project-related meetings, and prepare and circulate copies of minutes thereof.
- c. Serve as the liaison with Contractor, working principally through Contractor's superintendent. Report to Construction Manager when clarifications and interpretations of the Contract Documents are needed and transmit to Contractor clarifications and interpretations as issued by Construction Manager.
- d. Serve as Owner's liaison with Contractor when Contractor's operation affects Owner's on-site operations. Obtain from Owner additional details or information when required for proper execution of the work.
- e. Record date of receipt of Shop Drawing and samples of materials. Submit to Office Construction Manager.
- f. Accompany Contractor to videotape the project corridor before start of construction and after completion to document pre- and post-project conditions.
- g. Advise Contractor he may not commence any Work requiring a Shop Drawing or sample if the submittal has not been approved.
- h. Conduct on-site observations of the Work in progress. Advise the Construction Manager if the

Work is, in general, proceeding in accordance with the Contract Documents.

- i. Notify the Construction Manager whenever Work is believed to be unsatisfactory, faulty, defective, not in conformance with the Contract Documents, damaged, or not meeting the requirements of any inspection, test or approval required to be made; and advise the Contractor of Work that Construction Manager believes should be corrected or rejected or should be uncovered for observation, or requires special testing, inspection, or approval.
- j. Verify that test, equipment and systems start-ups and operating and maintenance training are conducted in the presence of appropriate personnel, and the Contractor maintains adequate records thereof; and observe, record and report to the Construction Manager appropriate details relative to the test procedures and start-ups.
- k. Schedule field compliance tests and retests, confirm that these tests are conducted in the presence of the appropriate personnel; observe, record and report the appropriate test results. Maintain records of failed tests.
- l. Accompany visiting inspectors representing public or other agencies having jurisdiction over the Project, and record the results of these inspections and report to Construction Manager.
- m. Ensure Wage Rates are posted on site. Ensure all payrolls from prime and subcontractors are submitted with each monthly pay request as a condition precedent to approval and perform quality assurance reviews, as well as periodic interviews of various contractor employees on site. QA consists of performance of a representative number of checks of each prime and subcontractor payroll against the wage scale. Highlight the employee rates checked before turning over reports with payrolls each month. Ensure NPDES Permit and SW3P is posted at site and followed by Contractor. Ensure Notice of Termination is included with the close-out package.
- n. Consider and evaluate Contractor's suggestions for modifications to drawings or specifications and transmit recommendations to Engineer. Notify Contractor of the decision.
- o. Maintain for use at the job site orderly files for correspondence, reports of job conferences, Shop Drawings and Samples, Contract Documents including all Addenda, Work Directive Changes, Change Orders, Field Orders, additional Drawings issued subsequent to the execution of the Contract, clarifications and interpretations of the Contract Documents, progress reports, and other Project related documents.
- p. Keep a daily log recording Contractor's hour on the job site, weather conditions, equipment on site where applicable, data relative to questions about Work Directive Changes, Change Orders or changed conditions, list of job site visitors, daily activities, decisions, observations in general, and specific observations in more detail, as in the case of the observing test procedures. Send copies to Construction Manager.
- q. Record names, addresses and telephone numbers of all Contractor, subcontractors and major suppliers of materials and equipment.
- r. Prepare monthly reports of progress of the Work and of Contractor's compliance with the progress schedule and schedule of Shop Drawings and sample submittals. Submit reports with invoices and payrolls on a monthly basis.
- s. Notify Owner in advance of scheduled major tests, inspections, or start of important phases of the Work. Coordinate with Owner's operations staff.
- t. Obtain backup material from Contractor and prepare proposed Work Directive Changes, Change Orders, and Field Orders and forward to Office Construction Manager for negotiation.

- u. Notify Owner immediately upon the observation or notification of any accident.
- v. Review and recommend approval of payment requests by:
 - 1. Reviewing and approving the Contractor's estimate of the amount of work completed to date.
 - 2. Reviewing the Contractor's estimate of stored materials delivered to the job site but not incorporated in the Work completed to date. Ensure invoice for materials is attached.
 - 3. Ensure receipt in next month's pay application of paid invoice for stored materials approved in previous month's application for payment.
 - 4. Ensure the Contractor and Subcontractor payrolls accompany each request. Check for compliance with Wage Rate Schedule, perform periodic Employee Site Interviews using attached *Record of Employee Interview* form, Exhibit D. Turn in to Owner bi-monthly.
- w. During the course of the Work, review certificates, maintenance and operation manuals and other data required to be assembled and furnished by the Contractor that are applicable to the items actually installed and are in accordance with the Contract Documents. Forward this material to Office Construction Manager prior to issuance of Certificate of Substantial Completion to the Contractor.
- x. Recommend issuance of Certificate of Substantial Completion. Attach a list of observed items (punch list) requiring completion or correction.
- y. Attend final inspection in the company of Construction Manager, Owner, and Contractor and prepare a final list of items to be completed or corrected.
- z. Ensure that all items on final list have been completed or corrected and make recommendations to the Construction Manager to issue the Certificate of Final Completion for Owner's signature.
- aa. Limitations of Authority. Resident Project Representative:
 - 1. Shall not authorize any deviation from the Contract Documents or substitution of materials or equipment, unless authorized by Construction Manager.
 - 2. Shall not exceed limitations of Construction Manager's authority as set forth in the Agreement or the Contract Documents.
 - 3. Shall not undertake any of the responsibilities of Contractor, subcontractors or Contractor's superintendent.
 - 4. Shall not advise on, issue directions relative to or assume control over any aspect of the means, methods, techniques, sequences or procedures of construction unless such advice or directions are specifically required by the Contract Documents.
 - 5. Shall not advise on, issue directions regarding, or assume control over safety precautions and programs in connection with the Work.
 - 6. Shall not accept Shop Drawing or sample submittals from anyone other than Contractor.
 - 7. Shall not authorize Owner to accept the Project in whole or in part.

8. Shall not participate in specialized field or laboratory tests or inspections conducted by others except as specifically authorized by Construction Manager.

C. SUBCONSULTANT SERVICES

Not included in this contract.

D. OWNER'S SERVICES

None

**Town of Horizon City
2020 Street Maintenance Program
CONSTRUCTION PHASE SERVICES**

PRIME CONSULTANT:
HUITT-ZOLLARS, INC.

July 26, 2021

OFFICE AND CONSTRUCTION SUPPORT					
1.	DIRECT LABOR	MANHOURS	RATE/HOUR	COST	TOTAL
LABOR: OFFICE AND CONSTRUCTION SUPPORT					
	Principal:	6	\$250.00	\$1,500	
	Construction Manager - Roxanna Rivera, P.E.	209	\$175.00	\$36,575	
	RPR/Project Engineer-Luis Valdez, EIT	34	\$130.00	\$4,420	
	CAD/Tech - Josh Klages	16	\$95.00	\$1,520	
	Project Support - Mercy Kieffe	15	\$90.00	\$1,350	
	TOTAL MANHOURS	280			\$45,365
2 DIRECT COSTS					
	OUTSIDE PRINT. & REPRO. (RECORD DRAWINGS)			\$200.00	
	MILEAGE @ \$0.56/MILE: To City @ 60 mi/trip 25 trips (Deliveries/Mtgs)			\$840.00	
	Construction Manager to Site @ 60 mi/trip 20 (Site Visits); 2 (Res. Contr prblms); 2 (substn/final); 1 (warranty) =9 trips				
	TOTAL DIRECT COSTS				\$ 1,040.00
3 SUBTOTAL CONTRACT COST, SUMMATION OF ITEMS 1 - 2 (OFFICE AND FIELD ENGINEERING SUPPORT)					\$46,405
FIELD ENGINEERING/INSPECTION SERVICES					
4	DIRECT LABOR	MANHOURS	RATE/HOUR	COST	TOTAL
LABOR: Field Engineering/Inspection Services					
	Resident Project Representative - Luis Valdez	870	\$130.00	\$113,100	
	TOTAL MANHOURS	870			\$113,100
5 DIRECT COSTS					
	MILEAGE @ \$0.56/MILE:			\$7,560.00	
	RPR to Site 225 trips @ 60 mi/trip				
	TOTAL DIRECT COSTS				\$ 7,560.00
6 SUBCONSULTANTS					
	Geotechnical				
7 SUBCONSULTANT MARK UP					
				3.00%	\$ -
8 SUBTOTAL CONTRACT COST, SUMMATION OF ITEMS 4-7 (FIELD ENGINEERING AND INSPECTION)					\$120,660
9 TOTAL CONTRACT COST					\$167,065

**Town of Horizon City
2020 Street Maintenance Program
CONSTRUCTION PHASE SERVICES**

MANHOOR ESTIMATE

07/21/21

Task	Description	Principal	Construction Manager	RPR/ Project Engineer	CADD	Project Support	Total Hours
		\$250.00	\$ 175.00	\$ 130.00	\$ 95.00	\$ 90.00	
A	Office and Field Engineering						
2	Office & Field Engineering Support Services						
	a. Prepare and conduct a pre-construction meeting, prepare minutes		2	2		2	6
	b. Make periodic visits to project site (1 visit bi-weekly for 20 visits at 2 hr/visit)		40				40
	c. Issue instructions from owner to contractor thru RPR		24				24
	d. Provide construction administration and supervise field-engineering staff for the project.		32				32
	e. Review Submittals and Shop Drawings.		1	6			7
	f. Resolve design related construction problems	2	6	6	4		18
	g. Conduct bi-weekly progress meetings and prepare and dist. minutes (20 mtgs. @ 2.5 hrs/mtg)		50			6	56
	h. Provide monthly activities report (10 reports @1.0 hrs./report)		10			2	12
	i. Make necessary interpretations and clarifications of contract documents	2	6	4			12
	j. Answer and respond to RFIs from contractor.		6	4	4		14
	k. Review and prepare work directive changes (WDC), negotiate with Contractor, prepare cost-price analysis, coordinate with agencies	2	4	4	4		14
	l. Review and provide decision as to suitability of work to RPR		6				6
	m. Approve amounts of progress payments due to Contractor (10 x 1,5 hr / ea)		15				15
	n. Provide substantial completion inspection walk-thru		3				3
	o. Issue engineer's certificate of substantial completion		1			1	2
	p. Perform final inspection of project; prepare engineer's certificate of final completion; close out package; and evaluation of contractor's performance.		3	8	4	4	19
	Sub-totals	6	209	34	16	15	280
	Sub-cost	\$ 1,500	\$ 36,575	\$ 4,420	\$ 1,520	\$ 1,350	\$ 45,365
B	Field Engineering and Inspection Services						
	(4 hrs/day for 210 days; 2 hrs/day for 15 days)			870			870
	Sub-totals	0	0	870	0	0	870
	Sub-cost	\$ -	\$ -	\$ 113,100	\$ -	\$ -	\$ 113,100
	Total Man-hours	6	209	904	16	15	1150
	Total Cost	\$ 1,500	\$ 36,575	\$ 117,520	\$ 1,520	\$ 1,350	\$ 158,465

ATTACHMENT B
INSURANCE CERTIFICATE



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: July 8, 2021

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

SUBJECT: On a preliminary and final plat subdivision applications (#SUB002477-2021) for Aria Subdivision, legally described as a portion of the E1/2 of the SW1/4 of the SW1/4 of section 39, Block 78, Township 3, Texas and Pacific RR Co. Surveys, El Paso County, Texas. Application submitted by CAD Consulting Co.

On June 21, 2021, the Planning and Zoning Commission voted unanimously to recommended approval of the preliminary and final plat applications for the Aria Subdivision with the condition that the staff comments be addressed prior to City Council action.

Staff is pending a response from the County of El Paso regarding the required additional right-of-way. Staff's recommendation will be presented at the City Council meeting.

Attached is the staff report that was presented to the Planning and Zoning Commission and the plats.



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

Case #: SUB002477-2021 – Aria Subdivision
Application Type: Preliminary Plat
P&Z Hearing Date: June 21, 2021
Staff Contact: Emily Offer
 915-852-1046 ext.407; eooffer@horizoncity.org

Address/Location: 15131 Alberton, El Paso County, Texas
Legal Description: A portion of the E1/2 of the SW1/4 of the S1/4 of the SW1/4
 Of section 39, Block 78, Township 3,
 Texas and Pacific RR Co. Surveys
 El Paso County, Texas

Acreage: Approximately 4.9429 ± acres
Property Owner: Martin Monroy
Applicant: CAD Consulting Co.
Nearest Park: Golden Eagle Park
Nearest School: Horizon High School

SURROUNDING PROPERTIES:

Land Use	
N	Industrial
E	Residential
S	Residential
SW	Residential

LAND USE AND ZONING:

	Existing	Proposed
Land Use	Residential and Light Industrial	Residential
ETJ	Horizon City's 1-Mile ETJ	Horizon City's 1-Mile ETJ

Application Description:

The applicant is requesting to subdivide the area into two lots. The proposed subdivision includes 2 lots, the smallest lot measuring approximately 43,680 square feet and the largest lot measuring approximately 171,634 square feet.

Staff Recommendation:

Horizon City Vision 2020 Strategic Master Plan does not designate a proposed zone for this area as it is not within Horizon City's city limits; however, it is within the City's extra-territorial jurisdiction. Staff recommends **APPROVAL** of the plat with the condition that all staff comments shall be addressed prior to City Council action.

Planning Division Comments:

According to Section 5.2.3 of the Subdivision Regulations in the Municipal Code, the development is required to dedicate property right-of-way along Alberton Ave. as it is designated as a major arterial on the City's major thoroughfare plan. An additional 25 feet of right-of-way is required to be dedicated by this development.

City Council may exempt a developer from having to fully improve a thoroughfare provided the developer submits a traffic impact analysis (TIA) demonstrating such full improvements are neither necessitated by, nor attribute to, the new development. To date, no analysis has been submitted.

Staff continues to work with El Paso County to determine the dedication requirements.

Public Works Director Comments:

Preliminary Plat

1. Missing Benchmark/DATUM
2. Legend is missing existing/proposed contour line information.
3. Will vehicular access prohibition be required at backside of lot? If so, add it on new note 24.

Final Plat

1. Missing Benchmark/DATUM
2. Will vehicular access prohibition be required at backside of lot? If so, add it on new note 24.
3. El Paso County 9-1-1 District approval is required for all lot addresses.
4. Provide a copy of the restrictions and covenants to be recorded, if any.
5. Grading and drainage plans along with Engineering report need to be approved by the County prior to the plat being recorded.

Town Engineer Comments:

Recommended Conditions for Preliminary Plat Approval:

1. Show location and size of water and sewer lines on plat.
2. Provide basis for bearing and elevations.
3. The set monuments should have a cap that is traceable to the licensed surveyor or the company, per Texas minimum standards.
4. Coordinate with Town for any additional comments.

Recommended Conditions for Final Plat Approval:

1. Provide basis for bearing and elevations.
2. The set monuments should have a cap that is traceable to the licensed surveyor or the company, per Texas minimum standards.
3. Verify all dates on plat, they should read 2021.
4. Coordinate with Town for any additional comments.

Engineer's Report:

1. Is an engineer's report required for property within the ETJ? Provide Engineer's report, if necessary.

El Paso 9-1-1 District Comments:

The 911 District has no adverse comments regarding this plat.

El Paso Electric Company:

El Paso Electric has existing facilities serving lot two that are not represented in the final design. All electric easements shall be shown for approval.

School District Comments:

The Socorro Independent School District has reviewed Aria Subdivision and it is beyond our jurisdiction.

Clint Independent School District did not provide comments.

TxDOT Comments:

TxDOT did not provide comments.

El Paso County

Per El Paso County, the subdivision plat is concurred conditionally pending the following:

1. Revise Drainage Report to cite specific case ID for grading and drainage plans.
2. Approval of variance from standard 2.8 (R) by Commissioners Court

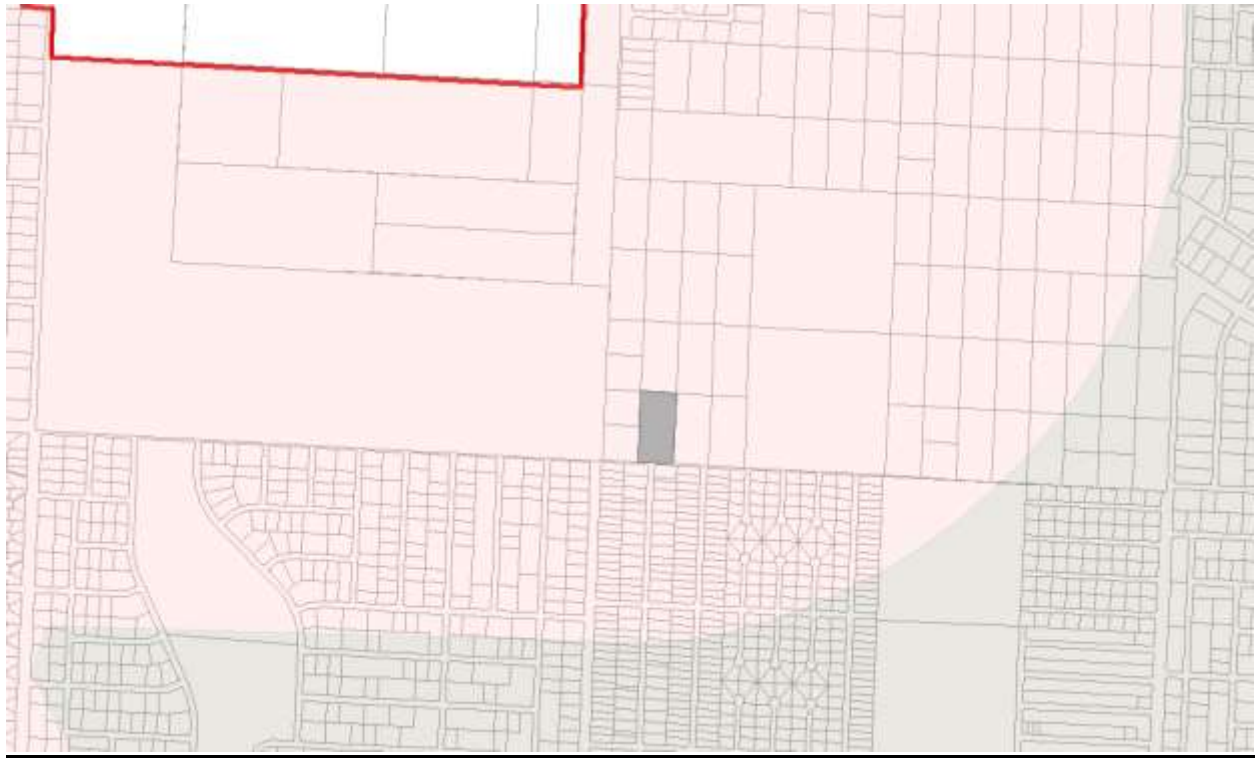
El Paso Central Appraisal District Comments:





The EPCAD approves this development.

Attachments:

- 1 – ETJ Map**
- 2 – Aerial**
- 3 – Applications**
- 4 – Preliminary Plat**
- 5 – Final Plat**

Attachment 1: ETJ Map



-  Aria Subdivision
-  Horizon City's City Limits
-  Horizon City's 1-mile ETJ
-  Socorro's 5-mile ETJ

Attachment 2: Aerial Map



Attachment 3- Applications



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: ARIA SUBDIVISION SUBMITTAL DATE: 5/27/2021

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.)
A PORTION OF E 1/2 OF THE SW 1/4 OF THE SW 1/4 OF THE SECTION 39, BLOCK 78, TOWNSHIP 3, TARRANT CO 540643

PROPERTY LAND USES:	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	<u>4.9429</u>	<u>2</u>	OFFICE	_____	_____
DUPLEX	_____	_____	STREET & ALLEY	_____	_____
APARTMENT	_____	_____	PONDING & DRAINAGE	_____	_____
MOBILE HOME	_____	_____	INSTITUTIONAL	_____	_____
P.U.D.	_____	_____	OTHER	_____	_____
PARK (Min 1 acre)	_____	_____		_____	_____
SCHOOL	_____	_____		_____	_____
COMMERCIAL	_____	_____	TOTAL NO. SITES	_____	<u>2</u>
INDUSTRIAL	_____	_____	TOTAL (GROSS) ACREAGE	<u>4.9429</u>	_____

3. WHAT IS THE EXISTING ZONING OF THE PROPERTY DESCRIBED ABOVE? _____ PROPOSED ZONING _____

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

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

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

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

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

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 EA
 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 EA IF YES, PLEASE SUBMIT COPY.

14. OWNER OF RECORD MARTIN MONROY (PHONE) 915-603-1370
 (NAME & ADDRESS) (EMAIL)

15. DEVELOPER SWBORA CAD CONSULTING CO (PHONE) 915-633-6422
 (NAME & ADDRESS) (EMAIL)

16. ENGINEER 4S ENGINEERING (PHONE) 915-443-9644
 (NAME & ADDRESS) (EMAIL)

17. APPLICANT CAD CONSULTING CO (PHONE) 915-633-6422
 (NAME & ADDRESS) (EMAIL)

18. REP/POINT OF CONTACT CAD CONSULTING CO (PHONE) 915-633-6422
 (NAME & ADDRESS) (EMAIL)

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 EA.
 Applicant Signature [Signature] EMAIL CADCONSULTING@AOL.COM

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



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

**MAJOR SUBDIVISION
 FINAL PLAT APPLICATION**

SUBDIVISION PROPOSED NAME: ADA SUBDIVISION SUBMITTAL DATE: 9/27/2021

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.)
A PORTION OF THE E 1/4 OF THE SW 1/4 OF THE NW 1/4 OF THE SW 1/4 OF SECTION 39, BLOCK 78, TOWNSHIP 3, TEXAS & PACIFIC R.R. CO. SURVEY

2. PROPERTY LAND USES:

	ACRES	SITES		ACRES	SITES
SINGLE-FAMILY	<u>4.9429</u>	<u>2</u>	OFFICE	_____	_____
DUPLEX	_____	_____	STREET & ALLEY	_____	_____
APARTMENT	_____	_____	PONDING & DRAINAGE	_____	_____
MOBILE HOME	_____	_____	INSTITUTIONAL	_____	_____
P.U.D.	_____	_____	OTHER	_____	_____
PARK (Min 1 Acre)	_____	_____	_____	_____	_____
SCHOOL	_____	_____	_____	_____	_____
COMMERCIAL	_____	_____	TOTAL NO. SITES	_____	<u>2</u>
INDUSTRIAL	_____	_____	TOTAL (GROSS) ACREAGE	<u>4.9429</u>	_____

3. WHAT IS THE EXISTING ZONING OF THE PROPERTY DESCRIBED ABOVE? N/A PROPOSED ZONING _____

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

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

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

7. IF SINGLE-FAMILY OR DUPLEX DEVELOPMENT IS PROPOSED: AVERAGE FLOOR AREA OF HOUSES NOT KNOWN

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 "YES", PLEASE LIST SECTION & EXPLAIN THE NATURE OF THE MODIFICATION _____

10. WHAT TYPE OF LANDSCAPING IS PROPOSED? PARKWAY MEDIANS OTHER NONE

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 BM

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 BM IF YES, PLEASE SUBMIT COPY.

14. OWNER OF RECORD MARTIN MONROY (NAME & ADDRESS) _____ (EMAIL) _____ (PHONE) 915-603-1570

15. DEVELOPER _____ (NAME & ADDRESS) _____ (EMAIL) _____ (PHONE) _____

16. ENGINEER 4S ENGINEERING Ali Bazzal (NAME & ADDRESS) _____ (EMAIL) _____ (PHONE) 915-443-9644

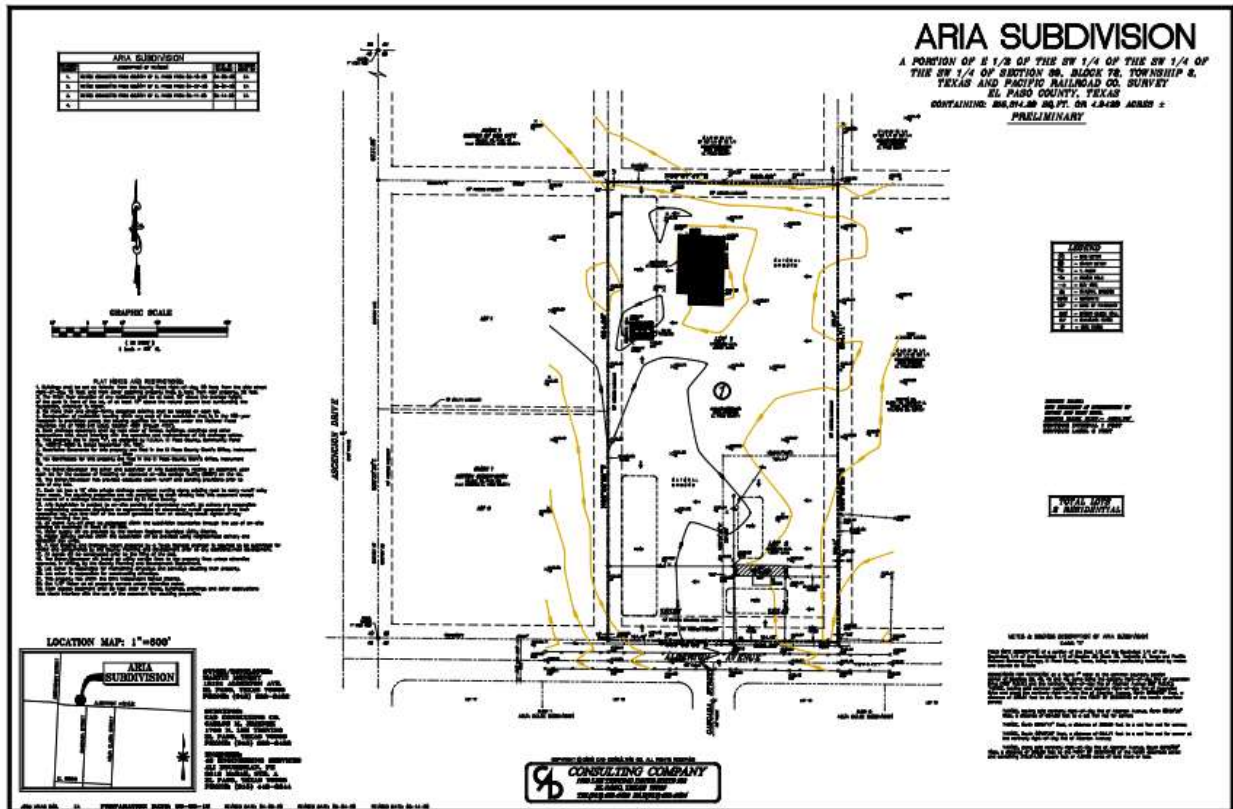
17. APPLICANT _____ (NAME & ADDRESS) _____ (EMAIL) _____ (PHONE) _____

18. REP/POINT OF CONTACT CAD CONSULTING CO. CADCONSULTING1@TOLIMY (NAME & ADDRESS) _____ (EMAIL) _____ (PHONE) 915-633-6422

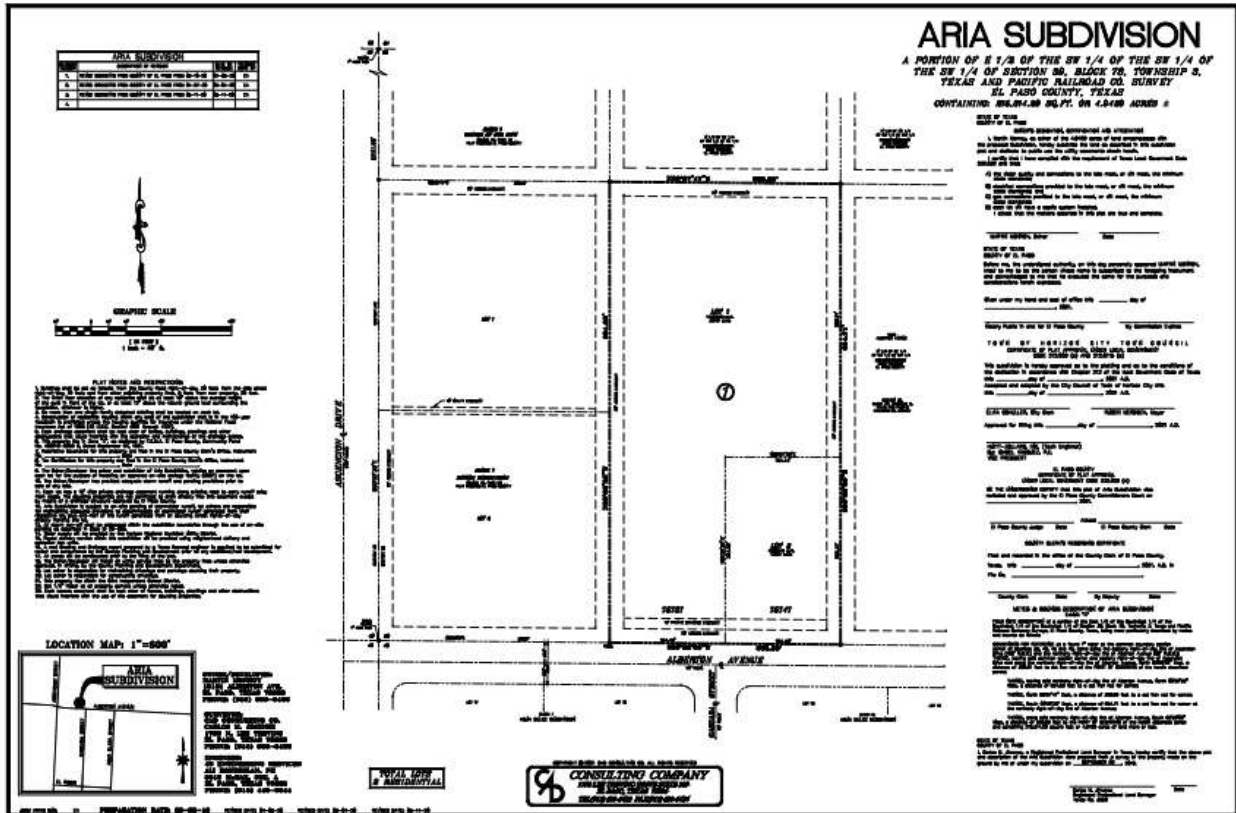
NOTE: Applicant is responsible for all expenses incurred by the City in connection with the Final plat approval request, including but not limited to attorney's fees, engineering fees and publication. Charges exceeding deposit will be invoiced separately. Initials RHC
 Applicant Signature [Signature] EMAIL rbeckymonroy@yahoo.com

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: \$150

Attachment 4 – Preliminary Plat



Attachment 5 – Final Plat



REVISION NUMBER	DESCRIPTION OF REVISION	DATE OF REVISION	REVISION DONE BY
1.	REVISE COMMENTS FROM COUNTY OF EL PASO FROM 03-10-20	04-06-20	EA
2.	REVISE COMMENTS FROM COUNTY OF EL PASO FROM 04-27-20	05-04-20	EA
3.	REVISE COMMENTS FROM COUNTY OF EL PASO FROM 06-11-20	06-14-20	EA
4.			

ARIA SUBDIVISION

A PORTION OF E 1/2 OF THE SW 1/4 OF THE SW 1/4 OF THE SW 1/4 OF SECTION 39, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILROAD CO. SURVEY EL PASO COUNTY, TEXAS
 CONTAINING: 215,314.29 SQ.FT. OR 4.9429 ACRES ±

OWNERS' DEDICATION, CERTIFICATION AND ATTESTATION

1. Martin Monroy, as owner of the 4.9429 acres of land encompassed with the proposed Subdivision, hereby subdivide the land as described in this subdivision plat and dedicate to public use the utility easements shown herein.

- I certify that I have complied with the requirements of Texas Local Government Code 232.032 and that:
- A) the water quality and connections to the lots meet, or will meet, the minimum state standards;
 - B) structural connections provided to the lots meet, or will meet, the minimum state standards;
 - C) gas connections provided to the lots meet, or will meet, the minimum state standards;
 - D) each lot will have a septic system installed.
- I attest that the matters asserted in this plat are true and complete.

MARTIN MONROY, Owner _____ Date _____

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

T O W N O F H O R I Z O N C I T Y T O W N C O U N C I L
 CERTIFICATE OF PLAT APPROVAL UNDER LOCAL GOVERNMENT CODE 212.009 (c) AND 212.015 (b)
 This subdivision is hereby approved as to the platting and as to the conditions of the dedication in accordance with Chapter 212 of the local Government Code of Texas this _____ day of _____, 2021 A.D.
 Accepted and adopted by the City Council of Town of Horizon City this _____ day of _____, 2021 A.D.

Approved for filing this _____ day of _____, 2021 A.D.
 ELVA SCHULLER, City Clerk _____ RUBEN MENDOZA, Mayor _____

HULTZ-ZOLLARS, INC. (Town Engineer)
 by ISABEL VASQUEZ, P.E.
 VICE PRESIDENT

WE, THE UNDERSIGNED CERTIFY that this plat of ARIA Subdivision was reviewed and approved by the El Paso County Commissioners' Court on _____, 2021.

El Paso County Judge _____ Attest: _____ El Paso County Clerk _____

COUNTY CLERK'S RECORDING CERTIFICATE
 Filed and recorded in the office of the County Clerk of El Paso County, Texas, this _____ day of _____, 2021, A.D. in File No. _____

County Clerk _____ Date _____ By/Deputy _____ Date _____

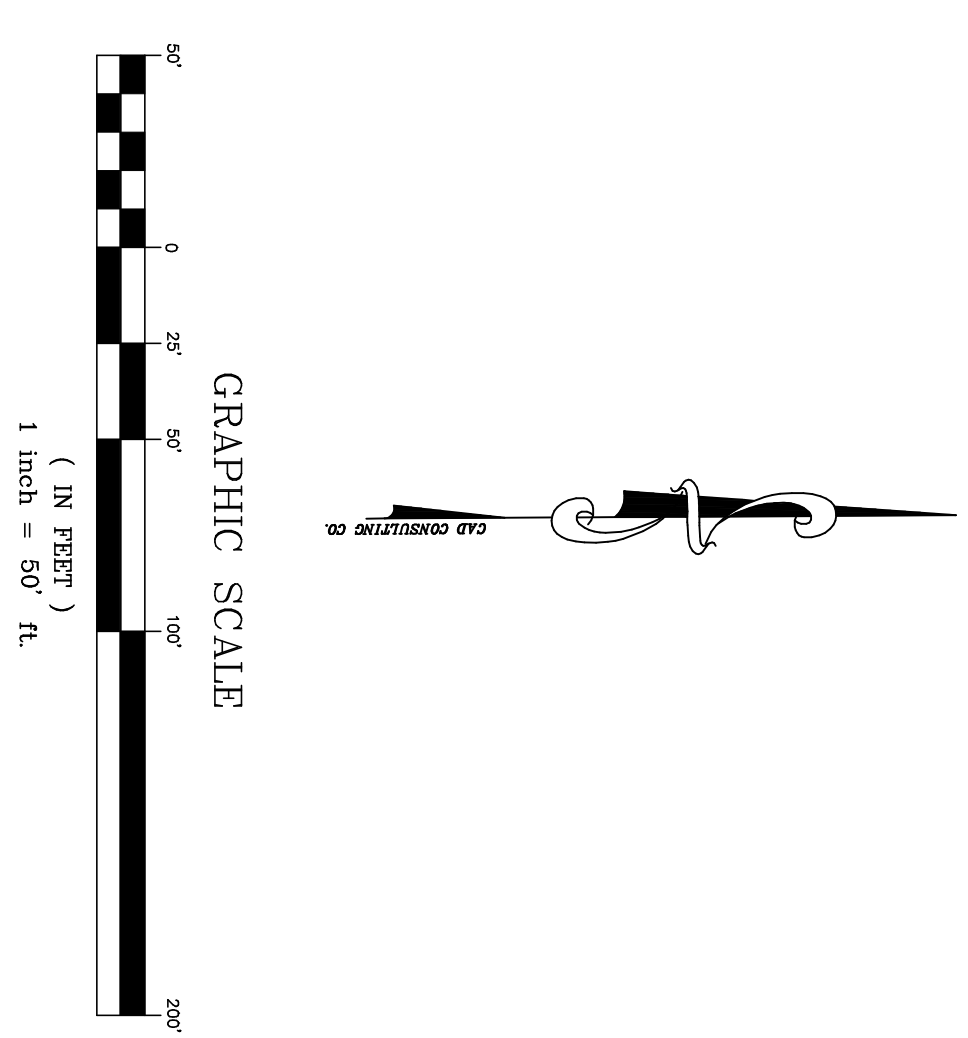
METES & BOUNDS DESCRIPTION OF ARIA SUBDIVISION
 FIELD NOTE DESCRIPTION OF A PORTION OF SECTION 39, BLOCK 78, TOWNSHIP 3, EL PASO COUNTY, TEXAS, BEING PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING FOR REFERENCE at a found 1" rebar at the common boundary section corner of Sections 38, 40, 46 and 48, same being the eastern right-of-way line of Ascension Drive and the northern right-of-way line of Alberton Avenue, North 89°57'47" East, a distance of 328.89 feet to the POINT OF BEGINNING of the herein described parcel and continuing 415,314.29 square feet or 4.9429 acres of land more or less.

THENCE, bearing said easterly right-of-way line of Alberton Avenue, North 00°27'35" West, a distance of 654.68 feet to a set iron rod for corner;
 THENCE, North 89°57'47" East, a distance of 328.89 feet to a set iron rod for corner;
 THENCE, South 00°27'35" East, a distance of 654.71 feet to a set iron rod for corner;
 THENCE, along said northerly right-of-way line of Alberton Avenue, South 89°57'47" West, a distance of 328.89 feet to the POINT OF BEGINNING of the herein described parcel and continuing 415,314.29 square feet or 4.9429 acres of land more or less.

STATE OF TEXAS
 COUNTY OF EL PASO
 I, Corina M. Jimenez, a Registered Professional Land Surveyor in Texas, hereby certify that the above plat and description of the ARIA Subdivision were prepared from a survey of the property made on the ground by me or under my supervision on _____ SEPTEMBER 02, 2018.

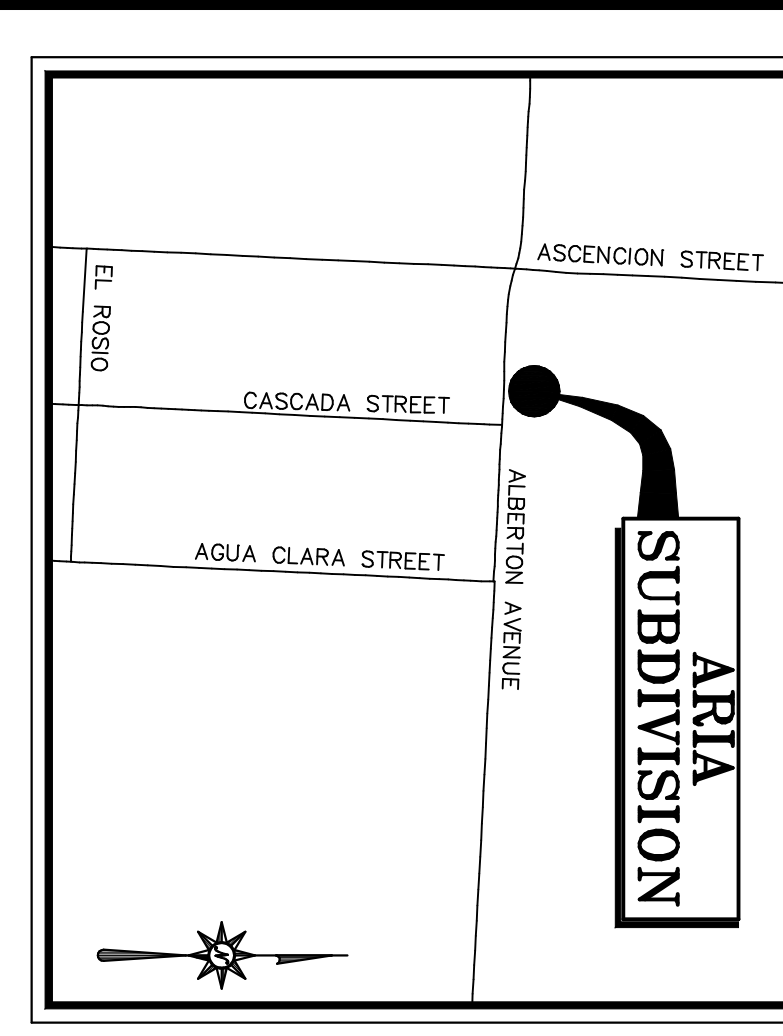
Corina M. Jimenez
 Registered Professional Land Surveyor
 Texas No. 3850 _____ Date _____



PLAT NOTES AND RESTRICTIONS:

- Buildings shall be set as follows: from the County Road right-of-way, 20 feet; from the side street right-of-way, 10 feet; and from other adjoining property lines, 5 feet; from rear property, 25 feet.
- The first floor elevation of any residence shall be at least 18 above the average height of floodplain, whichever is higher.
- No more than one single-family detached dwelling shall be located on each lot.
- Use of the property shall be limited to residential purposes.
- Each drainage easement shall be kept clear of fences, buildings, plantings and other obstructions.
- This property lies in Zone "X", as designated by F.E.M.A., El Paso County, Community Panel No. 480272-0250 B, Dated September 04, 1991.
- Restrictive Covenants for this property are filed in the El Paso County Clerk's Office, Instrument No. _____ Date _____.
- For Certificates for this property are filed in the El Paso County Clerk's Office, Instrument No. _____ Date _____.
- The Owner/Developer the owner and subdivider of ARIA Subdivision, retains an easement upon the property for the purpose of providing utility services to the property.
- The Owner/Developer has provided adequate storm runoff and ponding provisions prior to sale of any lots.
- Each lot has a 15' wide private drainage easement running along existing road to carry runoff away from the lots.
- The existing property owner of El Paso County, directly into this easement, except by agreement in writing, by the County Planning and Development Department.
- ARIA Subdivision is subject to on-site ponding of stormwater runoff, lot owners are responsible for maintaining adequate provisions to accommodate all stormwater runoff generated from their property.
- Half of the rainfall generated from all building street rights-of-way.
- All storm runoff shall be addressed within the subdivision boundaries through the use of on-site retention ponds.
- Water delivery service within the subdivision will be provided using neighborhood delivery and metering.
- Postal delivery service within the subdivision will be provided using neighborhood delivery and metering.
- Water supply will be provided by the Horizon Regional Municipal Utility District.
- Review and Concurrence by the County Planning and Development is required to be submitted for review and concurrence prior to the filing of the plat.
- The Owner/Developer shall retain title to the property lines unless otherwise approved, in writing, by the County Planning and Development Department.
- Lot owner is responsible for maintaining driveways and pathways abutting their property.
- Lot owner is responsible for constructing driveways.
- Lot owner is responsible for maintaining the subdivision.
- Set 1/2" Rebar at all property corners unless otherwise noted.
- Each access easement shall be kept clear of fences, buildings, plantings and other obstructions that would interfere with the use of the easement for abutting properties.

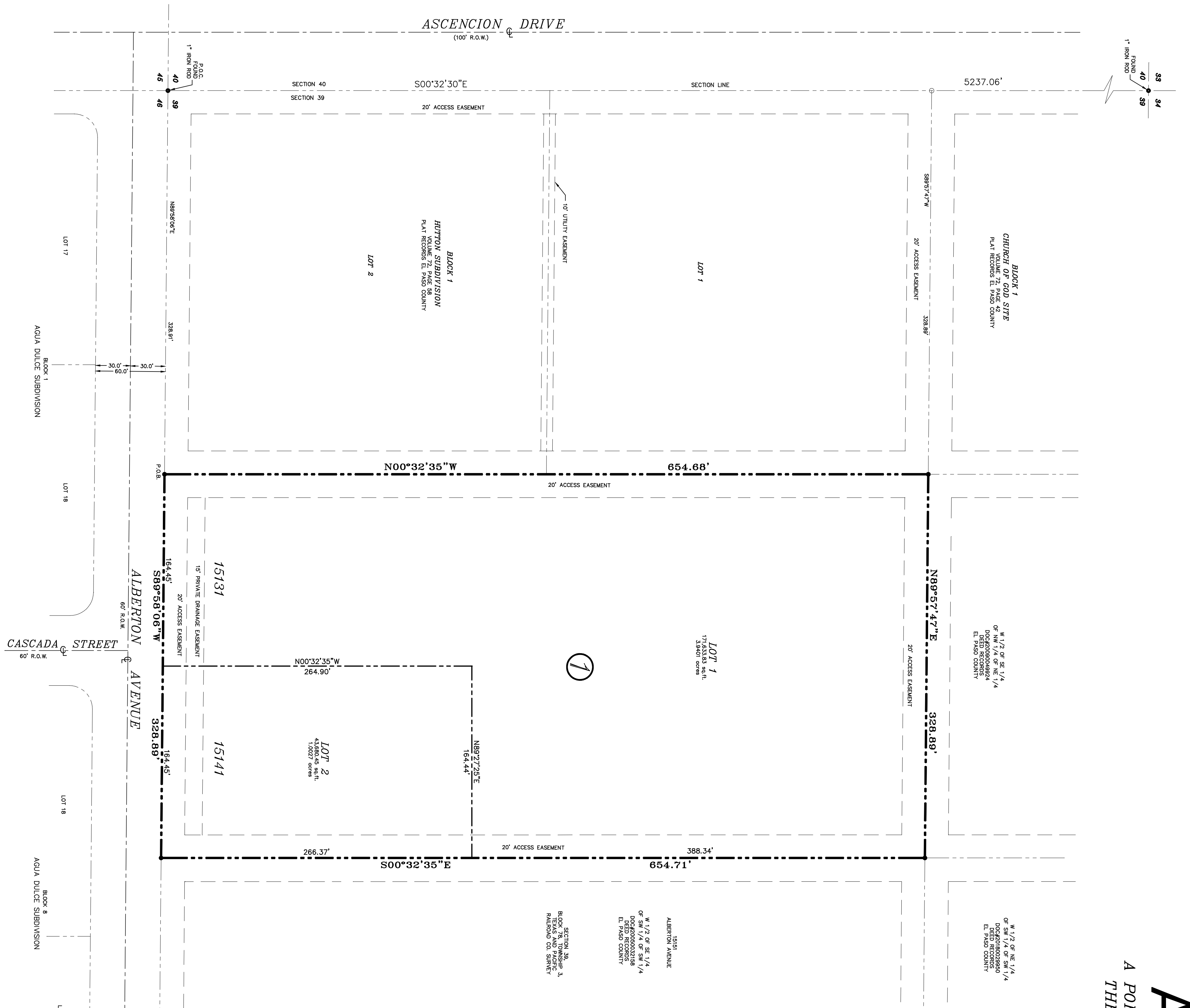
LOCATION MAP: 1" = 600'



OWNER/DEVELOPER:
 MARTIN MONROY
 15131 ALBERTON AVE.
 EL PASO, TEXAS 79928
 PHONE: (915) 633-6422

SURVEYOR:
 CAD CONSULTING CO.
 CARLOS M. JIMENEZ
 1790 LEE TREVINO DRIVE SUITE 309
 EL PASO, TEXAS 79936
 PHONE: (915) 633-6422

ENGINEER:
 4S ENGINEERING SERVICES
 ARI BOURESIAN, PE
 3616 McRAE, STE. A
 EL PASO, TEXAS 79925
 PHONE: (915) 443-9844



TOTAL LOTS
 2 RESIDENTIAL

CD CONSULTING COMPANY
 1790 LEE TREVINO DRIVE SUITE 309
 EL PASO, TEXAS 79936
 TEL (915) 633-6422 FAX (915) 633-6424

ORDINANCE NO. _____

BUDGET FOR FISCAL YEAR 2021-2022

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS
ENACTING THE MUNICIPAL BUDGET FOR FISCAL YEAR 2021-
2022; FUNDING MUNICIPAL PURPOSES; AUTHORIZING
EXPENDITURES; AND PROVIDING FOR REPEALER AND
SEVERABILITY CLAUSES**

WHEREAS, the City Council of the Town of Horizon City ("City Council") seeks to enact and otherwise approve the Town of Horizon City ("City) budget for Fiscal Year 2021-2022 to cover proposed expenditures for the succeeding fiscal year ;

WHEREAS, the succeeding fiscal year commences October 1, 2021;

WHEREAS, the City Council finds that the proposed budget is for legitimate municipal purposes, and thus is statutorily authorized by Texas Local Government Code Chapter 102 and is further authorized by Sections 5.04 and 5.05 of the Town of Horizon City Charter;

WHEREAS, pursuant to Texas Local Government Code Section 51.00, the City has general authority to adopt an ordinance that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City;

WHEREAS, pursuant to Texas Local Government Code Chapter 101.002, the City Council may manage and control the finances of the municipality;

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

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

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

1. FINDINGS OF FACT

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

2. ENACTMENT

A. The Town of Horizon City's budget for Fiscal Year 2021-2022, is attached hereto as *Attachment " A "* and incorporated into this Ordinance for all intents and purposes.

B. The Street Fund, effective October 1, 2013, and reauthorized on November 7, 2017, and May 2, 2021, is derived from sales tax revenue designated for making repairs and accomplishing maintenance and repair of streets existing within the Town of Horizon City as of November 2, 2010. Such funding shall be allocated and expended as provided by applicable state statutes.

C. The Economic Development Fund, effective October 1, 2013, is derived from sales tax revenue designated for use by the Horizon City Type 4B Economic Development Corporation ("EDC) in accordance with Chapter 505 of the Local Government Code. The Mayor of the City is authorized to transfer funds in the Economic Development Fund to the Horizon City Type 4B Economic Development Corporation for the use by the EDC as necessary and appropriate, or to direct the expenditure of the funds on behalf of the EDC in accordance with directives approved by the EDC Board of Directors.

D. The Mayor is hereby authorized to administratively make all necessary budget and fund transfers in conjunction with reimbursements made to the City by the Horizon City Type 4B Economic Development Corporation for the provision of City services to the EDC.

E. Department heads are hereby authorized to make administrative budget

Town of Horizon City
Budget Ordinance 2021-2022
Page 2 of 6

transfers not to exceed ten thousand dollars (\$10,000) each, provided that each transfer is within the same department. Budget transfers for personal services appropriations, capital acquisition appropriations, or impacting revenue accounts require the written approval of the Mayor.

F. The Mayor is authorized to make administrative budget transfers not to exceed twenty-five thousand dollars (\$25,000) each between departments and/or funds, to the extent permitted by law.

G. Budget transfers not exceeding one hundred thousand dollars (\$100,000) each may be authorized by a motion or resolution of the City Council at the same time as, and in conjunction with the approval of any expenditure to include a contract, purchase order or other authorization to procure goods or services.

H. The Mayor or his designee is hereby authorized to administratively establish budgets for grants and similar awards when the applications or agreements relating to the grant or award have been approved by the City Council.

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

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

3. FILING OF THE BUDGET

The City Clerk shall attach any required cover page to the adopted budget, file the budget in her office, and post a copy of the budget, including the cover page, on the website of the Town of Horizon City. The City Clerk shall post the record vote on the budget on the website until September 15, 2022, or such date as the budget for the next fiscal year has

been approved by the City Council.

4. REPEALER

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

5. SEVERABILITY

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

6. EFFECTIVE DATE

This Ordinance shall be effective upon passage as provided for by law to adopt the budget for the Town of Horizon City for the fiscal year starting October 1, 2021.

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of the meeting was given as required by the Open Meetings Act, Texas Government Code Chapter 551. Notice was also provided as required by Section 52.011 and Section 102.0065 of the Texas Local Government Code.

PASSED & APPROVED this, the _____ day of September 2021, by a vote of _____ (ayes) to _____ (nays) to _____ (abstentions) of the City Council of Horizon City, Texas. (A record vote, if required, shall be recorded in the minutes of the Town of Horizon City.)

TOWN OF HORIZON CITY

By: _____

Ruben Mendoza, Mayor

ATTEST:

By: _____

Elvia Schuller, City Clerk

APPROVED AS TO FORM:

By: _____

Sylvia Borunda Firth
Assistant City Attorney

Attachment “A”

Town of Horizon City Proposed Budget and Property Tax Rate

FY 2022

Ordinance Introductions August 10, 2021

Budget Public Hearing August 31, 2021

Tax Rate Public Hearing September 14, 2021

Components of the Operating Budget

- ▶ General Fund – Provides funding via property tax, sales tax, franchise fees, permits and other revenue for:
 - Maintenance of existing facilities and equipment
 - Day to day operations conducted by the Town's staff
- ▶ Debt Service – Provides Funding via property tax revenue for:
 - Interest on outstanding debt due within the fiscal year
 - Principal payments on debt due within the fiscal year
 - Other costs associated with servicing debt
- ▶ Street Fund– Provides Funding via ¼ cent sales tax for:
 - Maintenance of streets existing at the time of the voter referendum. Initial vote in 2013, renewed in 2017 and May 2021
- ▶ Transportation Reinvestment Zone Fund – Funding for road improvement via taxes on property improvements within the zone.
- ▶ Special Event Fund – Provides for the holiday events sponsored by the Town

**TOWN OF HORIZON CITY
2022 OPERATING BUDGET**

Description	2021	2022	Increase	Percent
<u>Revenues</u>				
General Fund	7,646,077	8,490,421	844,344	11.04%
Debt Service Fund	1,853,107	1,867,474	14,367	0.78%
Street Fund	1,120,000	1,120,000	-	0.00%
Transportation Reinvestment Zone Fund	149,326	360,553	211,227	141.45%
Special Event Fund	30,500	25,500	(5,000)	-16.39%
Total	10,799,010	11,863,948	1,064,938	9.86%
<u>Expenditures</u>				
General Fund	7,646,077	8,490,421	844,344	11.04%
Debt Service Fund	1,853,107	1,867,474	14,367	0.78%
Street Fund	1,120,000	1,120,000	-	0.00%
Transportation Reinvestment Zone Fund	149,326	360,553	211,227	141.45%
Special Event Fund	30,500	25,500	(5,000)	-16.39%
Total Expenditures	10,799,010	11,863,948	1,064,938	9.86%
Excess Revenue	-	-	-	

General Fund Budget Assumptions

▶ Expenses

- a. Non-payroll related expenses held to FY2021 levels or increased only as necessary based on history or planned changes
- b. 5.00% across the board increase to salaries for Administrative personnel
- c. \$2.75 per hour increase per the proposed Collective Bargaining Agreement for all officers covered by the agreement
- d. \$2.50 per hour increase for all Dispatch personnel
- e. No increase to employee health benefit expense assumed
- f. A new lower TMRS rate of 5.72% effective January 2022
- g. Replacement of six vehicles and the addition of one, all under lease agreement
- h. Addition of two employees and related expenses
 - i. Finance – Finance Assistant – October 2021
 - ii. Police – Patrol Officer – April 2022

General Fund Budget Assumptions (Cont'd)

▶ Revenues

- a. 4% increase to annualized FY2021 revenues for Sales taxes
- b. Franchise fees, most are the same as the FY2021 budget, except Electric which applied a 4% increase to annualized FY2021 revenues
- c. ESD revenues per agreement based on estimated average cost of a dispatcher
- d. Building permits – Used FY2021 amounts
- e. Citations and Fines – Used FY2020 amounts as there has not been evidence that these will increase over historical amounts.
- f. Miscellaneous revenues – Combination of FY2020 actuals and FY2021 budget. Also includes proposed Vector Control revenues

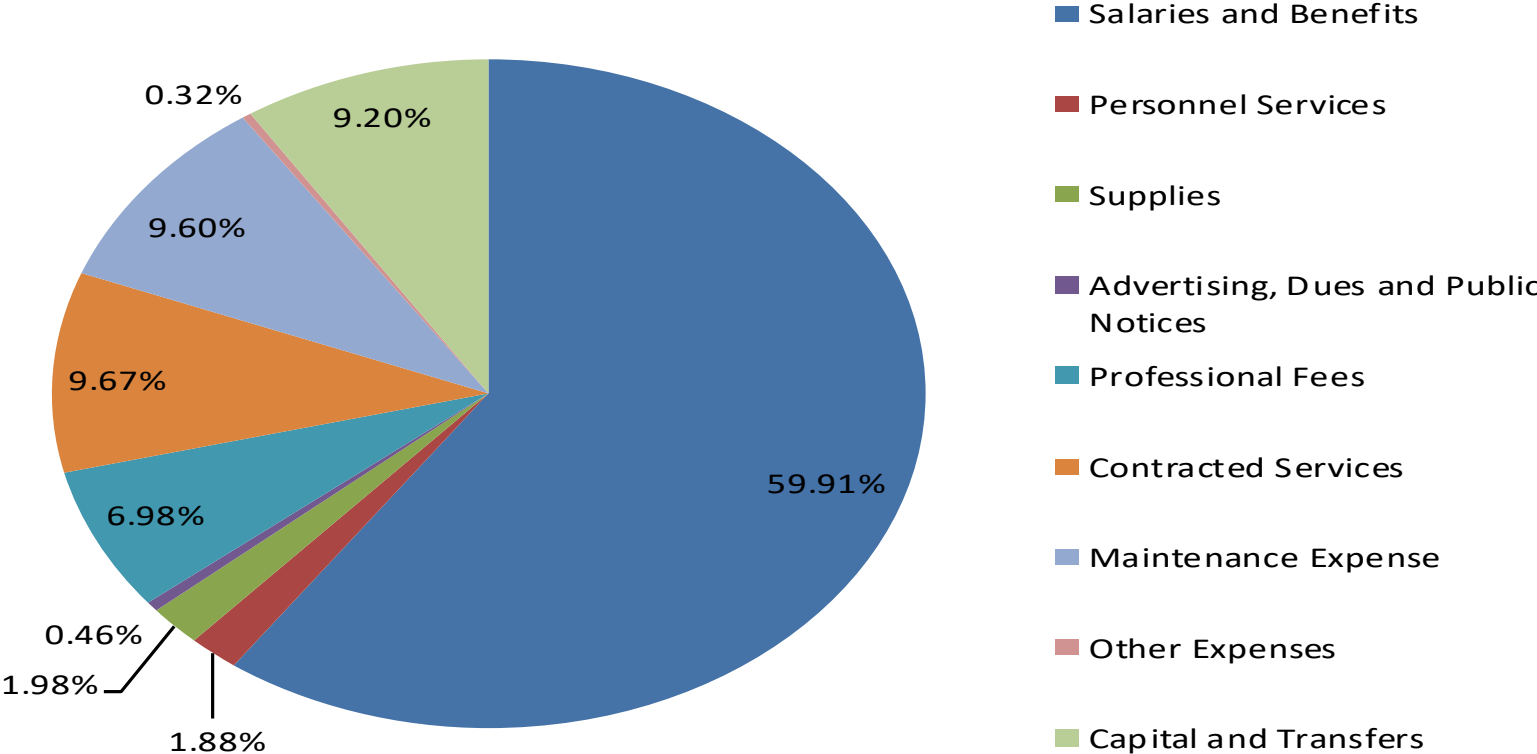
**TOWN OF HORIZON CITY
GENERAL FUND REVENUES
BUDGET 2021-2022**

Description	FY2020 Actuals	Revised FY2021 Budget	FY2022 Budget	Increase/ (Decrease)	Percentage
Property Taxes	3,737,739	3,771,395	3,984,489	213,094	5.65%
Sales Taxes	1,902,051	1,894,710	2,349,166	454,456	23.99%
Franchise Fees	477,786	510,906	513,247	2,341	0.46%
Building and Inspection Fees	776,432	569,200	571,373	2,173	0.38%
Citations and Fees	192,252	243,073	192,248	(50,825)	-20.91%
Other Income	695,195	482,292	859,898	377,606	78.29%
Prior Year Fund Surplus	-	114,500	-	(114,500)	-100.00%
Interest Income	74,422	60,000	20,000	(40,000)	-66.67%
Total Revenue	7,855,876	7,646,077	8,490,421	844,344	11.04%
Taxable Values	880,882,947	934,626,481	1,021,794,945	87,168,464	
Maintenance & Operations Rate	0.390814	0.403519	0.389950	(0.013569)	-3.36%

**TOWN OF HORIZON CITY
GENERAL FUND EXPENDITURE SUMMARY BY FUNCTION
BUDGET 2021-2022**

Line No.	Description	FY2020 Actuals	Revised FY2021 Budget	FY2022 Budget	Increase/ (Decrease)	Percentage
1	Salaries and Benefits	4,120,595	4,642,596	5,086,778	444,183	9.57%
2	Personnel Services	96,596	137,922	159,825	21,903	15.88%
3	Supplies	146,218	154,135	167,820	13,685	8.88%
4	Advertising, Dues and Public Notices	24,303	39,469	39,287	(182)	-0.46%
5	Professional Fees	500,687	647,064	592,332	(54,732)	-8.46%
6	Contracted Services	662,504	986,584	821,274	(165,310)	-16.76%
7	Maintenance Expense	639,905	692,571	815,402	122,831	17.74%
8	Other Expenses	16,171	30,540	26,780	(3,760)	-12.31%
9	Capital and Transfers	891,419	315,198	780,924	465,726	147.76%
10	Total	7,098,399	7,646,077	8,490,421	844,344	11.04%

Percentage of Budget by Function



Maintenance & Operations Increase

GENERAL FUND INCREASE - 2022 BUDGET

1	2021 M & O Budget as Approved	7,531,577
2	Amendments	114,500
3	Revised 2021 M & O Budget	<u>7,646,077</u>
4	Add:	
5	Merit Increase	346,839
6	Additional Employees	60,429
7	Increase to Capital expenditures	465,726
8	Reduction in Mass Transit Allocation	(109,000)
9	Net Reduction in Other Contracted Services	(56,310)
10	Increase to Maintenance Expenses	121,933
11	Net effect of other changes	14,727
12	Subtotal Additional Expenses	<u>844,344</u>
13	Total Proposed Expenses	<u>8,490,421</u>

Interest & Sinking Fund Increase

DEBT SERVICE FUND INCREASE - 2022 BUDGET

1	2021 I & S Budget as Approved	1,853,107
2	Amendments	-
3	Revised 2021 M & O Budget	<u>1,853,107</u>
	Add:	
4	2019 Certificates of Obligation -Net increase of principal and decrease of interest	11,000
5	2014 Certificates of Obligation -Net increase of principal and decrease of interest	(201)
6	2005 Bond interest decrease	3,618
7	Other Expenses	<u>(50)</u>
8	Subtotal Additional Expenses	14,367
9	Total Proposed Expenses	<u><u>1,867,474</u></u>

Components of the Tax Rate

- ▶ M & O – Maintenance and Operations
 - Maintenance of existing facilities and equipment
 - Day to day operations conducted by the Town's staff
- ▶ I & S – Interest and Sinking Funds
 - Interest on outstanding debt due within the fiscal year
 - Principal payments on outstanding debt due within the fiscal year



7/21/2021

HORIZON CITY

2021 Certified Totals

Total Appraised Value and Total Taxable Value as calculated under section 26.04, Tax Code

	Preceding Tax Year	Current Tax Year
Total appraised value of all property	1,145,012,777	1,272,036,854
Total appraised value of new property	37,015,358	39,495,667
Total taxable value of all property	965,385,607	1,086,266,259
Total taxable value of new property	35,270,335	36,572,997



Comparison of Current and Proposed Rates

TOWN OF HORIZON CITY PROPERTY VALUATION AND TAX RATES

Description	2021	2022	Increase	Percent
Property Valuation	934,626,481	1,021,794,945	87,168,464	9.33%
<u>Property Tax Rates</u>				
Maintenance & Operation	0.403519	0.389950	(0.013569)	-3.36%
Debt Service	0.199088	0.175553	(0.023535)	-11.82%
Total	0.602607	0.565503	(0.037104)	-6.16%
Total Property Taxes	5,624,502	5,851,963	227,461	4.04%
No New Revenue Rate	0.592190	0.561776	-0.030414	-5.14%
Voter Approved Rate	0.602607	0.565503	-0.037104	-6.16%
Proposed Rate over No New Revenue Rate				0.66%
Proposed Rate over Voter Approved Rate				0.00%
<u>Average Home</u>	\$ 122,509	\$ 138,774	\$ 16,265	
	\$ 738.25	\$ 784.77	\$ 46.52	
<u>Low</u> \$70,000	\$ 421.82	\$ 395.85	\$ (25.97)	
<u>High</u> \$300,000	\$ 1,807.82	\$ 1,696.51	\$ (111.31)	

**TOWN OF HORIZON CITY
COMPARISON OF PROPERTY TAX RATES**

Description	2019	2020	2021	2022
Property Valuation	\$ 840,027,802	\$ 880,882,947	\$ 934,626,481	\$ 1,021,794,945
<u>Property Tax Rates</u>				
Maintenance & Operation	0.366035	0.390814	0.403519	0.389950
Debt Service	0.125721	0.204526	0.199088	0.175553
Total	0.491756	0.595340	0.602607	0.565503
<u>Change in Rates</u>				
Maintenance & Operation		0.024779	0.012705	(0.013569)
Debt Service		0.078805	(0.005438)	(0.023535)
Total		0.103584	0.007267	(0.037104)
<u>Percentage Change in Rates</u>				
Maintenance & Operation		6.77%	3.25%	-3.36%
Debt Service		62.68%	-2.66%	-11.82%
Total		21.06%	1.22%	-6.16%



Town of Horizon City Proposed Budget and Property Tax Rate FY 2022

- ▶ Questions?



ORDINANCE NO. _____
TOWN OF HORIZON CITY
2021 TAX LEVY ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS, APPROVING THE 2021 AD VALOREM TAX RATE AND LEVY OF ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY; PROVIDING FOR PENALTIES AND INTEREST; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; SEVERABILITY; SAVINGS CLAUSE; PUBLICATION AND EFFECTIVE DATE.

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

WHEREAS, the no-new revenue tax rate is the rate that will raise the amount of property tax revenue from the same properties in both the 2020 tax year and 2021 tax year;

WHEREAS, the tax rate proposed by the City Council of the Town of Horizon City is higher than the no-new revenue tax rate;

WHEREAS, the voter approved rate is the highest tax rate the City Council of the Town of Horizon City may adopt without voter approval;

WHEREAS, City Council of the Town of Horizon City proposes to adopt the voter approved rate for tax year 2021;

WHEREAS, a notice of the hearing on a proposed tax levy was published in the official newspaper for notice designated by the Town of Horizon City on August 30, 2021; and

WHEREAS, hearings on the proposed tax levy were held on September 14, 2021 as required by State law.

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

1. APPROVAL OF 2021 TAX RATE AND LEVY

That there be and is hereby levied and shall be assessed and collected for the year 2021, on all taxable property, real, personal and mixed, situated within the city limits of the Town of Horizon City, Texas (City), and not exempt by the Constitution of the State and valid state laws, voter approved ad valorem tax rate of 56.5503 cents (\$0.565503) on each One Hundred Dollars (\$100.00) assessed value of taxable property remains unchanged, and shall be apportioned and distributed as follows:

- (a) For the purpose of defraying the current expenses and budget of the municipal government of the City (maintenance and operations), a tax rate of 38.9950 cents (\$0.389950) on each One Hundred Dollars (\$100.00) assessed value of taxable property.
- (b) For the purpose of creating a sinking fund to pay the interest and principal maturities on all outstanding debt of the Town of Horizon City, not otherwise provided for, a tax rate of 17.5553 cents (\$0.175553) on each one hundred dollars (\$100.00) of assessed value of taxable property within the Town of Horizon City and shall be applied to the payment of interest and maturities of all such outstanding debt.

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

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

AND

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.5 PERCENT (3.5%) AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$13.19.

2. ASSESSMENT AND COLLECTION OF TAXES; PENALTIES AND INTEREST

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

3. FINDINGS OF FACT

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

4. SEVERABILITY CLAUSE

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

5. SAVINGS CLAUSE

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

6. PUBLICATION CLAUSE

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

7. EFFECTIVE DATE

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

8. PROPER NOTICE & MEETING

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

PASSED & APPROVED this, the ____ day of September 2021, by a vote of _____(ayes) to _____(nays) to _____(abstentions) of the City Council of Horizon City, Texas.

(SIGNATURES ON NEXT PAGE)

TOWN OF HORIZON CITY

By: _____

Ruben Mendoza, Mayor

ATTEST:

By: _____

Elvia Schuller, City Clerk

APPROVED AS TO FORM:

By: _____

Sylvia Borunda Firth
Assistant City Attorney

Statements required in notice if the proposed tax rate exceeds the no-new-revenue tax rate but does not exceed the voter-approval tax rate, as prescribed by Tax Code §26.06(b-2).

NOTICE OF PUBLIC HEARING ON TAX INCREASE

A tax rate of \$ 0.565503 per \$100 valuation has been proposed by the governing body of Horizon City.

PROPOSED TAX RATE	\$	<u>0.565503</u>	per \$100
NO-NEW-REVENUE TAX RATE	\$	<u>0.561776</u>	per \$100
VOTER-APPROVAL TAX RATE	\$	<u>0.565503</u>	per \$100

The no-new-revenue tax rate is the tax rate for the 2021 tax year that will raise the same amount of property tax revenue for Horizon City from the same properties in both the 2020 tax year and the 2021 tax year.

The voter-approval rate is the highest tax rate that _____ may adopt without holding an election to seek voter approval of the rate.

The proposed tax rate is greater than the no-new-revenue tax rate. This means that Horizon City is proposing to increase property taxes for the 2021 tax year.

A PUBLIC HEARING ON THE PROPOSED TAX RATE WILL BE HELD ON September 14, 2021 at 6:00 p.m. at Council Chambers, 15001 Darrington Rd Horizon City, Texas.

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

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

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

(List names of all members of the governing body below, showing how each voted on the proposal to consider the tax increase or, if one or more were absent, indicating absences.)

FOR the proposal: _____

AGAINST the proposal: _____

PRESENT and not voting: _____

ABSENT: _____

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

The following table compares the taxes imposed on the average residence homestead by _____ last year
(name of taxing unit)
 to the taxes proposed to be imposed on the average residence homestead by _____ this year.
(name of taxing unit)

	2019	2020	Change
Total tax rate (per \$100 of value)	2019 adopted tax rate	2020 proposed tax rate	(Increase/Decrease) of (nominal difference between tax rate for preceding year and proposed tax rate for current year) per \$100, or (percentage difference between tax rate for preceding year and proposed tax rate for current year)%
Average homestead taxable value	2019 average taxable value of residence homestead	2020 average taxable value of residence homestead	(Increase/Decrease) of (percentage difference between average taxable value of residence homestead for preceding year and current year)%
Tax on average homestead	2019 amount of taxes on average taxable value of residence homestead	2020 amount of taxes on average taxable value of residence homestead	(Increase/Decrease) of (nominal difference between amount of taxes imposed on the average taxable value of a residence homestead in the preceding year and the amount of taxes proposed on the average taxable value of a residence homestead in the current year), or (percentage difference between taxes imposed for preceding year and taxes proposed for current year)%
Total tax levy on all properties	2019 levy	(2020 proposed rate x current total value)/100	(Increase/Decrease) of (nominal difference between preceding year levy and proposed levy for current year), or (percentage difference between preceding year levy and proposed levy for current year)%

(Include the following text if these no-new-revenue tax rate adjustments apply for the taxing unit)

No-New-Revenue Tax Rate Adjustments

State Criminal Justice Mandate (counties)

The _____ County Auditor certifies that _____ County has
(county name) (county name)
 spent \$ _____ in the previous 12 months for the maintenance and operations cost
(amount minus any amount received from state revenue for such costs)
 of keeping inmates sentenced to the Texas Department of Criminal Justice. _____ County
(county name)
 Sheriff has provided _____ information on these costs, minus the state revenues
(county name)
 received for the reimbursement of such costs.

This increased the no-new-revenue tax rate by _____ /\$100.

Indigent Health Care Compensation Expenditures (counties)

The _____ spent \$ _____ from July 1 _____ to June 30 _____
(name of taxing unit) (amount) (prior year) (current year)
 on indigent health care compensation procedures at the increased minimum eligibility standards, less the amount of state
 assistance.

For current tax year, the amount of increase above last year's enhanced indigent health care expenditures is \$ _____.
(amount of increase)

This increased the no-new-revenue tax rate by _____ /\$100.

Indigent Defense Compensation Expenditures (counties)

The _____ spent \$ _____ from July 1 _____ to June 30 _____
(name of taxing unit) (amount) (prior year) (current year)
 to provide appointed counsel for indigent individuals in criminal or civil proceedings in accordance with the schedule of fees adopted
 under Article 26.05, Code of Criminal Procedure, less the amount of any state grants received. For current tax year, the amount of
 increase above last year's enhanced indigent defense compensation expenditures is \$ _____.
(amount of increase)

This increased the no-new-revenue tax rate by _____ /\$100.

Eligible County Hospital Expenditures (cities and counties)

The _____ spent \$ _____ from July 1 _____ to June 30 _____
(name of taxing unit) (amount) (prior year) (current year)
 on expenditures to maintain and operate an eligible county hospital.

For current tax year, the amount of increase above last year's eligible county hospital expenditures is \$ _____.
(amount of increase)

This increased the no-new revenue tax rate by _____ /\$100.

(If the tax assessor for the taxing unit maintains an internet website)

For assistance with tax calculations, please contact the tax assessor for _____
(name of taxing unit)
 at _____ or _____, or visit _____
(telephone number) (email address) (internet website address)
 for more information.

(If the tax assessor for the taxing unit does not maintain an internet website)

For assistance with tax calculations, please contact the tax assessor for _____
(name of taxing unit)
 at _____ or _____.
(telephone number) (email address)

Town of Horizon City Proposed Budget and Property Tax Rate

FY 2022

Ordinance Introductions August 10, 2021

Budget Public Hearing August 31, 2021

Tax Rate Public Hearing September 14, 2021

Components of the Operating Budget

- ▶ General Fund – Provides funding via property tax, sales tax, franchise fees, permits and other revenue for:
 - Maintenance of existing facilities and equipment
 - Day to day operations conducted by the Town’s staff
- ▶ Debt Service – Provides Funding via property tax revenue for:
 - Interest on outstanding debt due within the fiscal year
 - Principal payments on debt due within the fiscal year
 - Other costs associated with servicing debt
- ▶ Street Fund– Provides Funding via ¼ cent sales tax for:
 - Maintenance of streets existing at the time of the voter referendum. Initial vote in 2013, renewed in 2017 and May 2021
- ▶ Transportation Reinvestment Zone Fund – Funding for road improvement via taxes on property improvements within the zone.
- ▶ Special Event Fund – Provides for the holiday events sponsored by the Town

**TOWN OF HORIZON CITY
2022 OPERATING BUDGET**

Description	2021	2022	Increase	Percent
<u>Revenues</u>				
General Fund	7,646,077	8,490,421	844,344	11.04%
Debt Service Fund	1,853,107	1,867,474	14,367	0.78%
Street Fund	1,120,000	1,120,000	-	0.00%
Transportation Reinvestment Zone Fund	149,326	360,553	211,227	141.45%
Special Event Fund	30,500	25,500	(5,000)	-16.39%
Total	10,799,010	11,863,948	1,064,938	9.86%
<u>Expenditures</u>				
General Fund	7,646,077	8,490,421	844,344	11.04%
Debt Service Fund	1,853,107	1,867,474	14,367	0.78%
Street Fund	1,120,000	1,120,000	-	0.00%
Transportation Reinvestment Zone Fund	149,326	360,553	211,227	141.45%
Special Event Fund	30,500	25,500	(5,000)	-16.39%
Total Expenditures	10,799,010	11,863,948	1,064,938	9.86%
Excess Revenue	-	-	-	

General Fund Budget Assumptions

▶ Expenses

- a. Non-payroll related expenses held to FY2021 levels or increased only as necessary based on history or planned changes
- b. 5.00% across the board increase to salaries for Administrative personnel
- c. \$2.75 per hour increase per the proposed Collective Bargaining Agreement for all officers covered by the agreement
- d. \$2.50 per hour increase for all Dispatch personnel
- e. No increase to employee health benefit expense assumed
- f. A new lower TMRS rate of 5.72% effective January 2022
- g. Replacement of six vehicles and the addition of one, all under lease agreement
- h. Addition of two employees and related expenses
 - i. Finance – Finance Assistant – October 2021
 - ii. Police – Patrol Officer – April 2022

General Fund Budget Assumptions (Cont'd)

▶ Revenues

- a. 4% increase to annualized FY2021 revenues for Sales taxes
- b. Franchise fees, most are the same as the FY2021 budget, except Electric which applied a 4% increase to annualized FY2021 revenues
- c. ESD revenues per agreement based on estimated average cost of a dispatcher
- d. Building permits – Used FY2021 amounts
- e. Citations and Fines – Used FY2020 amounts as there has not been evidence that these will increase over historical amounts.
- f. Miscellaneous revenues – Combination of FY2020 actuals and FY2021 budget. Also includes proposed Vector Control revenues

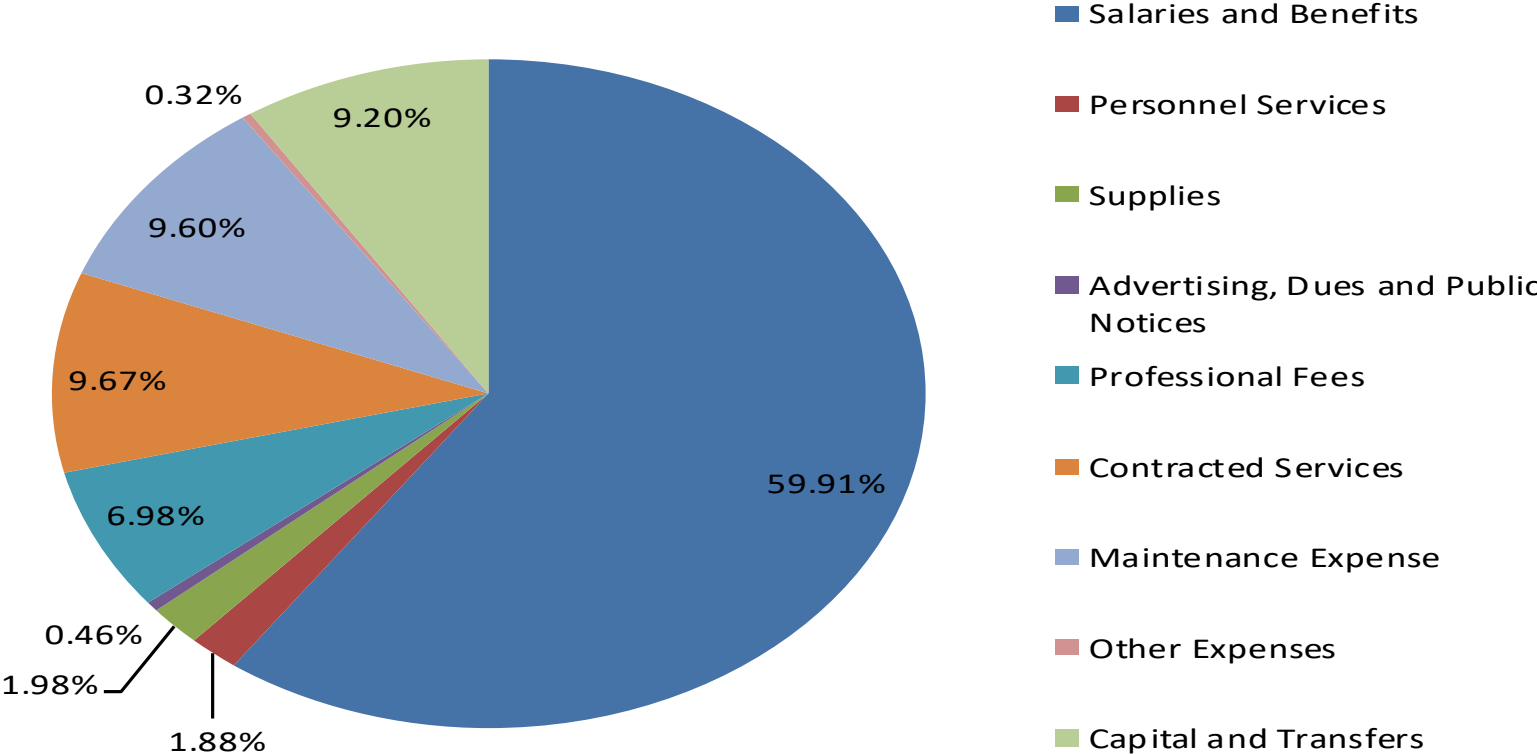
**TOWN OF HORIZON CITY
GENERAL FUND REVENUES
BUDGET 2021-2022**

Description	FY2020 Actuals	Revised FY2021 Budget	FY2022 Budget	Increase/ (Decrease)	Percentage
Property Taxes	3,737,739	3,771,395	3,984,489	213,094	5.65%
Sales Taxes	1,902,051	1,894,710	2,349,166	454,456	23.99%
Franchise Fees	477,786	510,906	513,247	2,341	0.46%
Building and Inspection Fees	776,432	569,200	571,373	2,173	0.38%
Citations and Fees	192,252	243,073	192,248	(50,825)	-20.91%
Other Income	695,195	482,292	859,898	377,606	78.29%
Prior Year Fund Surplus	-	114,500	-	(114,500)	-100.00%
Interest Income	74,422	60,000	20,000	(40,000)	-66.67%
Total Revenue	7,855,876	7,646,077	8,490,421	844,344	11.04%
Taxable Values	880,882,947	934,626,481	1,021,794,945	87,168,464	
Maintenance & Operations Rate	0.390814	0.403519	0.389950	(0.013569)	-3.36%

**TOWN OF HORIZON CITY
GENERAL FUND EXPENDITURE SUMMARY BY FUNCTION
BUDGET 2021-2022**

Line No.	Description	FY2020 Actuals	Revised FY2021 Budget	FY2022 Budget	Increase/ (Decrease)	Percentage
1	Salaries and Benefits	4,120,595	4,642,596	5,086,778	444,183	9.57%
2	Personnel Services	96,596	137,922	159,825	21,903	15.88%
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Percentage of Budget by Function



Maintenance & Operations Increase

GENERAL FUND INCREASE - 2022 BUDGET

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9	Net Reduction in Other Contracted Services	(56,310)
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12	Subtotal Additional Expenses	<u>844,344</u>
13	Total Proposed Expenses	<u>8,490,421</u>

Interest & Sinking Fund Increase

DEBT SERVICE FUND INCREASE - 2022 BUDGET

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2	Amendments	-
3	Revised 2021 M & O Budget	<u>1,853,107</u>
	Add:	
4	2019 Certificates of Obligation -Net increase of principal and decrease of interest	11,000
5	2014 Certificates of Obligation -Net increase of principal and decrease of interest	(201)
6	2005 Bond interest decrease	3,618
7	Other Expenses	<u>(50)</u>
8	Subtotal Additional Expenses	14,367
9	Total Proposed Expenses	<u><u>1,867,474</u></u>

Components of the Tax Rate

- ▶ M & O – Maintenance and Operations
 - Maintenance of existing facilities and equipment
 - Day to day operations conducted by the Town's staff
- ▶ I & S – Interest and Sinking Funds
 - Interest on outstanding debt due within the fiscal year
 - Principal payments on outstanding debt due within the fiscal year



7/21/2021

HORIZON CITY

2021 Certified Totals

Total Appraised Value and Total Taxable Value as calculated under section 26.04, Tax Code

	Preceding Tax Year	Current Tax Year
Total appraised value of all property	1,145,012,777	1,272,036,854
Total appraised value of new property	37,015,358	39,495,667
Total taxable value of all property	965,385,607	1,086,266,259
Total taxable value of new property	35,270,335	36,572,997

Comparison of Current and Proposed Rates

TOWN OF HORIZON CITY PROPERTY VALUATION AND TAX RATES

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Debt Service	0.199088	0.175553	(0.023535)	-11.82%
Total	0.602607	0.565503	(0.037104)	-6.16%
Total Property Taxes	5,624,502	5,851,963	227,461	4.04%
No New Revenue Rate	0.592190	0.561776	-0.030414	-5.14%
Voter Approved Rate	0.602607	0.565503	-0.037104	-6.16%
Proposed Rate over No New Revenue Rate				0.66%
Proposed Rate over Voter Approved Rate				0.00%
<u>Average Home</u>	\$ 122,509	\$ 138,774	\$ 16,265	
	\$ 738.25	\$ 784.77	\$ 46.52	
<u>Low</u> \$70,000	\$ 421.82	\$ 395.85	\$ (25.97)	
<u>High</u> \$300,000	\$ 1,807.82	\$ 1,696.51	\$ (111.31)	

**TOWN OF HORIZON CITY
COMPARISON OF PROPERTY TAX RATES**

Description	2019	2020	2021	2022
Property Valuation	\$ 840,027,802	\$ 880,882,947	\$ 934,626,481	\$ 1,021,794,945
<u>Property Tax Rates</u>				
Maintenance & Operation	0.366035	0.390814	0.403519	0.389950
Debt Service	0.125721	0.204526	0.199088	0.175553
Total	0.491756	0.595340	0.602607	0.565503
<u>Change in Rates</u>				
Maintenance & Operation		0.024779	0.012705	(0.013569)
Debt Service		0.078805	(0.005438)	(0.023535)
Total		0.103584	0.007267	(0.037104)
<u>Percentage Change in Rates</u>				
Maintenance & Operation		6.77%	3.25%	-3.36%
Debt Service		62.68%	-2.66%	-11.82%
Total		21.06%	1.22%	-6.16%



Town of Horizon City Proposed Budget and Property Tax Rate FY 2022

- ▶ Questions?



ORDINANCE NO. 0260 AMENDMENT NO. 02

AN ORDINANCE AMENDING ORDINANCE NO. 0260 OF THE TOWN OF HORIZON CITY, ADOPTING THE MUNICIPAL BUDGET FOR THE 2020-2021 FISCAL YEAR, TO ALLOW FOR THE BUDGETING AND EXPENDITURE OF FUNDS FOR THE PURCHASE OF POTHOLE PATCHING EQUIPMENT; AND PROVIDING FOR REPEALER AND SEVERABILITY CLAUSES.

WHEREAS, an Ordinance was enacted on the 8th day of September 2020, which adopted a budget for the fiscal year of October 1, 2020 to September 30, 2021 for the Town of Horizon City; and

WHEREAS, Ordinance No. 0120 Amendment No. 1 was approved March 9, 2021, and it allowed for the budgeting and expenditure of funds for Tax Increment Reinvestment Zone Services and Expenditures; and

WHEREAS, it is now necessary to amend said budget for municipal purposes to add the transfer of funds from the Street Maintenance Fund Construction Contracted line item to Street Maintenance Fund Equipment line item, in the amount of \$125,000. This funding and expenditure is necessary to provide for the purchase of equipment which was not included in the budget.

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

1. FINDINGS OF FACT

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

2. BUDGET AMENDMENT

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

3. REPEALER

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

4. SEVERABILITY

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

5. PROPER NOTICE & MEETING

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

PASSED & APPROVED this, the _____ day of _____, 2021, by a vote of ___ (ayes) to ___ (nays) to ___ (abstentions) of the City Council of Horizon City, Texas.

TOWN OF HORIZON CITY:

by: _____
Ruben Mendoza, Mayor

ATTEST:

Elvia Schuller, City Clerk

APPROVED AS TO FORM:

Theresa Cullen, Assistant City Attorney

First Reading: August 31, 2021

Second Reading: September 14, 2021

ATTACHMENT A
BUDGET FUND TRANSFER

**TOWN OF HORIZON CITY
2021 BUDGET AMENDMENT 02
STREET MAINTENANCE FUND
EXHIBIT A**

Line No.	Description	Amount
1	Pro-Patch Asphalt Pothole Patcher	122,447.00
2	Miscellaneous	2,553.00
3	Total Proposed	<u>125,000.00</u>
 <u>To Account</u>		
4	06-507-6020 Equipment	125,000.00
 <u>From Account</u>		
5	06-507-6340 Construction Contracted	125,000.00



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: September 9, 2021

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, AICP, CNU-A, Planning Director

SUBJECT: On authorizing the purchase of an asphalt pothole patcher from H.D. Industries, Inc. for an amount not to exceed \$98,343.00, through Buy Board Contract #597-21, and authorizing the Mayor to execute the documents.

Staff is requesting that the City Council authorize the purchase of an asphalt pothole patcher in the amount of \$98,343.00 from H.D. Industries, Inc. through Buy Board Contract #597-21.

The City's purchasing agent has reviewed this proposed purchase and has recommended approval.

The quote for the equipment is attached for reference.



ASPHALT POTHOLE PATCHER SPECIFICATIONS TRAILER MOUNTED MODEL TM 300-40 DHE

1. **GENERAL**

The **Pro-Patch** model TM 300-40 DHE LP Gas Heating System has a 3 cubic yard, 4 ton asphalt aggregate hopper with 40 gallon emulsion oil tank that is fully insulated with 2" industrial high temperature 12R factor insulation encased in a double jacket.

2. **BODY DIMENSIONS**

The body is 88" long, 45" high and 78" wide. Body has L.E.D. style stop, turn, emergency flashers and side marker lights. All electrical wiring shall be color coded, soldered, shrink wrapped in polyvinyl, and incased in conduit.

3. **HYDRAULIC OPERATED STEEL TOP DOORS**

Two (2) hydraulically operated bi-fold steel top doors with hex brake for rigidity. Doors are insulated with 2" of high temperature insulation in a double steel jacket. The doors have rain seal caps and flex plates to keep asphalt out of door hinges. Each door shall have a 1 1/2" bore with 13" stroke hydraulic cylinder with bypass and flow control valves. The controls for doors are at the rear of the unit.

4. **HEATING SYSTEM**

The body shall have a dry radiant heat chamber heated by 1 each 67,000 BTU retort tube propane burner with vertical exhaust stacks. The burner is thermostat controlled and regulated at 10 PSI. The ignition system is 12 Volt DC with electronic igniter with 12 volt battery. Gas burner has a safety shut-off on loss of flame or excessive high temperature. Thermostat will be 0/300° F solid state with digital temperature reading. Unit has 200,000 BTU hand torch with 10 ft. hose and hose rack.

5. **DESPENSING ASPHALT MATERIAL**

The asphalt hopper has a 9 foot long by 6" diameter, **hard surfaced** flight screw conveyor on 2" scheduled 80 pipe and is ball bearing mounted with an Anti-Bridge Device. Conveyor is driven by a 13,000 in. LB. torque variable speed hydraulic motor with forward and reverse. Unit shall have an asphalt chute with 180 Pivot.

6. **ASPHALT AGITATOR**

The agitator shaft is built into the premix hopper and designed to break up asphalt bridging due to vibratory compaction. The scheduled 160 shaft has 12 spikes and is ball bearing mounted and driven by a 13,000 in.lb. Torque variable speed hydraulic motor with forward and reverse. *All bearings can be greased through a feeder line mounted outside the unit from ground level.*

7. **TACK OIL TANK CAPICITY AND HEATING SYSTEM**

The tank, built onto the main body, has a capacity of 40 gallons and a double steel jacket with 2" insulation. The tank has a 110 volt, 500 watt Thermostat Control Electric Heater. *The liquid asphalt pump and all lines are in an insulated heated area with an 8" fill cap and a 1" drain.*

8. **LIQUID ASPHALT OIL PUMP**

A hydraulically driven, 1 1/2" self-priming, variable speed, reversible, rotary gear pump with relief valve with Pressure Gauge. Operating at 20 GPM at 1200 RPM, 100 PSI. *Pump and all oil lines are in an insulated heated area.* The pump will circulate the emulsion oil to prevent separation and to crush any lumps that may form and cause clogging of the spray tip. *Air injection systems do not have this capability.*



ASPHALT POTHOLE PATCHER SPECIFICATIONS TRAILER MOUNTED MODEL TM 300-40 DHE

9. **HYDRAULIC CONTROL VALVE – U.S. PATENT NO. 7037034**
Five spool, two-way, variable flow with 2200 PSI relief valve. The valve controls hydraulic screw conveyor, asphalt agitator, and liquid asphalt pump. Hydraulic Tool Circuit and Hydraulic Doors. **The valve has an internal or external safety design that will protect the operator and not allow the screw conveyor or asphalt agitator to operate when the doors are open.** This system is designed to divert hydraulic oil pressure back to the tank. Electric solenoids on hydraulic valve are not acceptable due to mechanical override feature and ease of bypassing system. The valve is operated from the rear of machine by remote levers.
10. **STROBE LIGHT**
A pedestal mounted Meteorlight model SY2000 amber, 80 double flashes per minute.
11. **10-LIGHT DIRECTIONAL ARROW BOARD**
The arrow board is an Able 2 LED 10 light with arrow flashing left, right and center warning bar. The board is mounted on the rear of the patch unit with in cab controls.
12. **MAXXIMA STT RECTANGLE 6.5" OVAL TAIL LIGHTS**
LED RED, CLEAR, AMBER, & STROBE tail lights
13. **TRAILER**
Trailer is 72" wide and 176" long. The trailer frame is constructed of 2" x 6" x 3/16" rectangular tubing. The tongue is 3" x 4" x 3/8" rectangular tubing. The deck is 1/8" tread plate. Trailer has solid steel wheel with dual 10,000 LB. axles, **electric brakes**, 4 each 215/75R17.5 Load Range G tires, 7,000 LB swivel landing gear type tongue jack, 3" I.D. adjustable height **LUNETTE pintle hitch eye** with (2) 3/8" safety chains 36" long with hooks. Electric brakes shall have a safety break away. Shall have a 6 pin trailer connector. Trailer shall have safety reflector tape on all sides. **With 4 Lifting Eyes.**
14. **KOHLER DIESEL ENGINE**
23.5 HP 3,000 RPM water cooled diesel, three (3) cylinder, and 12 volt electric DC starter. 45 amp alternator, 650 CA Battery with weather proof cover. Remote control panel consisting of glow plug warm intake assistance, water temp, oil pressure shut down with tachometer/hour meter. Engine shall have **15 gallon diesel fuel tank**. A 12 GPM hydraulic pump shall be direct mounted to the engine. Engine has rear mounted vernier cable throttle control.
15. **FUEL**
2 Each 100 LB. (25 gallon) removable DOT propane bottles, complete with quick fill connector and 10 PSI regulator.
16. **TEMPERATURE GAUGES**
The Unit has two 3" dial type, stainless steel temperature gauges that constantly monitor the temperature of the asphalt hopper and road oil tank.
17. **HAND TORCH**
For drying off repair site and cleaning hand tools, the unit has a 200,000 propane BTU hand torch with shut-off valve and 10' of hose with hose rack. Hand torch has mounting bracket for transport.



ASPHALT POTHOLE PATCHER SPECIFICATIONS TRAILER MOUNTED MODEL TM 300-40 DHE

18. **DIESEL FUEL / RELEASING AGENT STORAGE TANK**
An 8 gallon capacity tank, equipped with a 1.6 gpm @ 60 psi 12 volt DC pump and a hand sprayer for cleaning tools and unit. There shall be a connector valve for flushing road oil pump and lines and a 1" drain. For easy hopper cleaning access and to spray hopper before loading.
19. **LIQUID ASPHALT HAND SPRAYER**
A 5' x 3/8" wand, equipped with fan nozzle and Deadman Control Valve. Sprayer hose is 12' X 1/2" with a reversible pump and diesel flush system for cleaning pump and lines.
20. **HYDRAULIC OIL RESERVOIR**
30 gallon capacity with sight and temperature gauge, ventilated fill cap, 150 micron sump strainer and a 10 micron return filler with 1" gate cutoff valve at filter.
21. **HYDRAULIC HOSE AND FITTINGS**
All high pressure hoses and crimped fittings have a minimum of 9600 PSI burst pressure.
22. **CONSPICUITY TAPE**
Conspicuity Tape on all sides of the unit.
23. **DRIP PAN**
An eight (8) gallon drip pan for waste oil combination, for flushing pump, spray wand and lines at the end of the work day, with necessary valve for draining.
24. **WATER TANK**
A frame mounted stainless steel ten (10) gallon tank with valve and hose.
25. **DIESEL FUEL HOSE REEL**
Hose reel for diesel fuel spray wand has 20' of hose. Reel is spring loaded auto-retractable.
26. **VIBRATORY COMPACTOR PLATE**
A Wacker WP1550AW Compactor equipped with a 5.5 hp gasoline Honda Engine with auto oil alarm shut down. Operating weight is 196#, centrifugal force 3375#, plate size 19.5 x 23", a water tank and locking holding down brackets. Dolly Attachment Part No. – 0162986
27. **ELECTRIC HOIST**
A 12 volt 1 1/3 hp electric hoist is available for loading or unloading the vibratory compactor plate.
28. **ASPHALT LUTE AND SHOVEL HOLDER**
Two (2) spring loaded asphalt lute and shovel holders, mounted curb side of unit.



H.D. INDUSTRIES, Inc.

Pro-Patch Pot Hole Patcher

P.O. BOX 8250 · JACKSONVILLE, TEXAS 75766 · (903) 586-6126 · www.pro-patch.com

**ASPHALT POTHOLE PATCHER
SPECIFICATIONS TRAILER MOUNTED MODEL TM 300-40 DHE**

29. **COLOR**

Standard color is Gloss Black.

30. **SERVICE MANUALS AND TRAINING**

H.D. Industries, will furnish two (2) parts, service and operators manuals and 8 hours of training.

31. **WARRANTY**

H.D. Industries warrants the *Pro-Patch* Asphalt Pothole Patcher for a full twelve (12) months against defects in material and workmanship of the body and on all parts.



H.D. INDUSTRIES, Inc.

Pro-Patch Pot Hole Patcher

P.O. BOX 8250 · JACKSONVILLE, TEXAS 75766 · (903) 586-6126 · www.pro-patch.com

September 2, 2021

Albert Valle
Town of Horizon City, TX

Buy Board Contract No. 597-21

Dear Mr. Valle:

Thank you for requesting information on the Pro-Patch Asphalt Pothole Patcher. I appreciate your interest and I am sending you this quote with recommended options for a well-equipped patch unit. However, you can add or delete items to best suit your needs. The Pro-Patch can be purchased through the Texas Buyboard, TOPS and HGAC.

1. Basic Unit Model TM 300-40 DHE w/Electric Brakes.....	\$73,950.00
2. 23 HP Kohler Diesel Engine w/Hydraulic Pump.....	6,500.00
3. Hydraulic Bi-fold Steel Top Doors.....	4,898.00
4. Electric Hoist.....	1,045.00
5. Wacker WP1550AW Compactor.....	2,795.00
6. Diesel Fuel Hose Reel w/20 FT Hose.....	375.00
7. 8 Gallon Drip & Waste Pan.....	490.00
8. 10 Gallon Stainless Steel Water Tank.....	620.00
9. 2 Each 25 Gallon LP Gas Bottles.....	1,895.00
10. ABLE 2 LED 10 Light Arrow Board.....	1,210.00
11. Meteorlight SY2000 Strobe Light LED, Pedestal Mount, On Left Side Front.....	355.00
12. Maxxima Rectangular 6.5" Oval Tail Lights, Backup and Amber Strobes.....	665.00
13. Two (2) Asphalt Lute/Shovel Holder, 1 on each side.....	350.00
14. Conspicuity Tape on All Sides.....	115.00
15. Four (4) Lifting Eyes.....	200.00
16. Color: Black.....	Included
Subtotal.....	\$95,463.00
Delivery and Four (4) hour training.....	2,880.00
TOTAL.....	\$98,343.00

Delivery in 60 - 90 days after receiving purchase order.

I hope this information is helpful to you. If you have any questions or need any additional information, please feel free to give me a call at 1-800-256-6126. Thank you.

Sincerely,

Harold Dillingham

Harold Dillingham
President

EMPLOYMENT **AGREEMENT**

THIS EMPLOYMENT AGREEMENT is made and entered into between the Town of Horizon City, Texas, a municipal corporation ("City") and Patricia Randleel, hereinafter called "Employee", collectively referred to as "Parties," upon the following terms, covenants, and conditions:

WHEREAS, the City desires to retain the services of the Employee as its Finance Director pursuant to the terms, conditions, and provisions of this Agreement;

WHEREAS, Patricia Randleel desires to work for the City as its Finance Director upon the terms and conditions set forth herein; and

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

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

1. TERM.

The City employs the Employee, and the Employee accepts employment with the City, in the capacity of Finance Director for a period beginning on October 1, 2021, and extending through September 30, 2022. The Parties hereby agree this extends the Employee's employment under prior Employment Agreements dated on or about October 10, 2013, August 17, 2016, and September 2020 under the terms and conditions described in in this Agreement.

2. DUTIES.

A. Employee is responsible for the management of the City's day-to-day financial operations and budget, in accordance with the City's ordinances and the policies and directives of the City Council, and in compliance with all relevant federal and state law. Employee may additionally serve, if appointed, as the City's Investment Officer. The Employee shall report to the Mayor or his designee, serve as the central point of contact for the Mayor and department heads concerning the financial and budget matters of the City, and perform the essential functions as set forth in the Job Description in Attachment "A", attached hereto and made a part hereof. Employee will also assist with managing compliance of the City budget and the planning and preparation of future budgets for the City as requested by the Mayor.

3. WORKING HOURS.

Employee is employed as a part-time exempt employee and is employed with a 50% appointment. The parties expect that her weekly duties will be performed in approximately 20 hours per week and that Employee's compensation under this Agreement is based on this expectation and appointment. Employee shall establish such working hours as are necessary and appropriate to accomplish her tasks and duties in conjunction with the needs and requests of the Mayor and his designees. Such working hours may occasionally require work outside normal business hours, such as attending the meetings of the City Council to provide budget and financial information to the Council, and Employee shall make such adjustments to her schedule and hours of work to accommodate this work.

4. OUTSIDE EMPLOYMENT/ACTIVITIES.

The Employee shall devote her best efforts to the financial affairs of the City, and she shall not accept any other employment during the term of this Agreement that will conflict with such efforts.

5. EMPLOYEE BENEFITS.

A. Commencing on the effective date of this Agreement, Employee shall accrue Paid Time Off as granted to a part-time employee as provided in the City's Personnel Manual upon the following schedule:

Year of the Agreement Service	Level of Years of Service
FY2021-22	11 years

B. Employee shall continue to be included in the City's dental and vision benefit plans, and the life insurance and disability coverage as specified in the City's Personnel Manual, and Employee shall be entitled to participate in the City TMRS pension plan ("Retirement Plan"). For such time as the Employee participates in the City's Retirement Plan, the City will make its contributions in such amounts as are provided in the Retirement Plan .

6. COMPENSATION.

A. As compensation for all services under this Agreement, commencing on the effective date of this Agreement, the City shall pay Employee for her services as Finance Director the weekly sum of \$685.75, paid on a bi-weekly basis in the same manner as the City payroll is paid. Employee's base salary shall be increased by the same percentage of base salary increase as may be and is paid to the City's non-bargaining unit employees at the start of that and each subsequent fiscal year.

7. PROFESSIONAL DEVELOPMENT.

A. All training, conferences, subscriptions, meetings, and professional dues must first be approved by the City Council in the same manner as for other City employees.

B. Employee is entitled reimbursement of reasonable, actual, and necessary expenses in conducting City business, including ordinary expenses for travel, professional dues, subscriptions, and fees.

8. PERFORMANCE REVIEWS.

The Mayor shall make every effort to review and evaluate the performance of Employee at least once annually.

9. TERMINATION AND RESIGNATION.

A. The City may terminate this Agreement for "just cause" under any one of the following circumstances, upon notice to Employee and an opportunity to be heard:

- i. Conviction of a felony or other crime which renders the Employee incapable of satisfactorily performing the duties of her position, or impairs the safe, efficient, or effective operations of the City's financial services.
- ii. Employee is under the influence of alcohol or controlled substances while on-duty.
- iii. Violation of any lawful official order of, or failure to obey any lawful direction made and given by, the Mayor or his designees, where such violation or failure to obey amounts to an act of insubordination or a serious breach of proper discipline or has resulted or reasonably might be expected to result in a loss or injury to the City or to the public.

B. Either Party may terminate this Agreement for any reason prior to the conclusion of the term upon the giving of sixty (60) days written notice to the other Party. Employee shall cooperate with the City in effecting the transfer of her duties during the sixty (60) day notice period.

C. Upon termination, Employee will receive the normal payout for accrued Paid Time Off in the manner provided by the City's Personnel Manual.

10. BONDING.

The City shall pay the cost of any fidelity or other bonds required of Employee under any law or circumstance.

11. NOTICES.

A. Notices by either party required to be given under this Agreement shall be in writing and hand-delivered or sent by certified mail addressed to the other party as herein provided. Notice to the City shall be delivered to the Mayor or City Clerk, at the offices of the City. Notice to Employee shall be delivered to her at her last known home address as indicated on the City's records.

B. If notice is mailed, it shall be deemed "received" three (3) days after the postmarked date of mailing, provided such notice was sent postage prepaid and addressed as required by Paragraph 15(A) here in.

12. MISCELLANEOUS.

A. Horizon City Personnel Manual. With respect to the provisions in this agreement for which the provisions in the Horizon City Personnel Manual apply, any changes to the Personnel Manual approved by the City Council, shall automatically apply to this contract.

B. This Agreement shall be governed and construed in accordance with the substantive and procedural laws of the State of Texas.

C. This Agreement sets forth the entire agreement of the parties and supersedes and renders null and void all prior or contemporaneous oral or written understandings, statements, representations or promises. There are no other oral or written agreements between the parties.

D. If any provision of this Agreement is later deemed unenforceable, the remaining provisions will continue to be binding, and the arbitrator(s) making such a determination shall also have the limited authority to modify any clause solely to render the provision valid under applicable law.

(Signatures on next page)

WHEREFORE, THE PARTIES HAVE EXECUTED THIS AGREEMENT ON THE DATES SET FORTH BELOW.

EMPLOYER:

EMPLOYEE:

TOWN OF HORIZON CITY, TEXAS

By: _____
RUBEN MENDOZA
Mayor, Town of Horizon City

PATRICIA RANDLEEL

Dated: _____

Dated: _____



MEMORANDUM



TO: Mayor Mendoza & City Council Members

FROM: Chief Michael McConnell

DATE: August 5, 2021

RE: Proposed Noise Ordinance

Background

Over the past 12 months, the police department has received 31 noise complaints concerning a specific address on Penroy. This residential property has been converted as an Airbnb rental and advertised as a private clubhouse. Users are renting the house for parties causing multiple complaints. We have attempted to address this problem through normal discussion with the property owner, as have the neighbors without success. Our current noise ordinance is ineffective in dealing with this problem and the neighbors are very upset that a resolution is not presently available.

To effectively prosecute a noise complaint with our current noise ordinance, the reporting person must be present in court and be on record as the complaining party. The reporting persons are typically neighbors who do not want to be identified for fear of retaliation. Moreover, the current ordinance does not allow for a police officer to be the complainant. Finally, our current ordinance requires the prosecutor to establish that the noise disturbs a person of normal sensibilities, which is difficult to prove.

Previously, I have resisted implementing a noise ordinance change because the remedy typically involves purchasing and utilizing sound pressure meters. However, the only option to solve this problem that I am aware of is to adopt a new noise ordinance using sound pressure meters, which I now have purchased one for testing.

Recommendation

I am confident that with the adoption of the new noise ordinance, the police department can begin to mitigate this noise issue and other similar complaints. Therefore, I recommend the adoption of the new noise ordinance.

Ordinance No. _____

**TOWN OF HORIZON CITY
NOISE ORDINANCE**

AN ORDINANCE OF THE TOWN OF HORIZON CITY REPEALING ORDINANCE 0049 CODIFIED AS SECTION 8.04 “NOISE” IN THE TOWN OF HORIZON CITY MUNICIPAL CODE AND REPLACING IT IN ITS ENTIRITY; DECLARING CERTAIN NOISES TO BE A NUISANCE; ENACTING NOISE REGULATIONS, PROVIDING FOR ENFORCEMENT INCLUDING CRIMINAL FINES NOT TO EXCEED \$500 AND CIVIL PENALTIES NOT TO EXCEED \$100 PER OFFENSE AND INJUNCTIVE RELIEF.

WHEREAS, upon conducting a public hearing and reviewing testimony regarding the growing proliferation of certain noises within the Town of Horizon City, the Mayor and City Council finds that certain unreasonably loud noises cause material distress, discomfort and injury to person of ordinary sensibilities in the immediate vicinity thereof, and that these noises substantially interfere with the comfortable enjoyment of private homes and businesses by persons or ordinary sensibilities;

WHEREAS, the City Council finds that excessive noise and excessive vibration degrade the environment to such a degree they are harmful and detrimental to the health, welfare and safety of its inhabitants, and interferes with the comfortable enjoyment of life, property and recreation and with the conduct and operation of business; and causes nuisances;

WHEREAS, the City Council finds that no person has any right to create excessive noise or excessive vibration;

WHEREAS, effective control and elimination of excessive noise and excessive vibration is essential to the furtherance of the health and welfare of the Town of Horizon City’s inhabitants and to the conduct of the normal pursuits of life, recreation, and commerce;

WHEREAS, the City Council seeks to protect the public welfare and safety of its residents, and to preserve property values within the Town of Horizon City through the reasonable regulation of certain noises;

WHEREAS, the City Council has the general statutory authority, pursuant to Texas Local Government Code Chapter 54, to adopt an ordinance, rule or police regulation that is for the good government, peace, and order of the Town of Horizon City ;

WHEREAS, the City Council has the specific statutory authority, pursuant to Texas Local Government Code Chapter 217, to prevent and punish a person engaging in a breach of the peace and to suppress and prevent any noise or disturbance in any public or private place in the Town of Horizon City ; and

WHEREAS, the City Council finds it to be in the best interest of the public safety, health and general welfare to regulate certain noises within the Town of Horizon City; and

NOW THEREFORE, be it ordained by the City Council of the Town of Horizon City, Texas:

1. INTRODUCTION

A. POPULAR NAME

This Ordinance shall commonly be referred to as the “Noise Ordinance.”

B. FINDINGS OF FACT

All the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the Town of Horizon City and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

C. PURPOSE

It is the intent and purpose of this Ordinance to limit, control and eliminate excessive noise and excessive vibration from whatever source.

D. SCOPE

This Ordinance provides regulatory standards throughout the Town of Horizon City’s incorporated municipal boundaries (i.e., city limits) and within 5,000 feet of the City limits.

E. DEFINITIONS

Words and phrases used in this Ordinance shall have the meanings set forth in this section. Words and phrases which are not defined in this Ordinance but are defined in other ordinances of the Town of Horizon City shall be given the meanings set forth in those ordinances. Other words and phrases shall be given their common, ordinary meaning unless the context clearly requires otherwise. Headings and captions are for reference purposes only and shall not be used in the interpretation of this Ordinance.

1. ***A-weighted sound level*** means the total sound level in decibels of all sound as measured with a sound level meter using the A-weighting network. The level so read is designated dB(A) or dBA.
2. ***Ambient noise level*** means the all-encompassing noise level associated with a given environment, being a composite of sounds from all sources, excluding the alleged offensive noise at the location and approximate time at which a comparison with the alleged offensive noise is to be made.

3. **City** means the Town of Horizon City, an incorporated municipality located in El Paso County, Texas. The term may also refer to employees, agents or other designee of the City Council of the Town of Horizon City.
4. **Commercial property** means a parcel of real property which is zoned in any zoning district described as being commercial or industrial.
5. **Commercial pump** means any pump, compressor or generator powered by an internal combustion engine; excluding emergency temporary auxiliary power generators designed to be used during power outages to operate generators to power electric motors for pumping of potable water, operation of public utility sewer facilities or cellular telephone communication facilities on a temporary basis not to exceed the duration of any electric power outage.
6. **Construction** means any site preparation, assembly, erection, substantial repair, alteration, or similar action, but excluding demolition, for or of public or private rights-of-way, structures, utilities or similar property.
7. **Cumulative period** means an additive period of time composed of individual time segments which may be continuous or interrupted.
8. **Decibel (dB)** means a unit for measuring the volume of sound, equal to 20 times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).
9. **Dwelling unit** means a single-family or multiple-family unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
10. **Emergency machinery, vehicle, work or alarm** means any machinery, vehicle, work or alarm used, employed, performed or operated in an effort to protect, provide or restore safety conditions in the community or for the citizenry, or work by private or public utilities when restoring utility service.
11. **Equivalent A-weighted sound level** means the constant sound level that, in each situation and time period, conveys the same sound.
12. **Exterior noise** means sounds which originate from any source that is not within a building or structure.
13. **Grading** means any excavating or filling of earth material, or any combination thereof conducted at a site to prepare the site for construction or other improvements thereon.
14. **Gross vehicle weight rating (GVWR)** means the value specified by the manufacturer as the recommended maximum loaded weight of a single motor vehicle. In cases where trailers and tractors are separable, the gross combination weight rating (GCWR), which is the value specified by the manufacturer as the recommended maximum load weight of the combination vehicle, shall be used.
15. **Health care institution** means any hospital, convalescent home, or other similar facility which provides health care, medical treatment, room, board, or other services for the ill, mentally handicapped or convalescent.
16. **Impulse noise** means a noise of short duration, usually less than one second, and of high intensity, with an abrupt onset and rapid decay.
17. **Industrial and manufacturing property** means a parcel of real property which is used as provided for manufacturing, salvage, or disassembly of materials or for pumping or compressing of liquids or gases, including property located within the extraterritorial jurisdiction of the city.

18. **Interior noise** means any sound originating inside of any building or structure.
19. **Intruding noise level** means the total sound level, in decibels, created, caused, maintained, or originating from an offensive source at a specified location while the offensive source is in operation.
20. **Motor carrier vehicle engaged in interstate commerce** means any vehicle for which regulations apply pursuant to federal law to motor vehicles engaged in interstate commerce.
21. **Motor vehicle** means any vehicle which is propelled or drawn on land by a motor, such as, but not limited to, passenger cars, trucks, truck-trailers, semitrailers, campers, go-carts, dune buggies or racing vehicles, but not including motorcycles.
22. **Motorcycles** means an unenclosed motor vehicle having a saddle for the use of the operator and two or three wheels in contact with the ground, including, but not limited to, motor scooters and minibikes.
23. **Muffler or sound dissipative device** means a device for abating the sound of escaping gases of an internal combustion engine.
24. **Noise** means any sound that exceeds the standards set forth in this chapter, annoys or disturbs a reasonable person of normal sensibilities, or causes or tends to cause any adverse psychological or physiological effect on humans.
25. **Noise sensitive zone** means any area designated for the purpose of ensuring exceptional quiet.
26. **Person** means an individual, corporation, organization, government agency, business, trust, partnership, association, or any other legal entity.
27. **Public right-of-way** means any street, alley, sidewalk, or other place to which the public has legal access.
28. **Residential dwelling** means any structure designed for habitation as a residence which includes facilities for overnight habitation.
29. **Residential property** means a parcel of real property which is developed and used in part or in whole for residential purposes other than transient uses such as hotels and motels.
30. **Simple tone noise** means a noise characterized by predominant frequencies so that other frequencies cannot be readily distinguished. If measured, simple tone noise shall exist if the one-third octave band sound pressure levels in the band tone exceed the arithmetic average of the sound pressure levels of the two contiguous one-third octave bands as follows:
 - (1) Five dB for frequencies of 500 Hertz (Hz) and above;
 - (2) Eight dB for frequencies between 160 and 400 Hertz (Hz); or
 - (3) Fifteen dB for frequencies less than or equal to 125 Hertz (Hz).
31. **Sound level meter** means an instrument meeting American National Standards Institute Standards S1.4-1971 or most recent revision thereof for Type 1 or Type 2 sound level meters or an instrument and the associated recording and analyzing equipment which will provide equivalent data.
32. **Sound pressure level** means 20 times the logarithm to the base ten of the ratio of the pressure of a sound to a reference pressure, which reference pressure shall be explicitly stated.

33. **Vibration** means any movement of the earth, ground or other similar surface created by a temporal and spatial oscillation of displacement, velocity or acceleration in any mechanical device or equipment located upon, attached, affixed or in conjunction with that surface.
34. **Weekend** means the period between 7:00 p.m. on Friday and 7:00 a.m. on the following Monday.

2. GENERAL PROHIBITIONS

No person within the Town of Horizon City shall create, generate, emanate, make, continue or cause to be made or continued, any loud, unnecessary, or unusual noise that annoys, disturbs, distresses, injures or endangers the comfort, repose, convenience, health, peace or safety of any person of reasonable nervous sensibilities within the City.

3. SPECIFIC PROHIBITIONS

The following acts are declared to be loud, disturbing, and unnecessary noises in violation of this section:

A. Vehicles:

- (1) **Horns, Signaling Devices:** The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street or public place in the City, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; the sounding of any such device for an unnecessary and unreasonable period of time; the use of any horn, whistle, or other device operated by engine exhaust. This section does not apply to authorized emergency vehicles, which may use warning sounds.
- (2) **Engine Exhausts:** The discharge into the open air within the Town of Horizon City of the exhaust of any steam engine, gasoline engine, stationary internal combustion engine, or other kind or type of engine, motorboat, or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (3) **Defect in Vehicle or Load:** The use within the Town of Horizon City of any wagon, cart, automobile, truck, motorcycle, or other vehicle, so out of repair or loaded in such manner or with material of such nature as to create loud and unnecessary grating, grinding, rattling or other noises.
- (4) **Loading, Unloading, or Opening Boxes:** The creation within the Town of Horizon City of loud and excessive noise in connection with loading or unloading of any vehicle, or the opening or destruction of bales, boxes, crates, containers, or the like, without exercising reasonable care to limit such noise and to confine the same.

- B. Construction, Repairing of Buildings:** The creation (including excavating), demolition, alteration or repair of any building within the City, other than between the hours of seven o'clock (7:00) a.m. and ten o'clock (10:00) p.m. on weekdays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Town of Horizon City Mayor, or the Mayor's designee, which permit may be granted for a period up to three (3) days while the emergency continues and which permit may be renewed for periods of three days while the emergency continues.
- C. Drums:** The use within the Town of Horizon City of any drum, percussion instrument or other instrument or device for the purpose of attracting attention, by the creation of noise, to any place of business or entertainment or place of public assembly.
- D. (1) Pile Drivers, Hammers:** The operation within the Town of Horizon City between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. of any pile driver, power shovel, pneumatic hammer, derrick or noise, or other appliance, the use of which is attended by loud or unusual noises.
- (2) Blowers:** The operation within the Town of Horizon City of any noise-creating blower or power fan, the operation of which causes loud disturbing noise, between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. unless such blower or fan is muffled to deaden such noise.
- E. Loudspeakers, Amplifiers, Paging Systems:**
- (1) Sound on Streets:** The playing, using, operating, or permitting to be played, used or operated, any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound or music which is cast upon the public streets of the City.
- (2) Restrictions Upon Hours of Permitted Use:** No machine or device specified in paragraph 1 above shall be operated between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. from Sunday evening through Friday morning, and between eleven o'clock (11:00) p.m. and seven o'clock (7:00) a.m. from Friday evening through Sunday morning and on those evenings preceding national holidays and legal school holidays enumerated in statutes in such a manner as to be plainly audible at a distance of fifty feet (50') from the location of such set, instrument or device.
- F. Radios, Phonographs:** The playing, using, operating or permitting to be played, used or operated, any radio receiving set, musical instrument, phonograph, tape player, television receiving set or other machine or device for the producing or reproducing of music or sound between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. from Sunday evening through Friday morning, and between eleven o'clock (11:00) p.m. and seven o'clock (7:00) a.m. from Friday evening through Sunday morning and on those

evenings preceding holidays as established by Town of Horizon City ordinance, loud enough to be clearly heard fifty feet (50') from any the boundary of the property on which the sound is produced or reproduced.

- G. Schools, Courts, Churches and Hospitals:** The creation within the Town of Horizon City of any excessive noise in the vicinity of any school, institution of learning, court, government administration facility, hospital or church, while the same is in use, which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys occupants of the institution, provided conspicuous signs are displayed at or near such buildings indicating that the same is a school, court, hospital government administration facility, or church.
- H. Yelling, Shouting:** Yelling, shouting, hooting, whistling, or singing on the public streets of the City, between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. or at any time or place to annoy or disturb the peace, quiet, comfort or repose of persons in any office, residential dwelling, hotel, or other type of residence or of persons in the vicinity.
- I. Animals, Birds:** The keeping of any animal or bird shut up or tied up in any yard, enclosure, stable, or other place that, by frequently repeated barking, howling, crying, or singing, causes frequent or long continued noise.

4. NOISE MEASUREMENT

- A. Decibel measurement criteria.** Any decibel measurement made pursuant to the provisions of this article shall be based on a reference sound pressure of 20 micropascals as measured with a sound level meter using the A-weighted network (scale) at slow response.
- B. Designated Noise Zones.** The City designates the following noise zones:
 - (1) Noise Zone I: All single, double and multiple-family residential structures or property.
 - (2) Noise Zone II: All commercial properties.
 - (3) Noise Zone III: All manufacturing or industrial properties.
- C. Exterior Noise Standards.** The following noise standards, unless otherwise specifically indicated, shall apply to all property with a designated noise zone:

Zone	Time Interval	Maximum Allowable Exterior Noise Level
I	10:00 p.m. to 7:00 a.m.	50 dB(A)
	7:00 a.m. to 10:00 p.m.	55 dB(A)
II	10:00 p.m. to 7:00 a.m.	60 dB(A)
	7:00 a.m. to 10:00 p.m.	65 dB(A)
III	10:00 p.m. to 7:00 a.m.	65 dB(A)
	7:00 a.m. to 10:00 p.m.	70 dB(A)

Each of the noise limits specified shall be increased by five dB(A) for impulse or simple tone noises consisting of speech or music; provided, however, that if the ambient noise level exceeds the resulting standard, the ambient shall be the standard.

It is unlawful for any person at any location within the city or its extraterritorial jurisdiction to create any noise or to suffer, allow or permit the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, which causes the noise level on any property to exceed:

- (1) The noise standard for a cumulative period of more than 30 minutes in any hour;
- (2) The noise standard plus five dB(A) for a cumulative period of more than 15 minutes in any hour;
- (3) The noise standard plus ten dB(A) for a cumulative period of more than five minutes in any hour;
- (4) The noise standard plus 15 dB(A) for a cumulative period of more than one minute in any hour; or
- (5) The noise standard plus 20 dB(A) for any period of time.

If the measurement location is on a boundary between two different noise zones, the lower noise level standard applicable to the noise zone shall apply.

If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level can be determined, the measured noise level obtained while the source is in operation shall be compared directly to the allowable noise level standards as specified respective to the measurement location's designated land use and for the time of day the noise level is measured.

C. Interior noise standards.

1. In all noise zones for residential land uses, the allowable interior noise level between 10:00 p.m. and 7:00 a.m. is 50 dB(A) and between 7:00 a.m. and 10:00 p.m. is 55 dB(A). Each of the noise limits specified shall be increased five dB(A) for impulse or simple tone noises consisting of speech or music; provided, however, that if the ambient noise level exceeds the resulting standard the ambient shall be the standard.
2. It is unlawful for any person at any location within the city or its extraterritorial jurisdiction to create any noise or to suffer, allow or permit the creation of any noise on property owned, leased, occupied or otherwise controlled by such a person which causes the noise level when measured within any other residential dwelling unit in any noise zone to exceed the noise standard for a cumulative period of more than five minutes in any hour, or the noise standard plus five dB(A) for a cumulative period of more than one minute in any hour, or the noise standard plus ten dB(A) for any period of time.
3. In the event the ambient noise level exceeds the standards provided in this section, the cumulative period applicable to the standard shall be increased to reflect the maximum ambient noise level.
4. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level can be determined, the same procedures specified in section 28-55 shall be deemed proper to enforce the provisions of this section.

D. Additional noise standards.

In addition to the specific standards provided in this article, no person shall operate, play or permit the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier, or similar device which produces, reproduces, or amplifies sound in any place of public entertainment at a level greater than 85 decibels as read by the slow response on a sound level meter at any point that is normally occupied by a customer, unless a conspicuous and legible sign is located outside such place, near each public entrance, stating:

"Warning: Sound levels within may cause permanent hearing impairment."

E. Noise level measurement.

The location selected for measuring exterior noise levels shall be at any point on the affected property. Interior noise level shall be measured within the affected building or structure and the measurement shall be made at a point at least four feet from the wall, ceiling, or floor nearest the noise source with windows in an open position depending on the normal seasonal ventilation requirements.

F. Vibration.

Except as otherwise specifically provided in this article, it is unlawful for any person to create, maintain or cause any ground vibration which is perceptible without instruments at any point on any affected property adjoining the property in which the vibration source is located.

G. Motor vehicle maximum sound levels.

1. *Motor vehicles and motorcycles on public right-of-way.* No person shall operate or cause to be operated a public or private motor vehicle or motorcycle on a public right-of-way at any time in such a manner that the sound level emitted by the motor vehicle or motorcycle exceeds the following levels, measured at 50 feet or 15 meters:

Vehicle	Sound Level in dB(A)		
	Speed Limit 35 mph or Less	Speed Limit Over 35 mph	Stationary Run-up
Motor carrier vehicle engaged in interstate commerce of GVWR or GCWR of 10,000 lbs. or more	86	90	88
All other motor vehicles of GVWR or GCWR of 10,000 lbs. or more	70	79	
Any motorcycle	78	82	
Any motor vehicle or any combination of vehicles towed by any motor vehicle	70	79	

- (2) *Adequate mufflers or sound dissipative devices.* No person shall operate or cause to be operated any motor vehicle or motorcycle not equipped with a muffler or other sound dissipative device in good working order and in constant operation. No person shall remove or render inoperative or cause to be removed or rendered inoperative, other than for purposes of maintenance, repair or replacement, any muffler or sound dissipative device on a motor vehicle or motorcycle.
- (3) *Standing motor vehicles.* No person shall operate or permit the operation of any motor vehicle with a gross vehicle weight rating (GVWR) in excess of 10,000 pounds or any auxiliary equipment attached to such a vehicle, for a period longer than two minutes in any hour while the vehicle is stationary, for reasons other than traffic congestion, on a public right-of-way or public space within 150 feet (46 meters) of a residential area or designated noise sensitive zone. This subsection shall not apply to buses operated for the transportation of passengers while standing in established bus stops, bus terminals, bus parking lots and bus storage yard.
- (4) *Recreational motorized vehicles operating off public right-of-way.* No person shall operate or cause to be operated any recreational motorized vehicle off a public right-of-way in such a manner that the sound level emitted therefrom exceeds 82 dB(A) if manufactured prior to January 1, 1975, and 73 dB(A) if manufactured after January 1, 1975, at a distance of 50 feet (15 meters) or more from the path of the vehicle when operated on a public space or across the boundary of private property when operated on private property. This subsection shall apply to all recreational motorized vehicles, whether or not duly licensed and registered, including, but not limited to, commercial or noncommercial racing vehicles, motorcycles, go-carts, campers, and dune buggies.

H. Generators, compressors, and pumps.

(1) All commercial generators, compressors and commercial pumps or government-owned generators, compressors and pumps powered or driven by internal combustion engines shall, in addition to other regulations set forth herein, be subject to the following:

- (a) The noise or vibration emitted by the device shall not exceed the permitted noise or vibration levels in this article.
 - (b) The device may not be operated between the hours of 10:00 p.m. and 8:00 a.m. if the device is located nearer than 500 feet of any residential dwelling.
 - (c) No such device may be located at any time within 300 feet of any residential dwelling, except as provided herein for emergency auxiliary power.
- (2) Commercial generators, compressors and commercial pumps or government-owned generators, compressors and pumps may be located within 300 feet of a residential dwelling under the following exceptions:
- (a) As a temporary emergency auxiliary power unit for a water and sewer or other public utility provider, including cellular telephone towers; and
 - (b) In connection with construction or reconstruction pursuant to a valid construction permit; however, operation may only occur between the hours of 8:00 a.m. and 10:00 p.m.

5. NONAPPLICABILITY

A. EXCEPTIONS

The provisions of this Ordinance shall not apply to:

- (1) Sound generated by an emergency vehicle or for the purposes of alerting persons to an emergency;
- (2) Sound produced by a duly authorized officers, agents, or employees of a government agency in the performance of a governmental function;
- (3) Sound generated at or by a parade route during a lawful and permitted parade, a scheduled civic or sporting event, an outdoor festival or celebration, or a musical or theatrical production co-sponsored or authorized by the City.
- (4) Activities conducted on public parks, public playgrounds, and public or private school grounds, including, but not limited to, school athletic and school entertainment events conducted during the hours of 7:00 a.m. and 10:00 p.m.
- (5) Noncommercial public speaking and public assembly activities conducted on any public space or public right-of-way between the hours of 8:00 a.m. and 10:00 p.m.
- (6) Equipment, motor vehicles and pumps used by the city to prevent and alleviate flooding or other hazard pursuant to declaration of emergency by the mayor of the city.

B. VARIANCES

The City Council may grant variances from the technical application of this Ordinance upon receipt of a twenty-five dollar (\$25.00) administrative fee and upon finding that:

- (1) The activity, operation, noise, or vibration will be of temporary duration and cannot reasonably be done in a manner that will comply with this Ordinance;
- (2) No reasonable alternative is available to the applicant;
- (3) The variance is not contrary to the public interest;

- (4) Due to special circumstances, a literal enforcement of the Ordinance would result in undue hardship (which does not necessarily include financial hardship); and
- (5) The spirit of the Ordinance will be observed, and substantial justice done.

6. NUISANCE

Any unreasonably loud, disturbing noise which causes material distress, discomfort, or injury to persons of ordinary sensibilities in the immediate vicinity thereof is hereby declared to be a nuisance and is hereby prohibited. Any noise of such character, intensity and continued duration which substantially interferes with the comfortable enjoyment of private homes, government administration facilities, or businesses by persons of ordinary sensibilities, is hereby declared to be a nuisance and is hereby prohibited.

6. RELATION TO OTHER ORDINANCES

This Ordinance is enacted in addition to other regulations adopted by the City. When possible, ordinances addressing the same topic shall be read together in harmony. When Town of Horizon City regulations conflict, the most stringent shall govern unless a variance is granted.

7. REPEALER

This Ordinance, upon its enactment and effective date, shall repeal all conflicting provisions that may be contained in other Town of Horizon City ordinances or regulations.

8. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

9. ENFORCEMENT

A. NUISANCE

The Town of Horizon City shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law. Any person violating any provision of this Ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of this Ordinance is hereby declared to be a nuisance.

B. CRIMINAL PROSECUTION

Any person violating any provision of this Ordinance shall, upon conviction, be fined a sum not exceeding five hundred dollars (\$500.00) per offense. Each day that a provision of this Ordinance is violated shall constitute a separate offense. An offense under this Ordinance is a misdemeanor.

C. CIVIL REMEDIES

Nothing in this Ordinance shall be construed as a waiver of the City’s right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law, including, but not limited to the following:

1. injunctive relief to prevent specific conduct that violates the Ordinance or to require specific conduct that is necessary for compliance with the Ordinance; and
2. a civil penalty up to one hundred dollars (\$100.00) a day when it is shown that the defendant was notified of the provisions of the Ordinance and after receiving notice committed acts in violation of the Ordinance or failed to take action necessary for compliance with the Ordinance; and
3. other available relief.

10. PROPER NOTICE AND MEETING

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

PASSED AND APPROVED this, the ____ day of _____, 2004, by a _____ (ayes) to _____ (nays) to _____ (abstentions) vote of the City Council of the Town of Horizon City, Texas.

TOWN OF HORIZON CITY

By: _____
Ruben Mendoza, Mayor

ATTEST:

By: _____
Elvia Schuller, City Clerk

APPROVED AS TO FORM:

Sylvia Borunda Firth
Assistant City Attorney



MEMORANDUM



TO: Mayor Mendoza & City Council Members

FROM: Chief Michael McConnell

DATE: August 5, 2021

RE: Proposed Noise Ordinance

Background

Over the past 12 months, the police department has received 31 noise complaints concerning a specific address on Penroy. This residential property has been converted as an Airbnb rental and advertised as a private clubhouse. Users are renting the house for parties causing multiple complaints. We have attempted to address this problem through normal discussion with the property owner, as have the neighbors without success. Our current noise ordinance is ineffective in dealing with this problem and the neighbors are very upset that a resolution is not presently available.

To effectively prosecute a noise complaint with our current noise ordinance, the reporting person must be present in court and be on record as the complaining party. The reporting persons are typically neighbors who do not want to be identified for fear of retaliation. Moreover, the current ordinance does not allow for a police officer to be the complainant. Finally, our current ordinance requires the prosecutor to establish that the noise disturbs a person of normal sensibilities, which is difficult to prove.

Previously, I have resisted implementing a noise ordinance change because the remedy typically involves purchasing and utilizing sound pressure meters. However, the only option to solve this problem that I am aware of is to adopt a new noise ordinance using sound pressure meters, which I now have purchased one for testing.

Recommendation

I am confident that with the adoption of the new noise ordinance, the police department can begin to mitigate this noise issue and other similar complaints. Therefore, I recommend the adoption of the new noise ordinance.

Ordinance No. _____

**TOWN OF HORIZON CITY
NOISE ORDINANCE**

AN ORDINANCE OF THE TOWN OF HORIZON CITY REPEALING ORDINANCE 0049 CODIFIED AS SECTION 8.04 “NOISE” IN THE TOWN OF HORIZON CITY MUNICIPAL CODE AND REPLACING IT IN ITS ENTIRITY; DECLARING CERTAIN NOISES TO BE A NUISANCE; ENACTING NOISE REGULATIONS, PROVIDING FOR ENFORCEMENT INCLUDING CRIMINAL FINES NOT TO EXCEED \$500 AND CIVIL PENALTIES NOT TO EXCEED \$100 PER OFFENSE AND INJUNCTIVE RELIEF.

WHEREAS, upon conducting a public hearing and reviewing testimony regarding the growing proliferation of certain noises within the Town of Horizon City, the Mayor and City Council finds that certain unreasonably loud noises cause material distress, discomfort and injury to person of ordinary sensibilities in the immediate vicinity thereof, and that these noises substantially interfere with the comfortable enjoyment of private homes and businesses by persons or ordinary sensibilities;

WHEREAS, the City Council finds that excessive noise and excessive vibration degrade the environment to such a degree they are harmful and detrimental to the health, welfare and safety of its inhabitants, and interferes with the comfortable enjoyment of life, property and recreation and with the conduct and operation of business; and causes nuisances;

WHEREAS, the City Council finds that no person has any right to create excessive noise or excessive vibration;

WHEREAS, effective control and elimination of excessive noise and excessive vibration is essential to the furtherance of the health and welfare of the Town of Horizon City’s inhabitants and to the conduct of the normal pursuits of life, recreation, and commerce;

WHEREAS, the City Council seeks to protect the public welfare and safety of its residents, and to preserve property values within the Town of Horizon City through the reasonable regulation of certain noises;

WHEREAS, the City Council has the general statutory authority, pursuant to Texas Local Government Code Chapter 54, to adopt an ordinance, rule or police regulation that is for the good government, peace, and order of the Town of Horizon City ;

WHEREAS, the City Council has the specific statutory authority, pursuant to Texas Local Government Code Chapter 217, to prevent and punish a person engaging in a breach of the peace and to suppress and prevent any noise or disturbance in any public or private place in the Town of Horizon City ; and

WHEREAS, the City Council finds it to be in the best interest of the public safety, health and general welfare to regulate certain noises within the Town of Horizon City; and

NOW THEREFORE, be it ordained by the City Council of the Town of Horizon City, Texas:

1. INTRODUCTION

A. POPULAR NAME

This Ordinance shall commonly be referred to as the “Noise Ordinance.”

B. FINDINGS OF FACT

All the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the Town of Horizon City and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

C. PURPOSE

It is the intent and purpose of this Ordinance to limit, control and eliminate excessive noise and excessive vibration from whatever source.

D. SCOPE

This Ordinance provides regulatory standards throughout the Town of Horizon City’s incorporated municipal boundaries (i.e., city limits) and within 5,000 feet of the City limits.

E. DEFINITIONS

Words and phrases used in this Ordinance shall have the meanings set forth in this section. Words and phrases which are not defined in this Ordinance but are defined in other ordinances of the Town of Horizon City shall be given the meanings set forth in those ordinances. Other words and phrases shall be given their common, ordinary meaning unless the context clearly requires otherwise. Headings and captions are for reference purposes only and shall not be used in the interpretation of this Ordinance.

1. ***A-weighted sound level*** means the total sound level in decibels of all sound as measured with a sound level meter using the A-weighting network. The level so read is designated dB(A) or dBA.
2. ***Ambient noise level*** means the all-encompassing noise level associated with a given environment, being a composite of sounds from all sources, excluding the alleged offensive noise at the location and approximate time at which a comparison with the alleged offensive noise is to be made.

3. **City** means the Town of Horizon City, an incorporated municipality located in El Paso County, Texas. The term may also refer to employees, agents or other designee of the City Council of the Town of Horizon City.
4. **Commercial property** means a parcel of real property which is zoned in any zoning district described as being commercial or industrial.
5. **Commercial pump** means any pump, compressor or generator powered by an internal combustion engine; excluding emergency temporary auxiliary power generators designed to be used during power outages to operate generators to power electric motors for pumping of potable water, operation of public utility sewer facilities or cellular telephone communication facilities on a temporary basis not to exceed the duration of any electric power outage.
6. **Construction** means any site preparation, assembly, erection, substantial repair, alteration, or similar action, but excluding demolition, for or of public or private rights-of-way, structures, utilities or similar property.
7. **Cumulative period** means an additive period of time composed of individual time segments which may be continuous or interrupted.
8. **Decibel (dB)** means a unit for measuring the volume of sound, equal to 20 times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).
9. **Dwelling unit** means a single-family or multiple-family unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
10. **Emergency machinery, vehicle, work or alarm** means any machinery, vehicle, work or alarm used, employed, performed or operated in an effort to protect, provide or restore safety conditions in the community or for the citizenry, or work by private or public utilities when restoring utility service.
11. **Equivalent A-weighted sound level** means the constant sound level that, in each situation and time period, conveys the same sound.
12. **Exterior noise** means sounds which originate from any source that is not within a building or structure.
13. **Grading** means any excavating or filling of earth material, or any combination thereof conducted at a site to prepare the site for construction or other improvements thereon.
14. **Gross vehicle weight rating (GVWR)** means the value specified by the manufacturer as the recommended maximum loaded weight of a single motor vehicle. In cases where trailers and tractors are separable, the gross combination weight rating (GCWR), which is the value specified by the manufacturer as the recommended maximum load weight of the combination vehicle, shall be used.
15. **Health care institution** means any hospital, convalescent home, or other similar facility which provides health care, medical treatment, room, board, or other services for the ill, mentally handicapped or convalescent.
16. **Impulse noise** means a noise of short duration, usually less than one second, and of high intensity, with an abrupt onset and rapid decay.
17. **Industrial and manufacturing property** means a parcel of real property which is used as provided for manufacturing, salvage, or disassembly of materials or for pumping or compressing of liquids or gases, including property located within the extraterritorial jurisdiction of the city.

18. **Interior noise** means any sound originating inside of any building or structure.
19. **Intruding noise level** means the total sound level, in decibels, created, caused, maintained, or originating from an offensive source at a specified location while the offensive source is in operation.
20. **Motor carrier vehicle engaged in interstate commerce** means any vehicle for which regulations apply pursuant to federal law to motor vehicles engaged in interstate commerce.
21. **Motor vehicle** means any vehicle which is propelled or drawn on land by a motor, such as, but not limited to, passenger cars, trucks, truck-trailers, semitrailers, campers, go-carts, dune buggies or racing vehicles, but not including motorcycles.
22. **Motorcycles** means an unenclosed motor vehicle having a saddle for the use of the operator and two or three wheels in contact with the ground, including, but not limited to, motor scooters and minibikes.
23. **Muffler or sound dissipative device** means a device for abating the sound of escaping gases of an internal combustion engine.
24. **Noise** means any sound that exceeds the standards set forth in this chapter, annoys or disturbs a reasonable person of normal sensibilities, or causes or tends to cause any adverse psychological or physiological effect on humans.
25. **Noise sensitive zone** means any area designated for the purpose of ensuring exceptional quiet.
26. **Person** means an individual, corporation, organization, government agency, business, trust, partnership, association, or any other legal entity.
27. **Public right-of-way** means any street, alley, sidewalk, or other place to which the public has legal access.
28. **Residential dwelling** means any structure designed for habitation as a residence which includes facilities for overnight habitation.
29. **Residential property** means a parcel of real property which is developed and used in part or in whole for residential purposes other than transient uses such as hotels and motels.
30. **Simple tone noise** means a noise characterized by predominant frequencies so that other frequencies cannot be readily distinguished. If measured, simple tone noise shall exist if the one-third octave band sound pressure levels in the band tone exceed the arithmetic average of the sound pressure levels of the two contiguous one-third octave bands as follows:
 - (1) Five dB for frequencies of 500 Hertz (Hz) and above;
 - (2) Eight dB for frequencies between 160 and 400 Hertz (Hz); or
 - (3) Fifteen dB for frequencies less than or equal to 125 Hertz (Hz).
31. **Sound level meter** means an instrument meeting American National Standards Institute Standards S1.4-1971 or most recent revision thereof for Type 1 or Type 2 sound level meters or an instrument and the associated recording and analyzing equipment which will provide equivalent data.
32. **Sound pressure level** means 20 times the logarithm to the base ten of the ratio of the pressure of a sound to a reference pressure, which reference pressure shall be explicitly stated.

33. **Vibration** means any movement of the earth, ground or other similar surface created by a temporal and spatial oscillation of displacement, velocity or acceleration in any mechanical device or equipment located upon, attached, affixed or in conjunction with that surface.
34. **Weekend** means the period between 7:00 p.m. on Friday and 7:00 a.m. on the following Monday.

2. GENERAL PROHIBITIONS

No person within the Town of Horizon City shall create, generate, emanate, make, continue or cause to be made or continued, any loud, unnecessary, or unusual noise that annoys, disturbs, distresses, injures or endangers the comfort, repose, convenience, health, peace or safety of any person of reasonable nervous sensibilities within the City.

3. SPECIFIC PROHIBITIONS

The following acts are declared to be loud, disturbing, and unnecessary noises in violation of this section:

A. Vehicles:

- (1) **Horns, Signaling Devices:** The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street or public place in the City, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; the sounding of any such device for an unnecessary and unreasonable period of time; the use of any horn, whistle, or other device operated by engine exhaust. This section does not apply to authorized emergency vehicles, which may use warning sounds.
- (2) **Engine Exhausts:** The discharge into the open air within the Town of Horizon City of the exhaust of any steam engine, gasoline engine, stationary internal combustion engine, or other kind or type of engine, motorboat, or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (3) **Defect in Vehicle or Load:** The use within the Town of Horizon City of any wagon, cart, automobile, truck, motorcycle, or other vehicle, so out of repair or loaded in such manner or with material of such nature as to create loud and unnecessary grating, grinding, rattling or other noises.
- (4) **Loading, Unloading, or Opening Boxes:** The creation within the Town of Horizon City of loud and excessive noise in connection with loading or unloading of any vehicle, or the opening or destruction of bales, boxes, crates, containers, or the like, without exercising reasonable care to limit such noise and to confine the same.

- B. Construction, Repairing of Buildings:** The creation (including excavating), demolition, alteration or repair of any building within the City, other than between the hours of seven o'clock (7:00) a.m. and ten o'clock (10:00) p.m. on weekdays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Town of Horizon City Mayor, or the Mayor's designee, which permit may be granted for a period up to three (3) days while the emergency continues and which permit may be renewed for periods of three days while the emergency continues.
- C. Drums:** The use within the Town of Horizon City of any drum, percussion instrument or other instrument or device for the purpose of attracting attention, by the creation of noise, to any place of business or entertainment or place of public assembly.
- D. (1) Pile Drivers, Hammers:** The operation within the Town of Horizon City between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. of any pile driver, power shovel, pneumatic hammer, derrick or noise, or other appliance, the use of which is attended by loud or unusual noises.
- (2) Blowers:** The operation within the Town of Horizon City of any noise-creating blower or power fan, the operation of which causes loud disturbing noise, between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. unless such blower or fan is muffled to deaden such noise.
- E. Loudspeakers, Amplifiers, Paging Systems:**
- (1) Sound on Streets:** The playing, using, operating, or permitting to be played, used or operated, any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound or music which is cast upon the public streets of the City.
- (2) Restrictions Upon Hours of Permitted Use:** No machine or device specified in paragraph 1 above shall be operated between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. from Sunday evening through Friday morning, and between eleven o'clock (11:00) p.m. and seven o'clock (7:00) a.m. from Friday evening through Sunday morning and on those evenings preceding national holidays and legal school holidays enumerated in statutes in such a manner as to be plainly audible at a distance of fifty feet (50') from the location of such set, instrument or device.
- F. Radios, Phonographs:** The playing, using, operating or permitting to be played, used or operated, any radio receiving set, musical instrument, phonograph, tape player, television receiving set or other machine or device for the producing or reproducing of music or sound between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. from Sunday evening through Friday morning, and between eleven o'clock (11:00) p.m. and seven o'clock (7:00) a.m. from Friday evening through Sunday morning and on those

evenings preceding holidays as established by Town of Horizon City ordinance, loud enough to be clearly heard fifty feet (50') from any the boundary of the property on which the sound is produced or reproduced.

- G. Schools, Courts, Churches and Hospitals:** The creation within the Town of Horizon City of any excessive noise in the vicinity of any school, institution of learning, court, government administration facility, hospital or church, while the same is in use, which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys occupants of the institution, provided conspicuous signs are displayed at or near such buildings indicating that the same is a school, court, hospital government administration facility, or church.
- H. Yelling, Shouting:** Yelling, shouting, hooting, whistling, or singing on the public streets of the City, between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. or at any time or place to annoy or disturb the peace, quiet, comfort or repose of persons in any office, residential dwelling, hotel, or other type of residence or of persons in the vicinity.
- I. Animals, Birds:** The keeping of any animal or bird shut up or tied up in any yard, enclosure, stable, or other place that, by frequently repeated barking, howling, crying, or singing, causes frequent or long continued noise.

4. NOISE MEASUREMENT

- A. Decibel measurement criteria.** Any decibel measurement made pursuant to the provisions of this article shall be based on a reference sound pressure of 20 micropascals as measured with a sound level meter using the A-weighted network (scale) at slow response.
- B. Designated Noise Zones.** The City designates the following noise zones:
 - (1) Noise Zone I: All single, double and multiple-family residential structures or property.
 - (2) Noise Zone II: All commercial properties.
 - (3) Noise Zone III: All manufacturing or industrial properties.
- C. Exterior Noise Standards.** The following noise standards, unless otherwise specifically indicated, shall apply to all property with a designated noise zone:

Zone	Time Interval	Maximum Allowable Exterior Noise Level
I	10:00 p.m. to 7:00 a.m.	50 dB(A)
	7:00 a.m. to 10:00 p.m.	55 dB(A)
II	10:00 p.m. to 7:00 a.m.	60 dB(A)
	7:00 a.m. to 10:00 p.m.	65 dB(A)
III	10:00 p.m. to 7:00 a.m.	65 dB(A)
	7:00 a.m. to 10:00 p.m.	70 dB(A)

Each of the noise limits specified shall be increased by five dB(A) for impulse or simple tone noises consisting of speech or music; provided, however, that if the ambient noise level exceeds the resulting standard, the ambient shall be the standard.

It is unlawful for any person at any location within the city or its extraterritorial jurisdiction to create any noise or to suffer, allow or permit the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, which causes the noise level on any property to exceed:

- (1) The noise standard for a cumulative period of more than 30 minutes in any hour;
- (2) The noise standard plus five dB(A) for a cumulative period of more than 15 minutes in any hour;
- (3) The noise standard plus ten dB(A) for a cumulative period of more than five minutes in any hour;
- (4) The noise standard plus 15 dB(A) for a cumulative period of more than one minute in any hour; or
- (5) The noise standard plus 20 dB(A) for any period of time.

If the measurement location is on a boundary between two different noise zones, the lower noise level standard applicable to the noise zone shall apply.

If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level can be determined, the measured noise level obtained while the source is in operation shall be compared directly to the allowable noise level standards as specified respective to the measurement location's designated land use and for the time of day the noise level is measured.

C. Interior noise standards.

1. In all noise zones for residential land uses, the allowable interior noise level between 10:00 p.m. and 7:00 a.m. is 50 dB(A) and between 7:00 a.m. and 10:00 p.m. is 55 dB(A). Each of the noise limits specified shall be increased five dB(A) for impulse or simple tone noises consisting of speech or music; provided, however, that if the ambient noise level exceeds the resulting standard the ambient shall be the standard.
2. It is unlawful for any person at any location within the city or its extraterritorial jurisdiction to create any noise or to suffer, allow or permit the creation of any noise on property owned, leased, occupied or otherwise controlled by such a person which causes the noise level when measured within any other residential dwelling unit in any noise zone to exceed the noise standard for a cumulative period of more than five minutes in any hour, or the noise standard plus five dB(A) for a cumulative period of more than one minute in any hour, or the noise standard plus ten dB(A) for any period of time.
3. In the event the ambient noise level exceeds the standards provided in this section, the cumulative period applicable to the standard shall be increased to reflect the maximum ambient noise level.
4. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level can be determined, the same procedures specified in section 28-55 shall be deemed proper to enforce the provisions of this section.

D. Additional noise standards.

In addition to the specific standards provided in this article, no person shall operate, play or permit the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier, or similar device which produces, reproduces, or amplifies sound in any place of public entertainment at a level greater than 85 decibels as read by the slow response on a sound level meter at any point that is normally occupied by a customer, unless a conspicuous and legible sign is located outside such place, near each public entrance, stating:

"Warning: Sound levels within may cause permanent hearing impairment."

E. Noise level measurement.

The location selected for measuring exterior noise levels shall be at any point on the affected property. Interior noise level shall be measured within the affected building or structure and the measurement shall be made at a point at least four feet from the wall, ceiling, or floor nearest the noise source with windows in an open position depending on the normal seasonal ventilation requirements.

F. Vibration.

Except as otherwise specifically provided in this article, it is unlawful for any person to create, maintain or cause any ground vibration which is perceptible without instruments at any point on any affected property adjoining the property in which the vibration source is located.

G. Motor vehicle maximum sound levels.

1. *Motor vehicles and motorcycles on public right-of-way.* No person shall operate or cause to be operated a public or private motor vehicle or motorcycle on a public right-of-way at any time in such a manner that the sound level emitted by the motor vehicle or motorcycle exceeds the following levels, measured at 50 feet or 15 meters:

Vehicle	Sound Level in dB(A)		
	Speed Limit 35 mph or Less	Speed Limit Over 35 mph	Stationary Run-up
Motor carrier vehicle engaged in interstate commerce of GVWR or GCWR of 10,000 lbs. or more	86	90	88
All other motor vehicles of GVWR or GCWR of 10,000 lbs. or more	70	79	
Any motorcycle	78	82	
Any motor vehicle or any combination of vehicles towed by any motor vehicle	70	79	

- (2) *Adequate mufflers or sound dissipative devices.* No person shall operate or cause to be operated any motor vehicle or motorcycle not equipped with a muffler or other sound dissipative device in good working order and in constant operation. No person shall remove or render inoperative or cause to be removed or rendered inoperative, other than for purposes of maintenance, repair or replacement, any muffler or sound dissipative device on a motor vehicle or motorcycle.
- (3) *Standing motor vehicles.* No person shall operate or permit the operation of any motor vehicle with a gross vehicle weight rating (GVWR) in excess of 10,000 pounds or any auxiliary equipment attached to such a vehicle, for a period longer than two minutes in any hour while the vehicle is stationary, for reasons other than traffic congestion, on a public right-of-way or public space within 150 feet (46 meters) of a residential area or designated noise sensitive zone. This subsection shall not apply to buses operated for the transportation of passengers while standing in established bus stops, bus terminals, bus parking lots and bus storage yard.
- (4) *Recreational motorized vehicles operating off public right-of-way.* No person shall operate or cause to be operated any recreational motorized vehicle off a public right-of-way in such a manner that the sound level emitted therefrom exceeds 82 dB(A) if manufactured prior to January 1, 1975, and 73 dB(A) if manufactured after January 1, 1975, at a distance of 50 feet (15 meters) or more from the path of the vehicle when operated on a public space or across the boundary of private property when operated on private property. This subsection shall apply to all recreational motorized vehicles, whether or not duly licensed and registered, including, but not limited to, commercial or noncommercial racing vehicles, motorcycles, go-carts, campers, and dune buggies.

H. Generators, compressors, and pumps.

(1) All commercial generators, compressors and commercial pumps or government-owned generators, compressors and pumps powered or driven by internal combustion engines shall, in addition to other regulations set forth herein, be subject to the following:

- (a) The noise or vibration emitted by the device shall not exceed the permitted noise or vibration levels in this article.
 - (b) The device may not be operated between the hours of 10:00 p.m. and 8:00 a.m. if the device is located nearer than 500 feet of any residential dwelling.
 - (c) No such device may be located at any time within 300 feet of any residential dwelling, except as provided herein for emergency auxiliary power.
- (2) Commercial generators, compressors and commercial pumps or government-owned generators, compressors and pumps may be located within 300 feet of a residential dwelling under the following exceptions:
- (a) As a temporary emergency auxiliary power unit for a water and sewer or other public utility provider, including cellular telephone towers; and
 - (b) In connection with construction or reconstruction pursuant to a valid construction permit; however, operation may only occur between the hours of 8:00 a.m. and 10:00 p.m.

5. NONAPPLICABILITY

A. EXCEPTIONS

The provisions of this Ordinance shall not apply to:

- (1) Sound generated by an emergency vehicle or for the purposes of alerting persons to an emergency;
- (2) Sound produced by a duly authorized officers, agents, or employees of a government agency in the performance of a governmental function;
- (3) Sound generated at or by a parade route during a lawful and permitted parade, a scheduled civic or sporting event, an outdoor festival or celebration, or a musical or theatrical production co-sponsored or authorized by the City.
- (4) Activities conducted on public parks, public playgrounds, and public or private school grounds, including, but not limited to, school athletic and school entertainment events conducted during the hours of 7:00 a.m. and 10:00 p.m.
- (5) Noncommercial public speaking and public assembly activities conducted on any public space or public right-of-way between the hours of 8:00 a.m. and 10:00 p.m.
- (6) Equipment, motor vehicles and pumps used by the city to prevent and alleviate flooding or other hazard pursuant to declaration of emergency by the mayor of the city.

B. VARIANCES

The City Council may grant variances from the technical application of this Ordinance upon receipt of a twenty-five dollar (\$25.00) administrative fee and upon finding that:

- (1) The activity, operation, noise, or vibration will be of temporary duration and cannot reasonably be done in a manner that will comply with this Ordinance;
- (2) No reasonable alternative is available to the applicant;
- (3) The variance is not contrary to the public interest;

- (4) Due to special circumstances, a literal enforcement of the Ordinance would result in undue hardship (which does not necessarily include financial hardship); and
- (5) The spirit of the Ordinance will be observed, and substantial justice done.

6. NUISANCE

Any unreasonably loud, disturbing noise which causes material distress, discomfort, or injury to persons of ordinary sensibilities in the immediate vicinity thereof is hereby declared to be a nuisance and is hereby prohibited. Any noise of such character, intensity and continued duration which substantially interferes with the comfortable enjoyment of private homes, government administration facilities, or businesses by persons of ordinary sensibilities, is hereby declared to be a nuisance and is hereby prohibited.

6. RELATION TO OTHER ORDINANCES

This Ordinance is enacted in addition to other regulations adopted by the City. When possible, ordinances addressing the same topic shall be read together in harmony. When Town of Horizon City regulations conflict, the most stringent shall govern unless a variance is granted.

7. REPEALER

This Ordinance, upon its enactment and effective date, shall repeal all conflicting provisions that may be contained in other Town of Horizon City ordinances or regulations.

8. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

9. ENFORCEMENT

A. NUISANCE

The Town of Horizon City shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law. Any person violating any provision of this Ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of this Ordinance is hereby declared to be a nuisance.

B. CRIMINAL PROSECUTION

Any person violating any provision of this Ordinance shall, upon conviction, be fined a sum not exceeding five hundred dollars (\$500.00) per offense. Each day that a provision of this Ordinance is violated shall constitute a separate offense. An offense under this Ordinance is a misdemeanor.

C. CIVIL REMEDIES

Nothing in this Ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law, including, but not limited to the following:

1. injunctive relief to prevent specific conduct that violates the Ordinance or to require specific conduct that is necessary for compliance with the Ordinance; and
2. a civil penalty up to one hundred dollars (\$100.00) a day when it is shown that the defendant was notified of the provisions of the Ordinance and after receiving notice committed acts in violation of the Ordinance or failed to take action necessary for compliance with the Ordinance; and
3. other available relief.

10. PROPER NOTICE AND MEETING

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

PASSED AND APPROVED this, the ____ day of _____, 2004, by a _____ (ayes) to _____ (nays) to _____ (abstentions) vote of the City Council of the Town of Horizon City, Texas.

TOWN OF HORIZON CITY

By: _____
Ruben Mendoza, Mayor

ATTEST:

By: _____
Elvia Schuller, City Clerk

APPROVED AS TO FORM:

Sylvia Borunda Firth
Assistant City Attorney



MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Chief McConnell
DATE: September 7, 2021
RE: Update on the 2021 National Night Out Program

What: National Night Out
When: Tuesday October 5th, 2021
Where: Towne Center Park

Last year, we skipped the National Night Out against crime and violence program due to Covid-19 restrictions. This year, we are happy to announce that the National Night Out program will be held at the Towne Center Park located at 13741 Town Center, across the street from the IDEA School. The event begins at 6:00 pm and concludes at 9:00 pm.

Street Closures & Parking

Horizon Crossing, Town Center, and Park Vista streets will be closed, with the street and police departments providing the necessary traffic control. The street closure will occur beginning at 4:30 pm. until approximately 10 pm.

Parking will be available throughout the neighborhoods and at the Idea Horizon Vista campus School parking lot.



Activities

At the time of the memorandum, we have 24 community partners attending, including the CBP Helicopter. In addition, the City of Socorro will be bringing their armored vehicle and K-9 units, and multiple inflatables will be available for the kids to enjoy.

Performances will include the Horizon High School Drumline vs. Eastlake High School, Repelling demonstration with Horizon Fire, K-9 Demonstration from Socorro Police Department, Horizon PD vs. Horizon Fire on the mechanical Bull. Socorro High school Cheerleader performance.

FIRST AMEDMENT TO CONTRACT OF EMPLOYMENT

WHEREAS, the Town of Horizon City, Texas (“City”) and Mario A. Gonzalez (“Judge”) entered into a Contract of Employment on August 13, 2019, to engage the services of the Judge to act as a municipal court judge for the City;

WHEREAS, the Contract of Employment will expire on November 30, 2021; and

WHEREAS, the parties desire to extend the terms of the Contract of Employment pursuant to the terms set forth herein

The parties agree as follows:

1. **TERM.** The term of the Contract of Employment (term of office) shall be extended for an additional two years and will expire on November 30,2023.
2. **COMPENSATION.** At the commencement of each fiscal year during the term of this Contract of Employment, the Judge shall be eligible to receive the same cost of living adjustment granted to non-collective bargaining employees of the City, if any. If there is no across the board cost of living salary adjustment approved by the City Council, the Judge’s compensation shall not be increased.
3. **RATIFICATION.** Unless expressly amended herein, all other terms and conditions of the Contract of Employment remain in full force and effect.

Approved by the City Council of the Town of Horizon City, Texas on
September__, 2021.

(Signatures on next page)

TOWN OF HORIZON CITY, TEXAS

By: _____
Ruben Mendoza, Mayor

JUDGE

Mario A. Gonzalez
Municipal Court Judge

ATTEST:

By _____
Elvia Schuller, City Clerk

APPROVED AS TO FORM:

By: _____
Sylvia Borunda Firth
Assistant City Attorney



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: September 9, 2021; **REVISED September 13, 2021**
To: Honorable Mayor and Members of City Council
From: Michelle Padilla, Planning Director
SUBJECT: Items 27 through 36 on the September 14, 2021 City Council Agenda

On September 2, 2021, the Planning and Zoning Commission voted unanimously to recommend that the City Council approve the rezoning of the 10 parcels listed below from their current zoning to R-3 (Residential), C-1 (Commercial) and C-2 (Commercial) zones (as listed below).

Parcel #	Acreage	Legal Description	Current Land Use	Proposed Land Use	Current Zoning	Proposed Zoning
1	276.104	Situated in Section 30, Block 78, Township 3, Texas Pacific Railway Company Surveys, El Paso County, TX	Vacant	Residential	C-1, A1, A2, R-2, R-3, R-4A, R-6, and R9	R3
2	1.983	Situated in Section 30, Block 78, Township 3, Texas Pacific Railway Company Surveys, El Paso County, TX	Vacant	Commercial	R-2	C1
3	1.453	Situated in Section 30, Block 78, Township 3, Texas Pacific Railway Company Surveys, El Paso County, TX	Vacant	Commercial	R-2	C1
4	45.426	Situated in Section 30, Block 78, Township 3, Texas Pacific Railway Company Surveys, El Paso County, TX	Vacant	Residential	C-1 and R-2	R3
5	1.918	Situated in Section 30, Block 78, Township 3, Texas Pacific Railway Company Surveys, El Paso County, TX	Vacant	Commercial	R-2	C1
6	1.642	Situated in Section 30, Block 78, Township 3, Texas Pacific Railway Company Surveys, El Paso County, TX	Vacant	Commercial	R-2	C1
7	185.716	Situated in Section 32, Block 78, Township 3, Texas Pacific Railway Company Surveys, El Paso County, TX	Vacant	Residential	R-2	R3
8	13.451	Situated in Section 32, Block 78, Township 3, Texas Pacific Railway Company Surveys, El Paso County, TX	Vacant	Commercial	R-2	C2
9	212.581	Situated in Section 32, Block 78, Township 3, Texas Pacific Railway Company Surveys, El Paso County, TX	Vacant	Residential	R-2	R3
10	4.263	Situated in Section 32, Block 78, Township 3, Texas Pacific Railway Company Surveys, El Paso County, TX	Vacant	Commercial	R-2	C2

The applicant's request is to rezone a majority of the properties to an R-3 zone, which will allow for a minimum lot size of 5,500 square feet and a minimum dwelling size of 1,000 square feet. The applicant is also proposing to rezone four parcels at the future intersection of Paseo Del Este Boulevard and Eastlake Boulevard from R-2 to C-1 and two parcels, one with frontage on Horizon Boulevard and the other with frontage on Eastlake Boulevard, from R-2 to C-2.

The future land use map in the comprehensive plan designates this area as low-, medium-, and high-density single family residential; multi-family residential; commercial; public; and parks and open space. The staff recommendation to the Planning and Zoning Commission was to approve the rezoning request as it would allow for a variety of lots sizes and housing types which is consistent with the City's Vision 2020: Comprehensive and Strategic Plan and compatible with the surrounding development; although it will not provide for multi-family development. Additionally, the subject properties are also located within the City's Transportation Reinvestment Zone (TRZ) Number One.

Staff received one phone call in support of the requested rezoning ahead of the Planning and Zoning Commission. The resident essentially stated that the current apartment zoning districts within parcel one are not consistent with the surrounding development and that the single-family residential zone that the applicant is proposing would be more compatible with the existing uses.

One resident was present at the Planning and Zoning Commission meeting and asked about the timing of the second phase of Horizon Mesa Park, but did not express his support or opposition of the rezoning requests. The applicant stated that the construction of the park would likely begin with the first phase of the residential development.

Upon further review, staff noticed that the agenda posting for parcel 4 (as listed above) on the September 2, 2021 Planning and Zoning Commission (P&Z) meeting did not reference the current C-1 zoning. Therefore, staff has scheduled the item for the September 20, 2021

P&Z meeting to correct the error. This action will be taken before the 2nd reading of the rezoning ordinance for this parcel, which is scheduled for the October 12, 2021 City Council meeting.

Attached for your review, the staff report that provides information on all ten rezoning applications and that was presented to the Planning and Zoning Commission. Each item has its specific draft ordinance attached.



TOWN OF HORIZON CITY
Planning and Zoning Commission Staff Report

Case No.: RZ-002483-2021
HZN Mesa HZN Sunrise

Application Type: **Rezoning**

P&Z Hearing Date: September 2, 2021

Staff Contact: Michelle Padilla
 915-852-1046; mpadilla@horizoncity.org

Address/Location: Properties along Eastlake Boulevard; from Desert Mist Drive to Horizon Boulevard.

Nearest Park: Horizon Mesa Park

Nearest School: Horizon High School

Parcel #	Acreage Tract	Legal Description
HORIZON MESA		
1	276.104	A portion of Section 30, Block 78, Township 3, Texas Pacific Railway Company Surveys
2	1.983	A portion of Section 30, Block 78, Township 3, Texas Pacific Railway Company Surveys
3	1.453	A portion of Section 30, Block 78, Township 3, Texas Pacific Railway Company Surveys
4	45.426	A portion of Section 30, Block 78, Township 3, Texas Pacific Railway Company Surveys
5	1.918	A portion of Section 30, Block 78, Township 3, Texas Pacific Railway Company Surveys
6	1.642	A portion of Section 30, Block 78, Township 3, Texas Pacific Railway Company Surveys
HORIZON SUNRISE		
7	185.716	A portion of Section 32, Block 78, Township 3, Texas Pacific Railway Company Surveys
8	13.451	A portion of Section 32, Block 78, Township 3, Texas Pacific Railway Company Surveys
9	212.581	A portion of Section 32, Block 78, Township 3, Texas Pacific Railway Company Surveys
10	4.263	A portion of Section 32, Block 78, Township 3, Texas Pacific Railway Company Surveys

Parcel #	Current Land Use	Proposed Land Use	Current Zoning	Proposed Zoning	Owner
HORIZON MESA					
1	Vacant	Residential	C-1, A1, A2, R-2, R-3, R-4A, R-6, and R9	R3	LE30; HCH; RG30; HCD
2	Vacant	Commercial	R-2	C1	RG30
3	Vacant	Commercial	R-2	C1	RG30
4	Vacant	Residential	C-1 and R-2	R3	RG30; HCD
5	Vacant	Commercial	R2	C1	RG30
6	Vacant	Commercial	R2	C1	RG30
HORIZON SUNRISE					
7	Vacant	Residential	R2	R3	HCH; HBG32; HB32H; HHC
8	Vacant	Commercial	R2	C2	HHC
9	Vacant	Residential	R2	R3	HCH; HB32H
10	Vacant	Commercial	R2	C2	HB32H; HHC

Application Description:

The applicant is requesting to change the zone of approximately 744,537 acres of vacant land currently zoned as C-1 (Commercial), A-1 (Apartments), A-2 (Apartments), R-2 (Residential), R-3 (Residential), R-4A (Residential), R-6 (Residential), and R9 (Residential) to be rezoned as C-1, C-2, and R-3 in accordance with the attached proposed zoning map. The request proposes R-3 (single-family residential) development throughout with pockets of commercial at major intersections. The subject properties include most of the vacant land along Eastlake Boulevard between Desert Mist Drive and Horizon Boulevard.

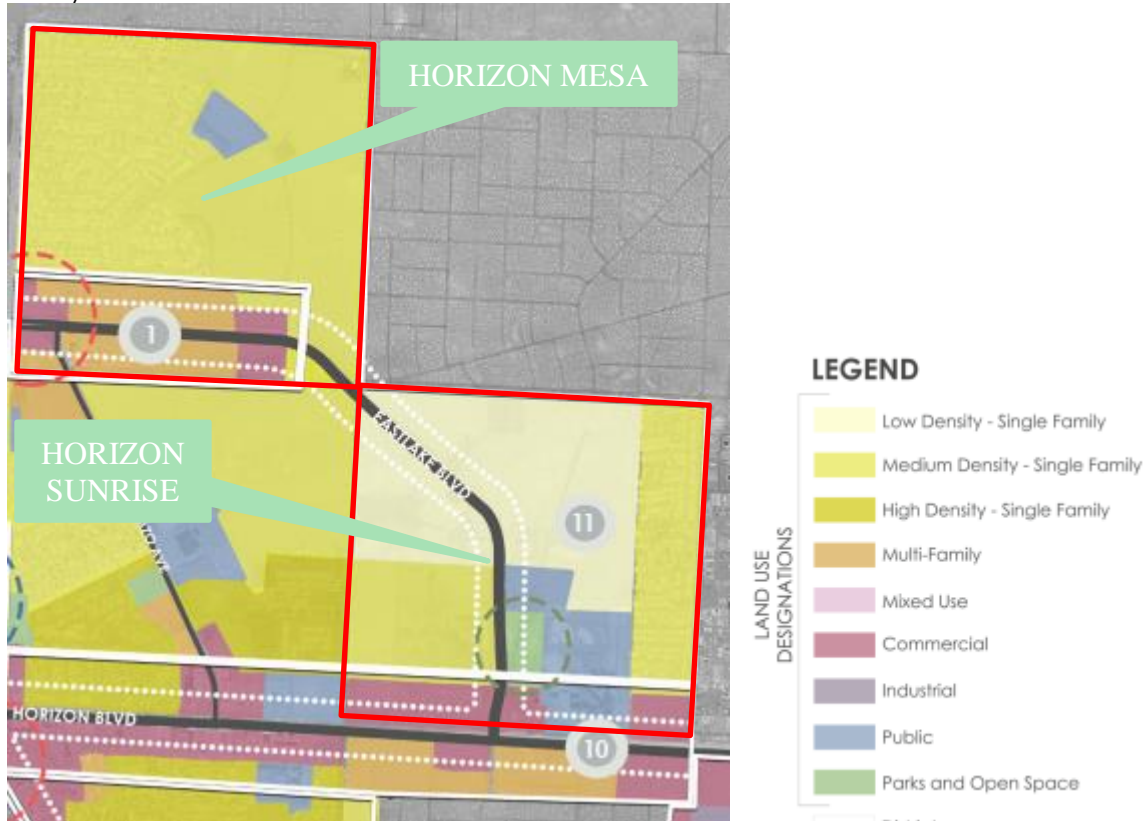
Notice:

In accordance with Section 211.007 of the Texas Local Government Code, notices of the August 16, 2021 public hearing were sent to the school district of jurisdiction and to those property owners within 200 feet of the subject property on July 29, 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.

To date, staff has received one phone call in support of the requested rezoning. The resident essentially stated that the current apartment zoning districts within parcel one are not consistent with the surrounding development and that the single-family residential zone that the application is proposing would be more compatible with the existing uses.

Vision 2020 – Future Land Use Map Designation:

Horizon City Vision 2020 Strategic Master Plan designates this area for the following uses: low-, medium-, and high-density single family residential; multi-family residential; commercial; public; and parks and open space in accordance with the map and legend below. The developer is proposing a land use plan that includes commercial and single-family residential.



DEVELOPER'S
LAND USE PLAN



Staff Recommendation:

Staff recommends **approval** of the request to rezone to **R-3** (Residential) and **C-1** (Commercial) for parcels one through six within the Horizon Mesa development area.

Staff recommends **approval** of the request to rezone to **R-3** (Residential) and **C-2** (Commercial) for parcels seven through ten within the Horizon Sunrise development area.

Planning Division Comments:

This development proposes R-3 (single-family residential) development throughout with pockets of commercial at major intersections. The proposed R-3 zone will allow for minimum lot sizes of 5,500 square feet, where the smallest lot allowed with the current zoning is 6,000 square feet. The City's Comprehensive Plan calls for low-, medium-, and high-density single family residential in this area and even with the smaller lot size, the number of lots per acre will still fall within the low-density category of 1 to 7 lots per acre. Per the applicant's phasing plan, the proposed zoning will allow for approximately 4.5 lots per acre after considering all other development requirements such as roadways, drainage, and parks.

The future land use plan designates this area to provide a variety of housing types, to include multi-family residential. Approving this development's land use plan and rezoning request will increase the variety in the type of residential dwellings offered although it will not provide for multi-family development.

Planning and Zoning Commission Options:

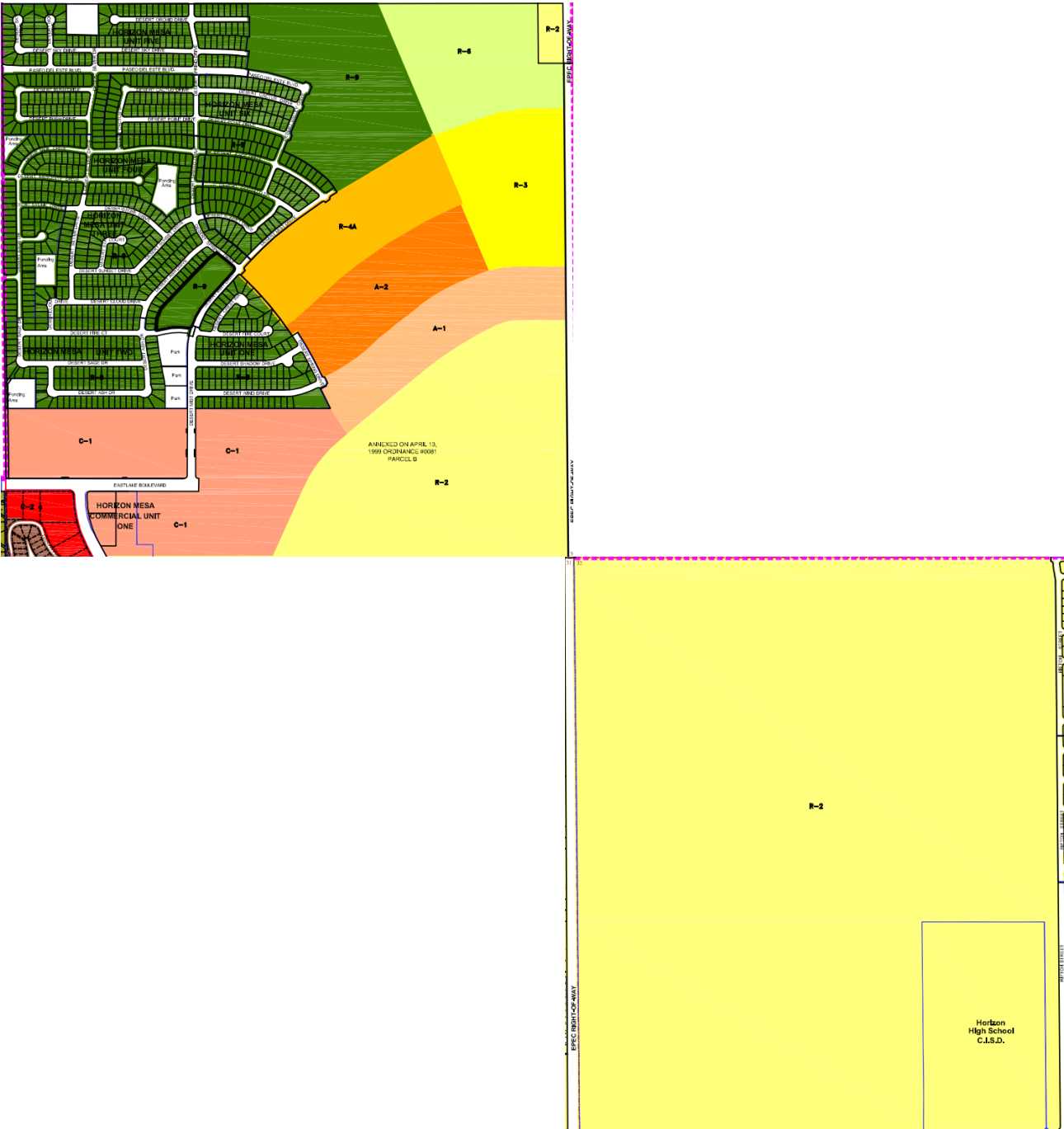
The Planning and Zoning Commission may consider the following options and additional requirements that it may identify when reviewing this rezoning application:

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

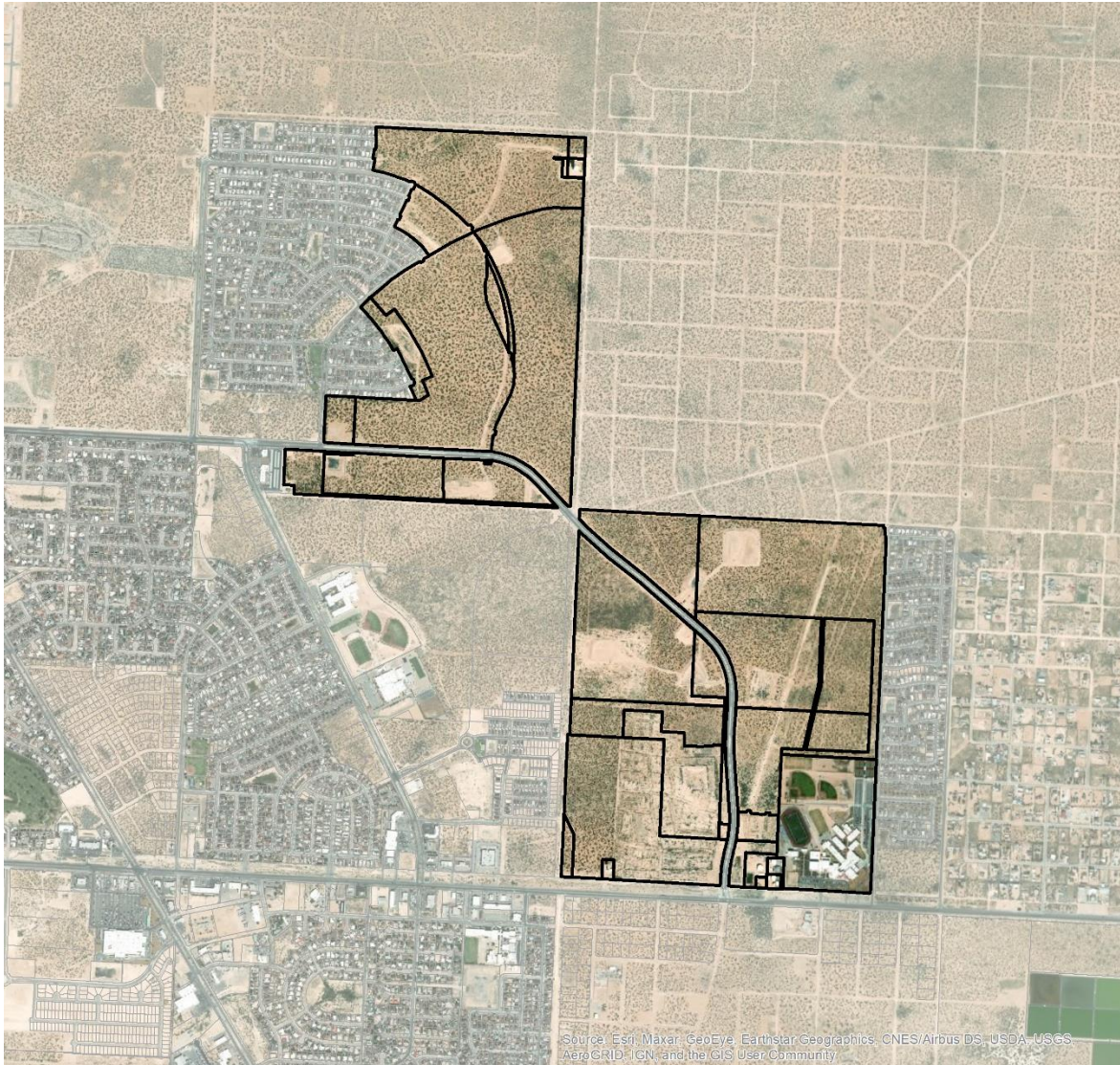
Attachments:

- 1 – Current Zoning Designation
- 2 – Aerial
- 3 - Future Land Use Map (Comp Plan)
- 4 - Boundary Survey Location Map
- 5 – Application
- 6 – Surveys
- 7 – Proposed Zoning and Development Maps

Attachment 1: Current Zoning Designation



Attachment 2: Aerial



Attachment 3: Future Land Use 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

1. Owner of Record: Lake East 30, LTD., Hunt Communities Holding LLC., Rodman Growth 30, LTD., Hunt Communities Development Co. II, LLC.
 4401 N. Mesa Street, El Paso, Texas 79902 (915) 533-1122 jose.lares@huntcompanies.com
(ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant _____ Is applicant also the Owner? Yes No
 Contact Person _____

3. PARCEL ONE (ADDRESS) (ZIP) (PHONE) (EMAIL)

Site Address/Location _____
 Legal Description: A portion of Section 30, Block 78, Township 3, Texas and Pacific Railway Company Surveys 276.104 Acres
(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? To develop a residential development.

5. Land's Present Use: Vacant Zone: A1, A2, C1, R2, R3, R4A, R6, R9
 Land Vacant Lot size _____ Structure Structure's size _____ Last known date the structure was occupied? _____

Land's Proposed Use: Residential Development Proposed Zone Use: R3

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:
 See Attached page
(OWNER'S SIGNATURE) _____ (OWNER'S PRINTED NAME) _____
(APPLICANT'S SIGNATURE) _____ (APPLICANT'S PRINTED NAME) _____

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

REZONE APPLICATION

1. Owner of Record: Rodman Growth 30, LTD.
 4401 N. Mesa Street, El Paso Tx. 79902 (915) 533-1122 jose.lares@huntoocompanies.com
 (ADDRESS) (ZIP) (PHONE) (EMAIL)
 2. Applicant _____ Is applicant also the Owner? Yes No
 Contact Person _____

3. PARCEL ONE **Two** (ADDRESS) (ZIP) (PHONE) (EMAIL)
 Site Address/Location: N/A
 Legal Description: A portion of Section 30, Block 78, Township 3, Texas and Pacific Railway Company Surveys 1.983 Acres
 (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 Meas & Bounds Description & survey map(s)? Yes No

4. Briefly explain why you request to rezone? To develop a Commercial site

5. Land's Present Use: Vacant Zone: R2
 Land Vacant Lot size _____ Structure Structure's size _____ Last known date the structure was occupied? _____
 Land's Proposed Use: Commercial Development Proposed Zone Use: C1

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)

BRION GEORGES
 (OWNER'S PRINTED NAME)

 (APPLICANT'S SIGNATURE)

 (APPLICANT'S PRINTED NAME)

FEE SCHEDULE: NON-REFUNDABLE

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

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

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



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: Rodman Growth 30, LTD.
 4401 N. Mesa Street, El Paso Tx. 79902 (915) 533-1122 jose.lares@huntcompanies.com
 (ADDRESS) (ZIP) (PHONE) (EMAIL)
 2. Applicant _____ Is applicant also the Owner? Yes No
 Contact Person _____

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

3. PARCEL ONE Three
 Site Address/Location _____
 Legal Description: A portion of Section 30, Block 78, Township 3, Texas and Pacific Railway Company Surveys 1.453 Acres
 (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? To develop a Commercial site

5. Land's Present Use: Vacant Zone: R2
 Land Vacant Lot size _____ Structure Structure's size _____ Last known date the structure was occupied? _____
 Land's Proposed Use: Commercial Development Proposed Zone Use: C1

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)

BRIAN GEORGES
 (OWNER'S PRINTED NAME)

 (APPLICANT'S SIGNATURE)

 (APPLICANT'S PRINTED NAME)

FEE SCHEDULE: (NON-REFUNDABLE)

\$300 - UP TO 1.0 ACRES	\$450 - 30.1 ACRES TO 50 ACRES
\$350 - 1.1 ACRES TO 10 ACRES	\$500 - 50.1 ACRES TO 75 ACRES
\$400 - 10.1 ACRES TO 30 ACRES	\$600 - 75.1 ACRES AND UP
EL PASO TIMES PUBLISHING FEE APPROXIMATELY \$460	ENGINEERING FEE APPROXIMATELY \$60 PER 1/4 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 915-852-1048 Fax 915-852-1005

REZONE APPLICATION

1. Owner of Record: Redman Growth (FD, SHN) Communities Development Co II, LLC
 4401 N. Mesa Street, El Paso Texas 79902 (915) 533-1122 jose.lares@huntcompanies.com
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant _____ Is applicant also the Owner? Yes No
 Contact Person _____

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

3. PARCEL ONE Four
 Site Address/Location _____
 Legal Description: A portion of Section 30, Block 78, Township 3, Texas and Pacific Railway Company Surveys 45.426 Acres
 (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 Mets & Bounds Description & survey maps? Yes No

4. Briefly explain why you request to rezone? To develop a residential development

5. Land's Presents Use: Vacant Zone C1, R2
 Land Vacant Lot size _____ Structure Structure's size _____ Last known date the structure was occupied? _____
 Land's Proposed Use: Residential Development Proposed Zone Use R3

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:
See Attached page
 (OWNER'S SIGNATURE) _____ (OWNER'S PRINTED NAME) _____
 (APPLICANT'S SIGNATURE) _____ (APPLICANT'S PRINTED NAME) _____

FEE SCHEDULE: (NON-REFUNDABLE)

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

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

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



TOWN OF HORIZON CITY
 14899 Darrington Road
 Horizon City, Texas 78928
 Phone 915-852-1046 Fax 915-852-1005

REZONE APPLICATION

1. Owner of Record: Rodman Growth 30, LTD.
 4401 N. Mesa Street, El Paso Tx. 79902 (915) 533-1122 jose.lares@hunto.companies.com
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant _____ Is applicant also the Owner? Yes No
 Contact Person _____

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

3. **PARCEL ONE** Five
 Site Address/Location _____
 Legal Description: A portion of Section 30, Block 78, Township 3, Texas and Pacific Railway Company Surveys 1.918 Acres
 (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? To develop a Commercial lot.

5. Land's Present Use: Vacant Zone R2
 Land Vacant Lot size _____ Structure Structure's size _____ Last known date the structure was occupied? _____
 Land's Proposed Use: Commercial Development Proposed Zone Use C1

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)

BRIAN GEORGETS
 (OWNER'S PRINTED NAME)

 (APPLICANT'S SIGNATURE)

 (APPLICANT'S PRINTED NAME)

FEE SCHEDULE: (NON-REFUNDABLE)

\$300 - UP TO 1.0 ACRES	\$450 - 30.1 ACRES TO 50 ACRES
\$350 - 1.1 ACRES TO 10 ACRES	\$500 - 50.1 ACRES TO 75 ACRES
\$400 - 10.1 ACRES TO 30 ACRES	\$600 - 75.1 ACRES AND UP
EL PASO TIMES PUBLISHING FEE	ENGINEERING FEE
APPROXIMATELY \$460	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
 14888 Darrington Road
 Horizon City, Texas 79928
 Phone 915-852-1046 Fax 915-852-1005

REZONE APPLICATION

1. Owner of Record: Rodman Growth 30, LTD.
 4401 N. Mesa Street, El Paso Tx. 79902 (915) 533-1122 jose.lares@huntcompanies.com
 (ADDRESS) (ZIP) (PHONE) (EMAIL)
 2. Applicant _____ Is applicant also the Owner? Yes No
 Contact Person _____

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

3. **PARCEL ONE** Six
 Site Address/Location _____
 Legal Description: A portion of Section 30, Block 78, Township 3, Texas and Pacific Railway Company Surveys 1.642 Acre
 (Lot) (Block) (Subdivision Name)

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


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

4. Briefly explain why you request to rezone? To develop a Commercial site

5. Land's Present Use: Vacant Zone R2
 Land Vacant Lot size _____ Structure Structure's size _____ Last known date the structure was occupied? _____
 Land's Proposed Use: Commercial Development Proposed Zone Use C1

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)

BRIAN GEORGES
 (OWNER'S PRINTED NAME)

 (APPLICANT'S SIGNATURE)

 (APPLICANT'S PRINTED NAME)

FEE SCHEDULE: NON-REFUNDABLE

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

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

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



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

REZONE APPLICATION

R2002483-2021

1. **Owner of Record:** Hunt Communities Holding, LLC., Horizon Bluff Growth 32, LTD., Horizon Boulevard 32 Holdings, LTD., Hunt Horizon Crossing, LLC.
4401 N. Mesa Street, El Paso Texas 79902 (915) 533-1122 jose.lares@huntcompanies.com
 (ADDRESS) (ZIP) (PHONE) (EMAIL)
 2. **Applicant** _____ Is applicant also the Owner? Yes No
 Contact Person _____

(ADDRESS) (ZIP) (PHONE) (EMAIL)
 3. **PARCEL ONE - SEVEN**
 Site Address/Location _____
 Legal Description: A portion of Section 32, Block 78, Township 3, Texas and Pacific Railway Company Surveys
 (Lot) (Block) (Subdivision Name)

PARCEL TWO Acres = 185.716
 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? To develop a residential development using R3 District
 5. **Land's Presents Use:** Vacant Zone R2
 Land Vacant Lot size _____ Structure Structure's size _____ Last known date the structure was occupied? _____
Land's Proposed Use: Residential Development Proposed Zone Use R3
 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:**
 See Attached page
 _____ (OWNER'S SIGNATURE) _____ (OWNER'S PRINTED NAME)
 _____ (APPLICANT'S SIGNATURE) _____ (APPLICANT'S PRINTED NAME)

FEE SCHEDULE: (NON-REFUNDABLE)

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

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

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



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

REZONE APPLICATION

R2 002483-2021

1. Owner of Record: Hunt Horizon Crossing, LLC
 4401 N. Mesa Street, El Paso Tx. 79902 (915) 533-1122 jose.lares@huntcompanies.com
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant _____ Is applicant also the Owner? Yes No
 Contact Person _____

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

3. PARCEL ONE Eight
 Site Address/Location _____
 Legal Description: A portion of Section 32 Block 78, Township 3, Texas and Pacific Railway Company Surveys
 (Lot) (Block) (Subdivision Name)

PARCEL TWO Acres = 13.451
 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? To develop a Commercial site

5. Land's Presents Use: Vacant Zone R2
 Land Vacant Lot size _____ Structure Structure's size _____ Last known date the structure was occupied? _____

Land's Proposed Use: Commercial Development Proposed Zone Use C2

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)

MICHAEL S. VIRAMONTES
 (OWNER'S PRINTED NAME)

 (APPLICANT'S SIGNATURE)

 (APPLICANT'S PRINTED NAME)

FEE SCHEDULE: (NON-REFUNDABLE)

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

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

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



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

REZONE APPLICATION

R2-002483-2021

1. **Owner of Record:** Hunt Communities Holding, LLC., Horizon Boulevard 32 Holdings, LTD.
 4401 N. Mesa Street, El Paso Texas 79902 (915) 533-1122 jose.lares@huntcompanies.com
 (ADDRESS) (ZIP) (PHONE) (EMAIL)
 2. **Applicant** _____ Is applicant also the Owner? Yes No
 Contact Person _____

(ADDRESS) (ZIP) (PHONE) (EMAIL)
 3. **PARCEL ONE - NINE**
 Site Address/Location _____
 Legal Description: A portion of Section 32, Block 78, Township 3, Texas and Pacific Railway Company Surveys
 (Lot) (Block) (Subdivision Name)

PARCEL TWO *Acres = 212.581*
 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? To develop a residential development using R3 District
 5. **Land's Presents Use:** Vacant Zone R2
 Land Vacant Lot size _____ Structure Structure's size _____ Last known date the structure was occupied? _____
Land's Proposed Use: Residential Development Proposed Zone Use R3
 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:**
 See Attached page
 _____ (OWNER'S SIGNATURE) _____ (OWNER'S PRINTED NAME)
 _____ (APPLICANT'S SIGNATURE) _____ (APPLICANT'S PRINTED NAME)

FEE SCHEDULE: (NON-REFUNDABLE)

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

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

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



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

REZONE APPLICATION

R2002483-2021

1. **Owner of Record:** Horizon Boulevard 32 Holdings, LTD., Hunt Horizon Crossing, LLC.
 4401 N. Mesa Street, El Paso Tx. 79902 (915) 533-1122 jose.lares@huntcompanies.com
 (ADDRESS) (ZIP) (PHONE) (EMAIL)
 2. **Applicant** _____ Is applicant also the Owner? Yes No

Contact Person _____
 (ADDRESS) (ZIP) (PHONE) (EMAIL)

3. **PARCEL ONE - TEN**
 Site Address/Location _____
 Legal Description: A portion of Section 32 Block 78, Township 3, Texas and Pacific Railway Company Surveys
 (Lot) (Block) (Subdivision Name)

PARCEL TWO Acres = 4.263
 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? To develop a Commercial site

5. **Land's Presents Use:** Vacant Zone R2
 Land Vacant Lot size _____ Structure Structure's size _____ Last known date the structure was occupied? _____
Land's Proposed Use: Commercial Development Proposed Zone Use C2

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:**
 See Attached page
 (OWNER'S SIGNATURE) _____ (OWNER'S PRINTED NAME) _____
 (APPLICANT'S SIGNATURE) _____ (APPLICANT'S PRINTED NAME) _____

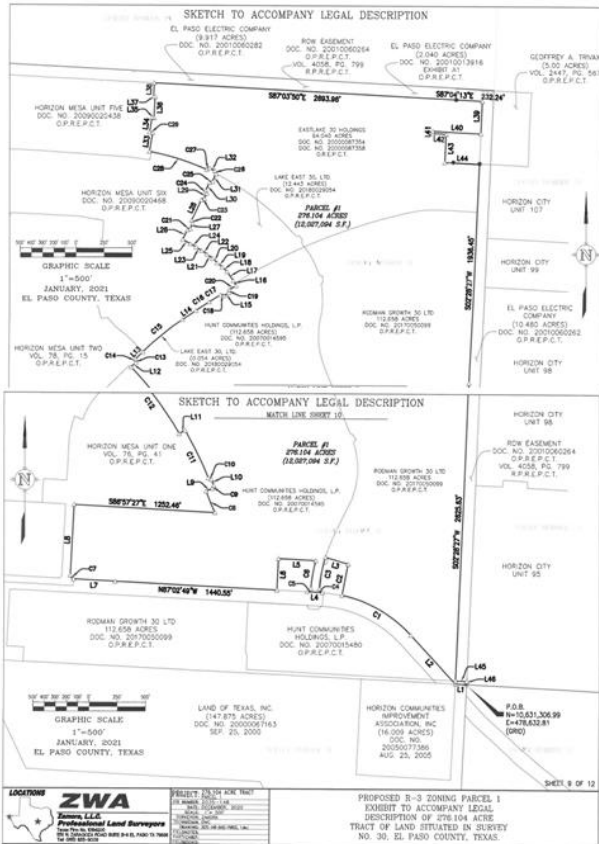
FEE SCHEDULE: (NON-REFUNDABLE)

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

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

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

Attachment 6: Surveys



LINE	DIRECTION	DISTANCE
L1	N87°04'12"W	99.00'
L2	N42°43'25"W	584.97'
L3	N72°59'29"W	210.33'
L4	N87°02'49"W	134.10'
L5	N87°02'49"W	330.71'
L6	S02°37'11"W	278.70'
L7	N87°34'44"W	370.56'
L8	N03°02'33"E	620.25'
L9	N88°22'17"E	60.03'
L10	N21°07'04"W	60.00'
L11	S59°33'32"W	60.00'
L12	N45°48'13"E	60.00'
L13	N45°27'45"E	89.00'
L14	N05°00'20"E	144.05'
L15	N07°28'28"E	52.32'
L16	N07°08'40"W	52.00'
L17	N35°48'48"W	98.77'
L18	N47°36'57"W	56.30'
L19	N49°42'50"W	56.30'
L20	N49°50'50"W	58.60'

LINE	DIRECTION	DISTANCE
L21	N03°56'09"W	58.92'
L22	N05°03'30"W	58.48'
L23	N05°09'28"W	58.48'
L24	N60°15'20"W	58.48'
L25	N61°52'03"W	76.14'
L26	N05°02'00"E	96.56'
L27	N23°52'11"E	52.00'
L28	N05°02'00"E	202.64'
L29	N24°05'37"E	52.04'
L30	N05°02'00"E	77.40'
L31	N24°23'28"E	74.04'
L32	N64°58'02"W	52.00'
L33	N101°33'37"E	187.00'
L34	N09°32'43"E	131.29'
L35	S80°04'30"E	188.18'
L36	N02°07'30"E	188.18'
L37	N87°02'24"W	13.58'
L38	N02°48'44"E	121.26'
L39	S02°28'23"W	293.01'
L40	N87°02'24"W	427.99'

LINE	DIRECTION	DISTANCE
L41	S02°57'36"W	20.00'
L42	S87°02'24"E	120.17'
L43	S02°02'32"W	248.44'
L44	S87°02'27"E	308.08'
L45	S87°02'34"E	99.97'
L46	S02°28'28"W	28.36'

LEGEND:

- 5/8" IRON ROD FOUND W/CAP "ZWA" (UNLESS NOTED)
- 5/8" IRON ROD SET W/CAP "ZWA"
- ▲ CALCULATED POINT
- ⊠ PLAT RECORDS EL PASO COUNTY, TEXAS
- ⊠ OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS
- DOC NO. DOCUMENT NUMBER
- POB POINT OF BEGINNING
- REL. VOLUME
- PL. PAGE

CURVE	DISTANCE	DELTA	RADIUS	DIRECTION	CHORD
C1	711.87'	355°41'	1160.00'	N67°18'18"W	700.78'
C2	285.00'	81°02'37"	166004.17'	N11°03'07"E	286.01'
C3	285.00'	113°38'58"	1416.00'	S11°02'37"W	284.54'
C4	48.60'	83°08'48"	30.01'	S41°17'54"E	43.71'
C5	48.60'	89°00'13"	30.01'	N48°29'33"E	42.07'
C6	251.38'	9°42'07"	1480.00'	N09°58'07"E	251.09'
C7	41.10'	90°00'47"	30.00'	N41°37'50"W	42.47'
C8	204.18'	43°05'27"	2345.41'	N23°27'17"W	204.10'
C9	32.10'	87°56'48"	30.00'	N23°47'17"E	38.98'
C10	31.24'	89°29'41"	30.00'	N68°53'17"W	38.14'
C11	487.40'	83°48'47"	3140.00'	N20°07'00"E	487.00'
C12	741.92'	123°44'44"	3128.87'	N37°17'58"W	745.18'
C13	4.08'	0°04'24"	2188.87'	N48°08'58"W	4.08'
C14	41.10'	89°04'47"	30.00'	N02°44'07"E	38.90'
C15	458.30'	18°29'52"	2475.44'	N04°47'17"E	454.88'
C16	140.01'	17°30'57"	4811.38'	N02°50'27"E	140.01'
C17	119.11'	17°50'07"	4817.38'	N02°58'58"E	119.11'
C18	34.44'	88°38'58"	30.00'	S77°20'10"W	30.34'
C19	32.38'	82°43'52"	30.00'	N13°10'17"E	28.88'
C20	88.90'	0°37'30"	6298.38'	N82°32'27"E	88.90'

CURVE	DISTANCE	DELTA	RADIUS	DIRECTION	CHORD
C21	31.86'	97°37'47"	30.00'	N10°42'30"E	28.67'
C22	31.86'	89°37'52"	30.00'	N10°17'49"W	27.92'
C23	31.86'	97°10'21"	30.00'	N10°38'50"E	28.58'
C24	31.86'	88°46'19"	30.00'	N10°22'00"W	27.89'
C25	31.86'	97°17'13"	30.00'	N10°38'37"E	28.58'
C26	31.86'	88°30'27"	30.00'	N10°21'17"W	28.00'
C27	31.86'	88°50'24"	30.00'	S89°27'18"W	28.00'
C28	536.64'	13°38'47"	2553.17'	N72°58'59"W	530.37'
C29	28.79'	0°42'54"	2405.12'	N80°08'50"W	28.79'

NOTE:
 THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.

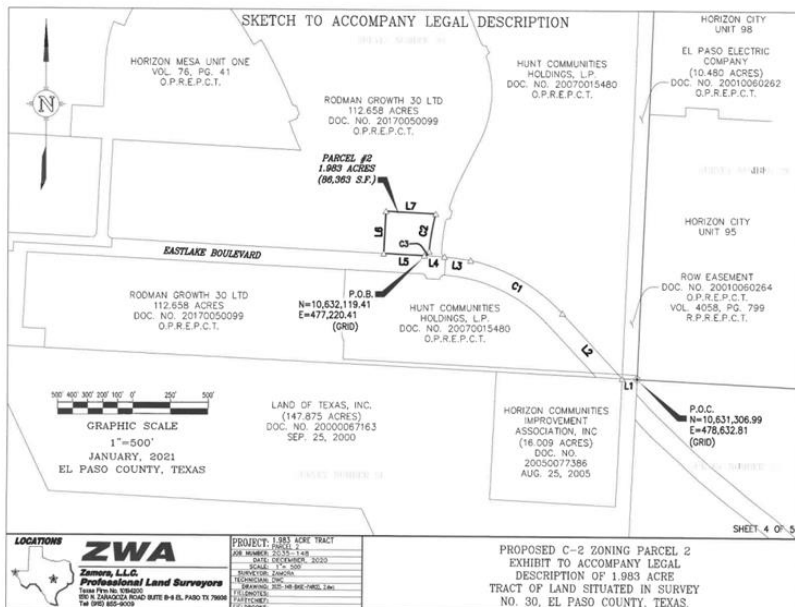
META DATA:
 ALL PROJECT COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(2011) (EPOCH 2010.00).

I, G. RENE ZAMORA, DO HEREBY CERTIFY THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

G. Rene Zamora
 G. RENE ZAMORA
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 5682



SHEET 12 OF 12



LEGEND:

- 5/8" IRON ROD FOUND W/CAP "ZWA" (UNLESS NOTED)
- 5/8" IRON ROD SET W/CAP "ZWA"
- ▲ CALCULATED POINT
- ⊠ PLAT RECORDS EL PASO COUNTY, TEXAS
- ⊠ OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS
- DOC NO. DOCUMENT NUMBER
- POB POINT OF BEGINNING
- REL. VOLUME
- PL. PAGE

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	711.87'	355°41'	1160.00'	N67°18'18"W	700.78'
C2	251.38'	9°42'07"	1480.00'	S09°58'07"E	251.09'
C3	48.60'	89°00'13"	30.01'	S48°29'33"E	42.07'

LINE	DIRECTION	DISTANCE
L1	N87°04'12"W	99.00'
L2	N42°43'25"W	584.97'
L3	N72°59'29"W	210.33'
L4	N87°02'49"W	134.10'
L5	N87°02'49"W	270.04'
L6	N02°57'11"E	278.70'
L7	S87°02'49"E	330.71'

NOTE:
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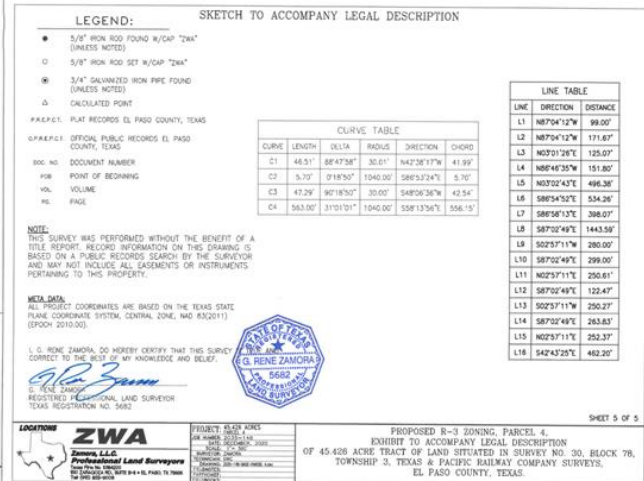
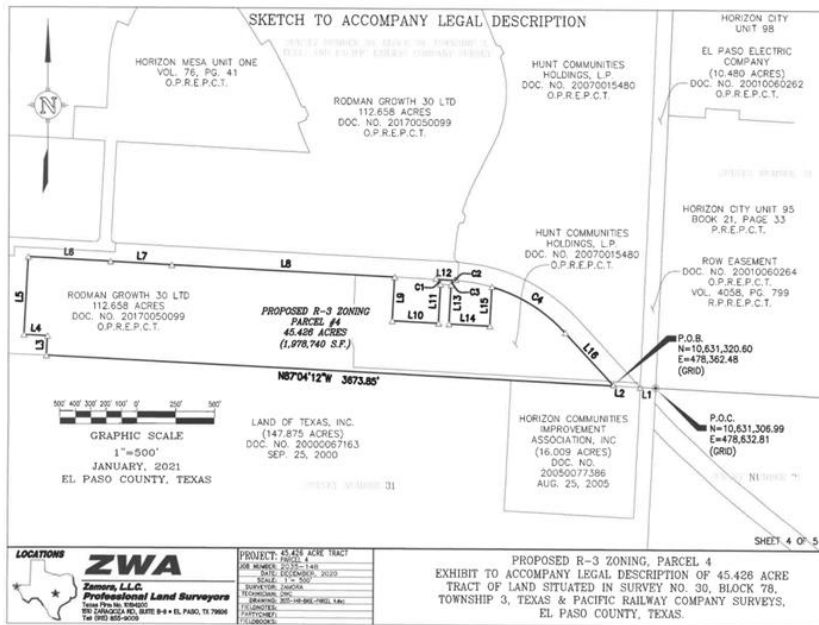
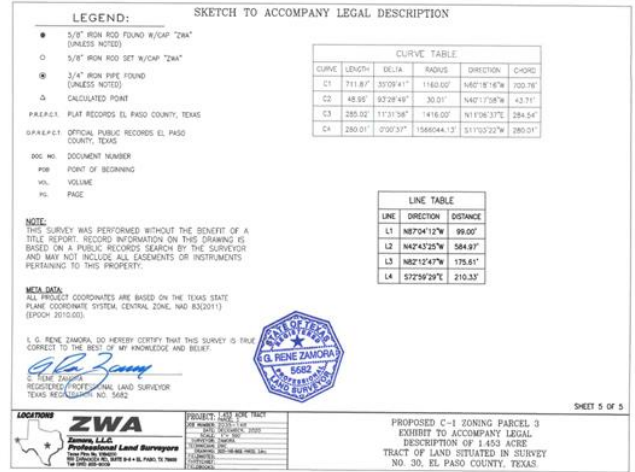
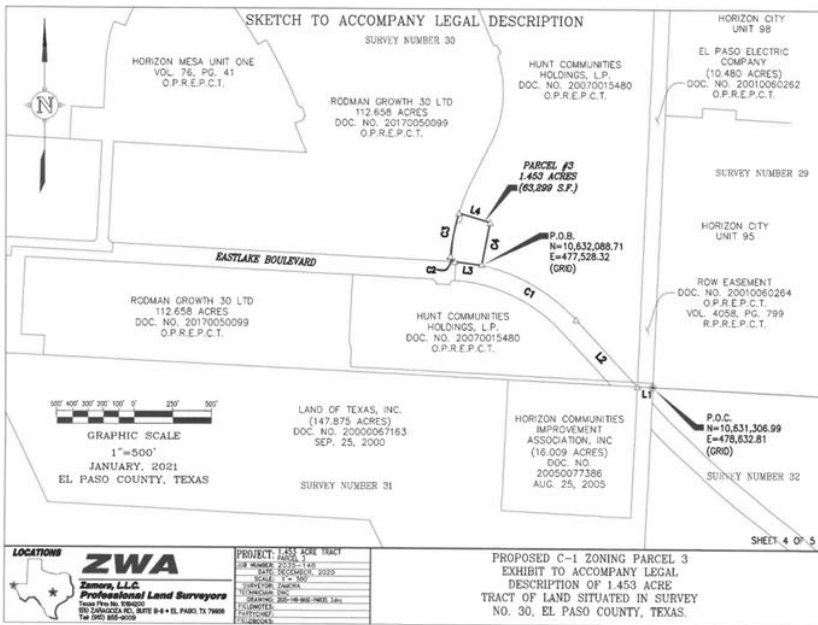
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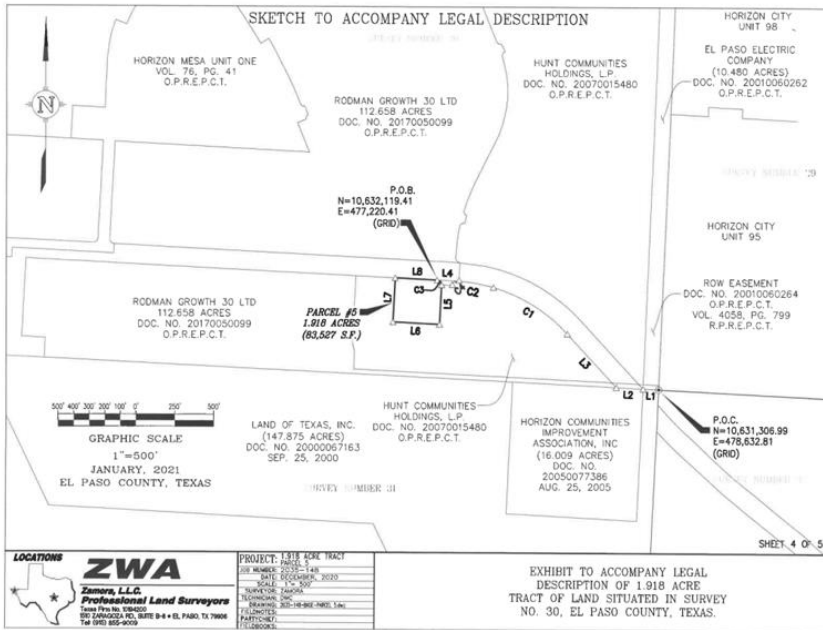
I, G. RENE ZAMORA, DO HEREBY CERTIFY THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

G. Rene Zamora
 G. RENE ZAMORA
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 5682



SHEET 4 OF 5





LEGEND:

- 3/4" IRON ROD FOUND W/CAP "2x4" (UNLESS NOTED)
- 5/8" IRON ROD SET W/CAP "2x4"
- ⊙ 3/4" IRON PIPE FOUND (UNLESS NOTED)
- △ CALCULATED POINT

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PREP: PLAT RECORDS EL PASO COUNTY, TEXAS
 OPR: OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS
 DOC. NO. DOCUMENT NUMBER
 FOR POINT OF BEGINNING
 VOL. VOLUME
 PG. PAGE

NOTE:
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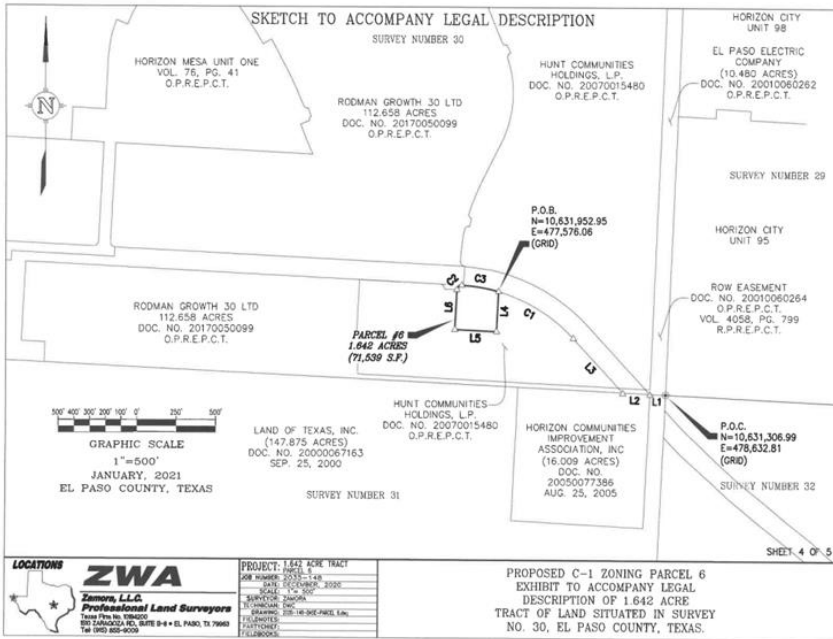
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G. Rene Zamora
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 5682

CURVE TABLE					
CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	563.00	31°21'51"	1040.00	N89°13'54"W	556.15
C2	241.33	13°18'33"	1040.00	N87°23'38"W	240.99
C3	46.51	88°47'58"	30.01	S42°36'13"E	41.93
C4	47.29	90°18'50"	30.00	S49°04'56"W	43.54

LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	N87°04'12"W	99.00'
L2	N87°04'12"W	171.67'
L3	N42°43'25"W	482.20'
L4	N87°02'49"W	63.79'
L5	S02°37'11"W	250.61'
L6	N87°02'49"W	290.00'
L7	N02°37'11"E	290.00'
L8	S87°02'49"E	269.00'



LEGEND:

- 3/4" IRON ROD FOUND W/CAP "2x4" (UNLESS NOTED)
- 5/8" IRON ROD SET W/CAP "2x4"
- ⊙ 3/4" IRON PIPE FOUND (UNLESS NOTED)
- △ CALCULATED POINT

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PREP: PLAT RECORDS EL PASO COUNTY, TEXAS
 OPR: OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS
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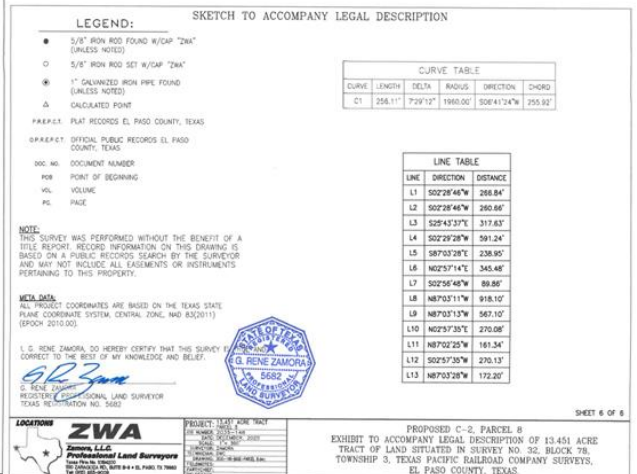
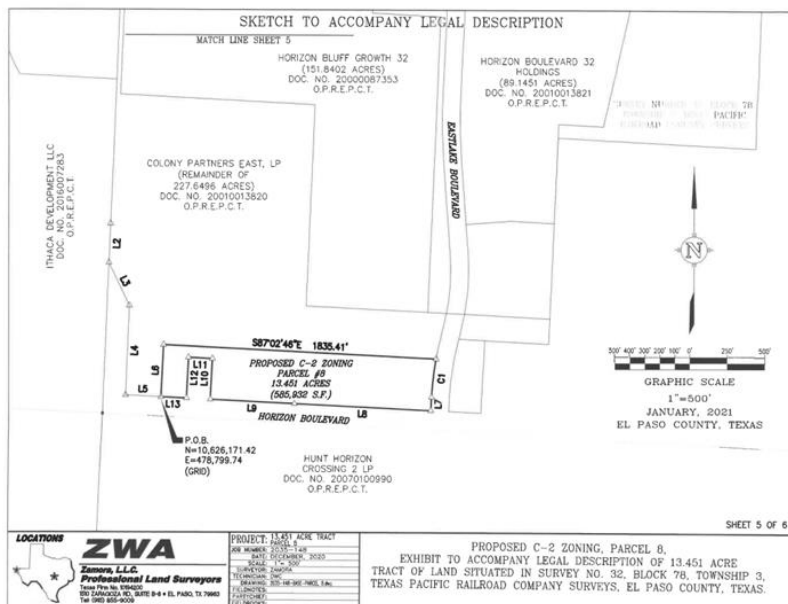
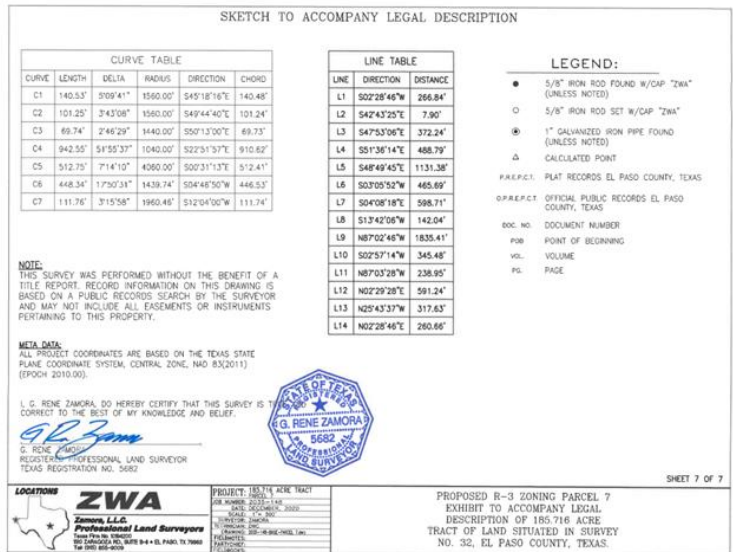
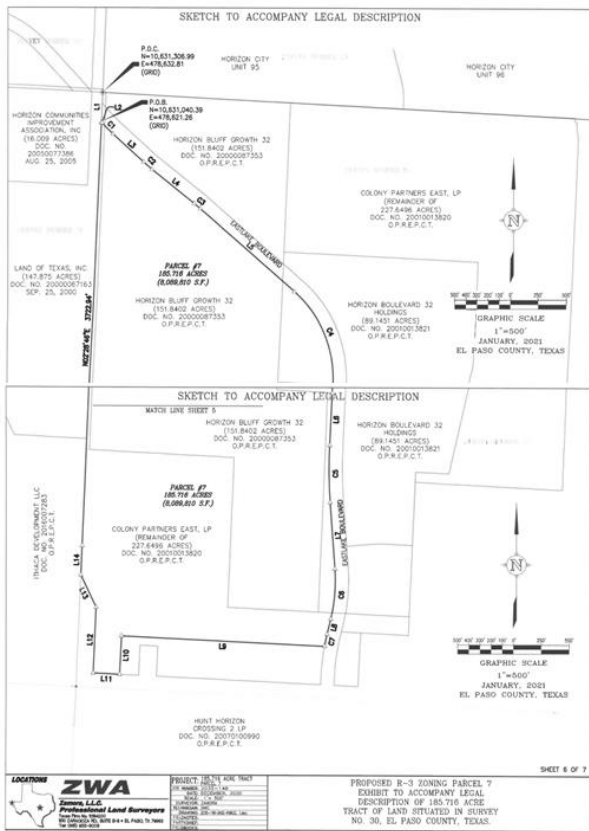
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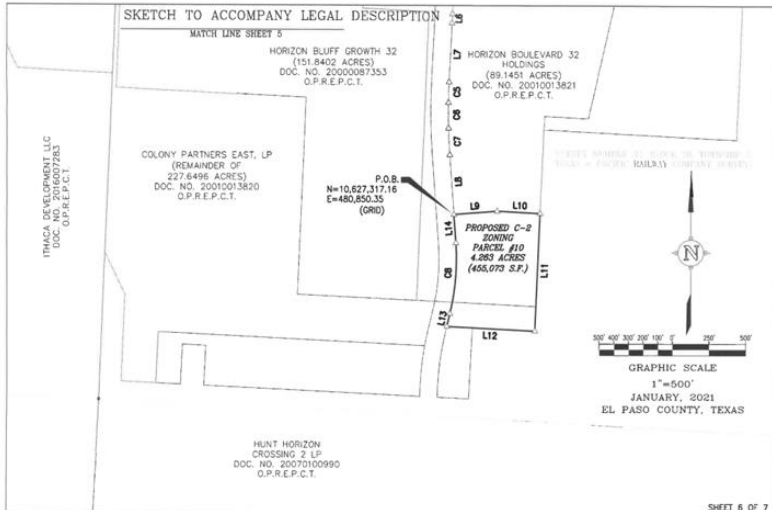
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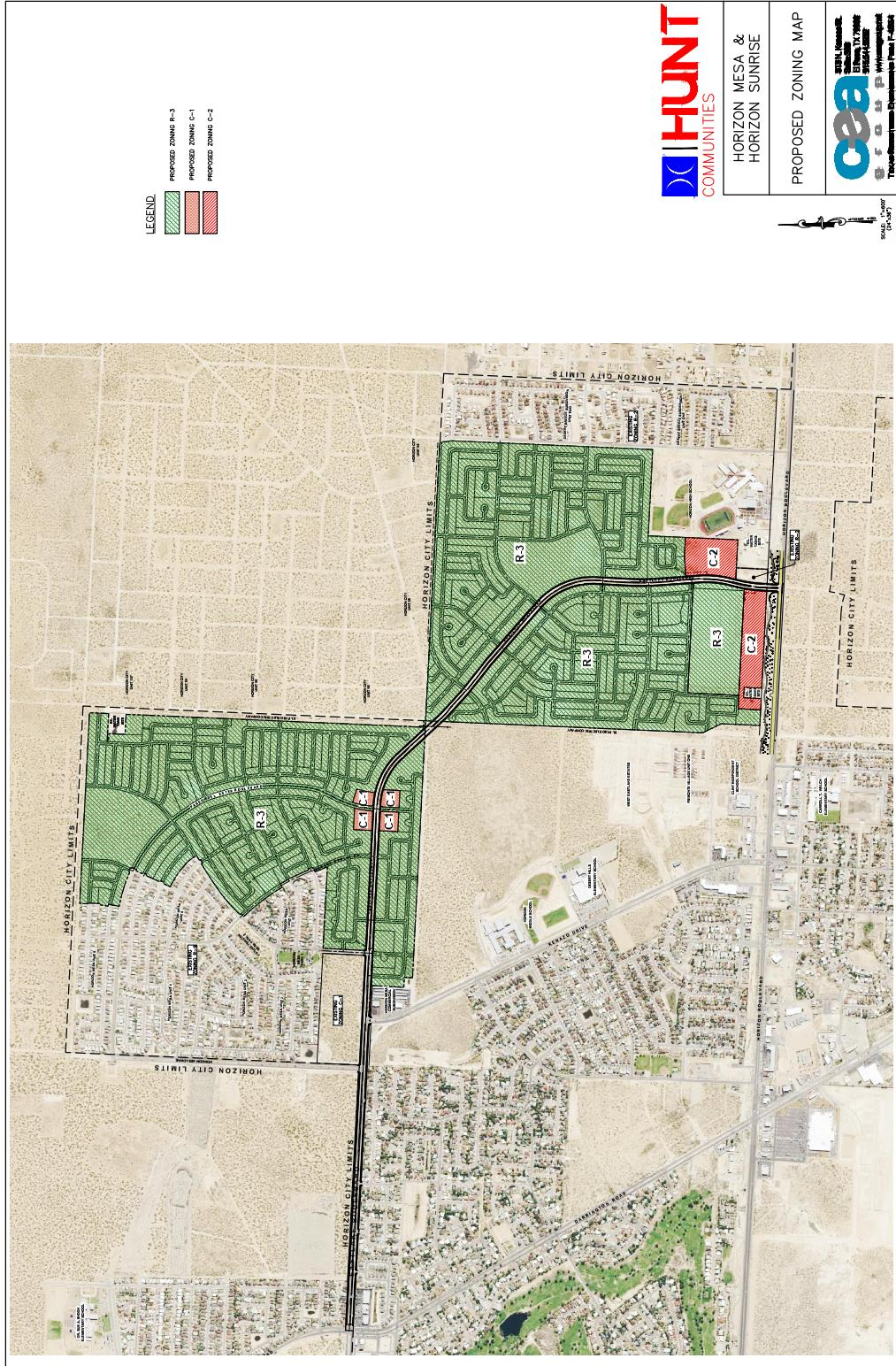
CURVE TABLE					
CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	563.00	31°21'51"	1040.00	N89°13'54"W	556.15
C2	47.29	90°18'50"	30.00	N49°04'56"W	43.54
C3	235.83	127°30'33"	1040.00	S87°11'17"E	235.83

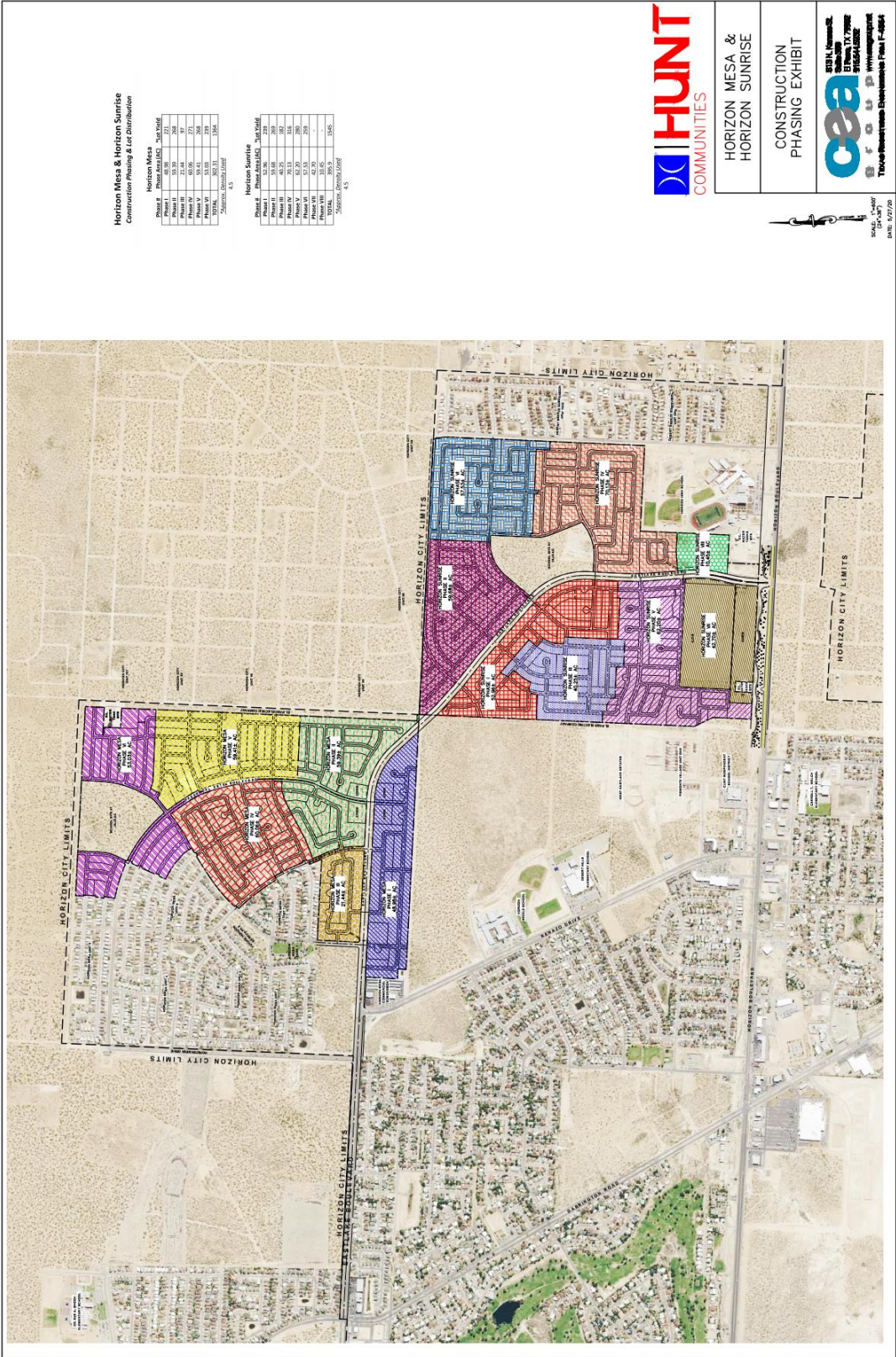
LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	N87°04'12"W	99.00'
L2	N87°04'12"W	171.67'
L3	N42°43'25"W	482.20'
L4	S02°37'11"W	253.37'
L5	N87°02'49"W	263.87'
L6	N02°37'11"E	250.27'





Attachment 7: Proposed Zoning and Development Maps





Horizon Mesa & Horizon Sunrise
Construction Phasing & Lot Distribution

Horizon Mesa	
Phase	Phase Area (Ac.) - 2016 Total
Phase I	15.30
Phase II	21.64
Phase III	19.13
Phase IV	19.41
Phase V	19.41
Phase VI	20.33
TOTAL	115.22

Horizon Sunrise	
Phase	Phase Area (Ac.) - 2016 Total
Phase I	51.26
Phase II	18.75
Phase III	18.75
Phase IV	18.75
Phase V	18.75
Phase VI	18.75
Phase VII	18.75
Phase VIII	18.75
TOTAL	163.50



HORIZON MESA &
HORIZON SUNRISE

CONSTRUCTION
PHASING EXHIBIT



SCALE: 1"=200'
DATE: 07/2021

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING ONE PARCEL FROM C-1, A-1, A-2, R-2, R-3, R-4A, R-6, AND R-9 TO R-3; CONTAINING APPROXIMATELY 276.104 ACRES; BEING SITUATED IN SECTION 30, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS; NORTH AND EAST OF THE INTERSECTION OF DESERT MIST DRIVE 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 R-3, Residential; 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 C-1 (Commercial), A1 (Apartments), A-2 (Apartments), R-2 (Residential), R-3 (Residential), R-4A (Residential), R-6 (Residential), and R-9 (Residential) to R-3 (Residential) within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, for approximately 276.104 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:



Theresa Cullen, Assistant City Attorney

First Reading: 09/14/2021
Second Reading: 10/12/2021

LEGAL DESCRIPTION

DESCRIPTION OF A 276.104 ACRE TRACT OF LAND SITUATED IN SECTION 30, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, BEING A PART OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO RODMAN GROWTH 30 LTD OF RECORD IN DOCUMENT NUMBER 20170050099, BEING ALSO A PART OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO HUNT COMMUNITIES HOLDINGS, LP, OF RECORD IN DOCUMENT NUMBER 20070014595, BEING ALSO A PART OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO EASTLAKE 30 HOLDINGS, OF RECORD IN DOCUMENT NUMBERS 20000087354 AND 20000087358, AND BEING A PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN A DEED TO LAKE EAST 30, LTD., OF RECORD IN DOCUMENT NUMBER 20180029054, ALL OF THE OFFICIAL PUBLIC RECORDS, EL PASO COUNTY, TEXAS; SAID 276.104 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 3/4 inch pipe found for the northeast corner of a 147.875 acre tract conveyed to Land of Texas, Inc., of record in Document No. 20000067163, Official Records, El Paso County, Texas, being also the southeast corner of that certain 112.658 acre tract of land conveyed to Rodman Growth 30, Ltd., of record in Document No. 2017005009, Official Public Records, El Paso County, Texas;

THENCE N 87°04'12" W, with the north line of said 147.875 acre tract, being also the south line of said Rodman Growth 30, Ltd. tract, for a distance of 99.00 feet to a point;

THENCE, N 42°43'25" W, with the north line of Eastlake Boulevard, a variable width right of way, for a distance of 584.97 feet to a point, at the beginning of a curve to the left;

THENCE, continuing along said north line of said Eastlake Boulevard, along said curve to the left, an arc distance of 711.87 feet, a radius of 1160.00 feet, a central angle of 35°09'41", and chord bearing N 60°18'16" W a distance of 700.76 feet to a point, at the beginning of a curve to the left;

THENCE, departing said north line of said Eastlake Boulevard, over and across said Rodman Growth 30, Ltd. Tract, the following four (4) courses and distances;

1. along said curve to the left, an arc distance of 280.01 feet, a radius of 1566044.17 feet, a central angle of 0°00'37", and chord bearing N 11°03'22" E a distance of 280.01 feet to a point for an interior angle point on the south line of the herein described tract;

2. **N 72°59'29" W**, a distance of **210.33** feet to a point for an interior angle point of the herein described tract, at the beginning of a curve to the left;
3. along said curve to the left, an arc distance of **285.02** feet, a radius of **1416.00** feet, a central angle of **11°31'58"**, and chord bearing **S 11°06'37" W** a distance of **284.54** feet to a point at the beginning of a curve to the right;
4. along said curve to the right, an arc distance of **48.96** feet, a radius of **30.01** feet, a central angle of **93°28'49"**, and chord bearing **S 40°17'58" E** a distance of **43.71** feet to a point on the north line of said Eastlake Boulevard for an exterior angle point of the herein described tract;

THENCE, N 87°02'49" W, continuing along said north line of said Eastlake Boulevard, a distance of **134.10** feet to a point, for an exterior angle point on the south line of the herein described tract;

THENCE, departing said north line of said Eastlake Boulevard, over and across said Hunt Communities Holdings, L.P. tract, the following four (4) courses and distances;

1. along a curve to the right, an arc distance of **46.62 feet**, a radius of **30.01** feet, a central angle of **89°00'13"**, and chord bearing **N 48°26'33" E** a distance of **42.07** feet to a point at the beginning of a curve to the right;
2. along said curve to the right, an arc distance of **251.38 feet**, a radius of **1490.00 feet**, a central angle of **09°40'00"**, and chord bearing **N 09°58'06" E** a distance of **251.09** feet to a point for an interior angle point on the south line of the herein described tract;
3. **N 87°02'49" W**, for a distance of **330.71** feet to a point for an interior angle point on the south line of the herein described tract;
4. **S 02°57'11" W**, for a distance of **278.70** feet to a point on the north line of said Eastlake Boulevard, for an exterior angle point on the south line of the herein described tract;

THENCE, N 87°02'49" W, continuing along the north line of said Eastlake Boulevard, for a distance of **1440.55** feet to a point on the south line of the herein described tract;

THENCE, N 86°54'44" W, continuing along the north line of said Eastlake Boulevard, for a distance of **370.56** feet to a point on the south line of the herein described tract, at the beginning of a curve to the right;

THENCE, departing said north line of said Eastlake Boulevard, over and across said Hunt Communities Holdings, L.P. tract, said Lake East 30, Ltd. tract, Lake East 30, Ltd. tract and Eastlake 30 Holdings tract, the following fifty-five (55) courses and distances;

1. along a curve to the right, an arc distance of **47.13 feet**, a radius of **30.00 feet**, a central angle of **90°00'47"**, and chord bearing **N 41°57'50" W** a distance of **42.43 feet** to a point;
2. **N 03°02'33" E**, for a distance of **620.25 feet** to a point for an exterior angle point on the west line of the herein described tract;
3. **S 86°57'27" E**, for a distance of **1252.46 feet** to a point for an interior angle point on the west line of the herein described tract;
4. along a curve to the right, an arc distance of **204.16 feet**, a radius of **2340.41 feet**, a central angle of **04°59'53"**, and chord bearing **N 22°27'12" W** a distance of **204.10 feet** to a point;
5. **N 68°22'17" E**, for a distance of **60.03 feet** to a point on the west line of the herein described tract;
6. along a curve to the left, an arc distance of **32.10 feet**, a radius of **20.00 feet**, a central angle of **91°56'46"**, and chord bearing **N 24°24'32" E** a distance of **28.76 feet** to a point;
7. **N 21°07'04" W**, for a distance of **60.00 feet** to a point on the west line of the herein described tract;
8. along a curve to the left, an arc distance of **31.24 feet**, a radius of **20.00 feet**, a central angle of **89°29'41"**, and chord bearing **N 66°55'33" W** a distance of **28.16 feet** to a point;
9. along a curve to the left, an arc distance of **467.49 feet**, a radius of **3140.06 feet**, a central angle of **08°31'49"**, and chord bearing **N 26°07'00" W** a distance of **467.06 feet** to a point;
10. **S 59°33'32" W**, for a distance of **60.00 feet** to a point on the west line of the herein described tract;
11. along a curve to the left, an arc distance of **741.92 feet**, a radius of **3126.67 feet**, a central angle of **13°35'44"**, and chord bearing **N 37°17'58" W** a distance of **740.18 feet** to a point;
12. **N 45°48'13" E**, for a distance of **60.00 feet** to a point for on the west line of the herein described tract;
13. along a curve to the left, an arc distance of **4.08 feet**, a radius of **3186.67 feet**, a central angle of **00°04'24"**, and chord bearing **N 44°08'09" W** a distance of **4.08 feet** to a point;

14. along a curve to the left, an arc distance of **31.09 feet**, a radius of **20.00 feet**, a central angle of **89°04'40"**, and chord bearing **N 00°44'06" E** a distance of **28.06** feet to a point;
15. **N 45°27'45" E**, for a distance of **89.06** feet to a point on the west line of the herein described tract;
16. along a curve to the right, an arc distance of **455.32 feet**, a radius of **2473.41 feet**, a central angle of **10°32'50"**, and chord bearing **N 50°44'10" E** a distance of **454.68** feet to a point;
17. **N 56°00'35" E**, for a distance of **144.05** feet to a point on the west line of the herein described tract;
18. along a curve to the right, an arc distance of **140.01 feet**, a radius of **4817.28 feet**, a central angle of **01°39'55"**, and chord bearing **N 56°50'29" E** a distance of **140.01** feet to a point;
19. along a curve to the right, an arc distance of **119.11 feet**, a radius of **4817.28 feet**, a central angle of **01°25'00"**, and chord bearing **N 58°22'56" E** a distance of **119.11** feet to a point;
20. along a curve to the right, an arc distance of **34.44 feet**, a radius of **20.00 feet**, a central angle of **98°38'59"**, and chord bearing **S 71°35'04" E** a distance of **30.34** feet to a point;
21. **N 57°28'36" E**, for a distance of **52.32** feet to a point on the west line of the herein described tract;
22. along a curve to the right, an arc distance of **32.38 feet**, a radius of **20.00 feet**, a central angle of **92°45'03"**, and chord bearing **N 13°51'07" E** a distance of **28.96** feet to a point;
23. along a curve to the right, an arc distance of **68.90 feet**, a radius of **6299.36 feet**, a central angle of **00°37'36"**, and chord bearing **N 60°32'27" E** a distance of **68.90** feet to a point;
24. **N 29°08'45" W**, for a distance of **52.00** feet to a point on the west line of the herein described tract;
25. **N 35°46'46" W**, for a distance of **98.77** feet to a point on the west line of the herein described tract;
26. **N 47°36'57" W**, for a distance of **58.30** feet to a point on the west line of the herein described tract;
27. **N 49°42'50" W**, for a distance of **58.30** feet to a point on the west line of the herein described tract;

28. **N 46°55'05" W**, for a distance of **58.60** feet to a point on the west line of the herein described tract;
29. **N 53°56'09" W**, for a distance of **59.92** feet to a point on the west line of the herein described tract;
30. **N 56°03'35" W**, for a distance of **58.48** feet to a point on the west line of the herein described tract;
31. **N 58°09'28" W**, for a distance of **58.48** feet to a point on the west line of the herein described tract;
32. **N 60°15'20" W**, for a distance of **58.48** feet to a point on the west line of the herein described tract;
33. **N 61°52'03" W**, for a distance of **76.14** feet to a point on the west line of the herein described tract;
34. **N 25°02'00" E**, for a distance of **96.56** feet to a point on the west line of the herein described tract;
35. along a curve to the right, an arc distance of **31.96 feet**, a radius of **20.00 feet**, a central angle of **91°33'16"**, and chord bearing **n 70°48'38" E** a distance of **28.67** feet to a point;
36. **N 23°52'11" E**, for a distance of **52.06** feet to a point on the west line of the herein described tract;
37. along a curve to the left, an arc distance of **30.90 feet**, a radius of **20.00 feet**, a central angle of **88°31'32"**, and chord bearing **N 19°13'46" W** a distance of **27.92** feet to a point;
38. **N 25°02'00" E**, for a distance of **202.64** feet to a point on the west line of the herein described tract;
39. along a curve to the right, an arc distance of **31.85 feet**, a radius of **20.00 feet**, a central angle of **91°15'01"**, and chord bearing **N 70°39'30" E** a distance of **28.59** feet to a point;
40. **N 24°05'37" E**, for a distance of **52.04** feet to a point on the west line of the herein described tract;
41. along a curve to the left, an arc distance of **31.00 feet**, a radius of **20.00 feet**, a central angle of **88°48'19"**, and chord bearing **N 19°22'09" W** a distance of **27.99** feet to a point;
42. **N 25°02'00" E**, for a distance of **77.40** feet to a point on the west line of the herein described tract;

43. along a curve to the right, an arc distance of **31.84 feet**, a radius of **20.00 feet**, a central angle of **91°13'13"**, and chord bearing **N 70°38'37" E** a distance of **28.58 feet** to a point;
44. **N 24°23'26" E**, for a distance of **74.04 feet** to a point on the west line of the herein described tract;
45. along a curve to the left, an arc distance of **31.01 feet**, a radius of **20.00 feet**, a central angle of **88°50'27"**, and chord bearing **N 19°23'13" W** a distance of **28.00 feet** to a point;
46. **N 64°58'02" W**, for a distance of **52.00 feet** to a point on the west line of the herein described tract;
47. along a curve to the left, an arc distance of **31.01 feet**, a radius of **20.00 feet**, a central angle of **88°50'24"**, and chord bearing **S 69°27'12" W** a distance of **28.00 feet** to a point;
48. along a curve to the left, an arc distance of **536.64 feet**, a radius of **2253.13 feet**, a central angle of **13°38'47"**, and chord bearing **N 72°56'59" W** a distance of **535.37 feet** to a point;
49. **N 10°13'37" E**, for a distance of **167.00 feet** to a point on the west line of the herein described tract;
50. along a curve to the left, an arc distance of **28.79 feet**, a radius of **2420.13 feet**, a central angle of **00°40'54"**, and chord bearing **N 80°06'50" W** a distance of **28.79 feet** to a point;
51. **N 09°32'43" E**, for a distance of **131.29 feet** to a point on the west line of the herein described tract;
52. **S 80°04'35" E**, for a distance of **18.12 feet** to a point on the west line of the herein described tract;
53. **N 02°57'36" E**, for a distance of **188.16 feet** to a point on the west line of the herein described tract;
54. **N 87°02'24" W**, for a distance of **13.58 feet** to a point for an interior angle point on the west line of the herein described tract;
55. **N 02°48'44" E**, for a distance of **121.26 feet** to a point for the northwest corner of the herein described tract;

THENCE, S 87°03'50" E, for a distance of **2693.96 feet** to a point on the east line of said Eastlake 30 Holdings tract, being also the north line of the herein described tract;

THENCE, S 87°04'13" E, for a distance of **232.24** feet to a point on the east line of said Eastlake 30 Holdings tract, being also the west line of a certain 5.00 acre tract of land conveyed to Geoffrey A. Trivax, of record in Volume 2447, Page 567, Official Public Records, El Paso County, Texas, for the northeast corner of the herein described tract;

THENCE, S 02°28'23" W, with the west line of said Trivax tract, for a distance of **293.01** feet to a point for an exterior angle point on the east line of the herein described tract;

THENCE, departing said west line of said Trivax tract, over and across said Eastlake 30 Holdings tract, the following five (5) courses and distances;

1. **N 87°02'24" W**, for a distance of **427.99** feet to a point for an interior angle point on the east line of the herein described tract;
2. **S 02°57'36" W**, for a distance of **20.00** feet to a point for an interior angle point on the east line of the herein described tract;
3. **S 87°02'24" E**, for a distance of **120.17** feet to a point for an interior angle point on the east line of the herein described tract;
4. **S 02°29'32" W**, for a distance of **248.44** feet to a point for an interior angle point on the east line of the herein described tract;
5. **S 87°02'27" E**, for a distance of **308.08** feet to a point for an exterior angle point on the east line of the herein described tract;

THENCE, S 02°28'27" W, with the east line of said Eastlake 30 Holdings tract, and the east line of said Rodman Growth 30, Ltd. tract, for a distance of **1936.45** feet to a point on the east line of the herein described tract;

THENCE, S 02°28'27" W, with the east line of said Eastlake 30 Holdings tract, and the east line of said Rodman Growth 30, Ltd. tract, for a distance of **2625.63** feet to a point on the east line of the herein described tract;

THENCE, departing said east line of said Rodman Growth 30, Ltd. tract, the following two (2) courses and distances;

1. **S 87°02'34" E**, for a distance of **99.97** feet to a point for an exterior angle point on the east line of the herein described tract;
2. **S 02°28'26" W**, for a distance of **28.36** feet to the **POINT OF BEGINNING** and containing **276.104** acres of land.

BEARING BASIS

THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD83 (93) HARN U.S. SURVEY FEET. THE BEARINGS SHOWN ARE GRID. A COMBINED SCALE FACTOR 0.99977223. ALL DISTANCE SHOWN ARE SURFACE DISTANCES.

SURVEYORS NOTE

THE CONSTRUCTION/LOCATION OF SURVEY BOUNDARIES AND CORNERS, WAS BASED UPON THE PRESCRIBED, ACCEPTED METHOD OF USING THE ORIGINAL OR PERPETUATED CORNER MONUMENTS FOUND AT THE NORTHWEST CORNER OF SECTION NO. 42, BLOCK 78, TOWNSHIP 3, (2-IN IRON PIPE FOUND) AND THE NORTHWEST CORNER OF SECTION NO. 18, BLOCK 80, TOWNSHIP 2, (BRASS ARMY DISK ON CONCRETE MONUMENT RECOGNIZED AS THE SURVEY CORNER) AS A BASELINE RUNNING DIAGONALLY (N 42°38'01" W, 32,405.40 VARAS ~ 90,014.99 FEET) ACROSS THE SURVEYS AS RUN BY PAUL MCCOMBS IN 1883; THE NORTH-SOUTH AND EAST-WEST SURVEY LINES ARE ORIENTED 45-DEGREES OFF THIS BASELINE AND RUN FROM FOUND, ACCEPTED SURVEY CORNERS MONUMENTS ALONG OR NEAR THE BASELINE, OR FROM PRORATED SURVEY CORNER POSTIONS ALONG THE BASELINE AT MISSING CORNERS.

**THE STATE OF TEXAS §
 §
COUNTY OF EL PASO §**

KNOW ALL MEN BY THESE PRESENTS:

That I, G. Rene Zamora, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during May, 2019 under my direction and supervision.

WITNESS MY HAND AND SEAL at El Paso, El Paso County, Texas this the 13th day of January, 2021, A.D.

Zamora, L.L.C. dba "ZWA"
1510 Zaragoza Road, Suite B-8
El Paso, TX 79936
Firm No. 10194200

G. Rene Zamora
G. Rene Zamora
Registered Professional Land Surveyor
No. 5682 – State of Texas



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

MATCH LINE SHEET 10

HORIZON MESA UNIT ONE
VOL. 76, PG. 41
O.P.R.E.P.C.T.

PARCEL #1
276.104 ACRES
(12,027,094 S.F.)

RODMAN GROWTH 30 LTD
112.658 ACRES
DOC. NO. 20170050099
O.P.R.E.P.C.T.

HUNT COMMUNITIES HOLDINGS, L.P.
(112.658 ACRES)
DOC. NO. 20070014595
O.P.R.E.P.C.T.

RODMAN GROWTH 30 LTD
112.658 ACRES
DOC. NO. 20170050099
O.P.R.E.P.C.T.

HUNT COMMUNITIES HOLDINGS, L.P.
DOC. NO. 20070015480
O.P.R.E.P.C.T.

LAND OF TEXAS, INC.
(147.875 ACRES)
DOC. NO. 20000067163
SEP. 25, 2000

HORIZON COMMUNITIES IMPROVEMENT ASSOCIATION, INC
(16,009 ACRES)
DOC. NO. 20050077386
AUG. 25, 2005



GRAPHIC SCALE

1" = 500'

JANUARY, 2021

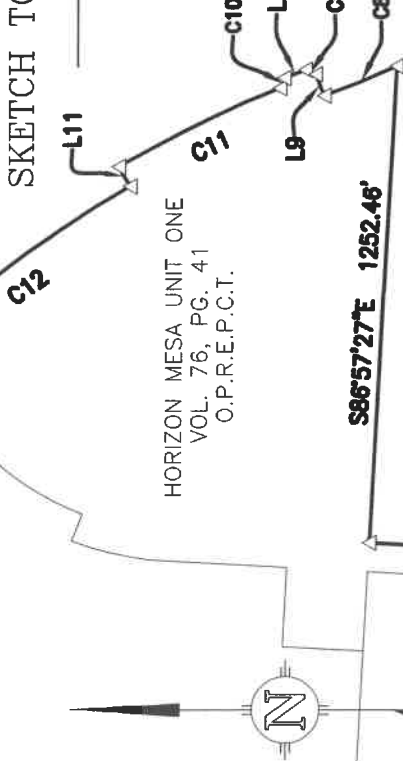
EL PASO COUNTY, TEXAS

HORIZON CITY UNIT 98

ROW EASEMENT
DOC. NO. 20010060264
O.P.R.E.P.C.T.
VOL. 4058, PG. 799
R.P.R.E.P.C.T.

HORIZON CITY UNIT 95

P.O.B.
N=10,631,306.99
E=478,632.81
(GRID)



S02°28'27"W 2625.63'

S86°57'27"E 1252.46'

N87°02'49"W 1440.55'

SHEET 9 OF 12

LOCATIONS



ZWA

Zamora, L.L.C.
Professional Land Surveyors
Texas Firm No. 0794200
510 N. ZARAGOZA ROAD SUITE B-8 EL PASO TX 79936
Tel: (915) 655-9008

PROJECT: 276.104 ACRE TRACT
JOB NUMBER: PARCEL 1
DATE: DECEMBER, 2020
SCALE: 1" = 500'
SURVEYOR: ZAMORA
TECHNICIAN: DMC
DRAWING: 2035-148-BASE-PARCEL 1.dwg
FIELDNOTES:
PARTYCHIEF:
FIELDBOOKS:

PROPOSED R-3 ZONING PARCEL 1
EXHIBIT TO ACCOMPANY LEGAL
DESCRIPTION OF 276.104 ACRE
TRACT OF LAND SITUATED IN SURVEY
NO. 30, EL PASO COUNTY, TEXAS.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

EL PASO ELECTRIC COMPANY
(9.917 ACRES)
DOC. NO. 20010060282
O.P.R.E.P.C.T.

ROW EASEMENT
EL PASO ELECTRIC COMPANY
(2.040 ACRES)
DOC. NO. 20010013916
EXHIBIT A1
O.P.R.E.P.C.T.

GEOFFREY A. TRIVAX
(5.00 ACRES)
VOL. 2447, PG. 567
O.P.R.E.P.C.T.

S870'50"E 2893.96'

S870'13"E 232.24'

HORIZON MESA UNIT FIVE
DOC. NO. 20090020438
O.P.R.E.P.C.T.

HORIZON MESA UNIT SIX
DOC. NO. 20090020468
O.P.R.E.P.C.T.

EASTLAKE 30 HOLDINGS
64.040 ACRES
DOC. NO. 20000087354
DOC. NO. 20000087358
O.R.E.P.C.T.

LAKE EAST 30, LTD.
(12.443 ACRES)
DOC. NO. 20180029054
O.P.R.E.P.C.T.

PARCEL #1
276.104 ACRES
(12,027,094 S.F.)

HUNT COMMUNITIES HOLDINGS, L.P.
(112.658 ACRES)
DOC. NO. 20070014595
O.P.R.E.P.C.T.

LAKE EAST 30, LTD.
(0.054 ACRES)
DOC. NO. 20180029054
O.P.R.E.P.C.T.

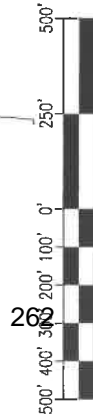
RODMAN GROWTH 30 LTD
112.658 ACRES
DOC. NO. 20170050099
O.P.R.E.P.C.T.

EL PASO ELECTRIC
COMPANY
(10.480 ACRES)
DOC. NO. 20010060262
O.P.R.E.P.C.T.

HORIZON CITY
UNIT 98

HORIZON CITY
UNIT 107

HORIZON CITY
UNIT 99



GRAPHIC SCALE

1"=500'

JANUARY, 2021

EL PASO COUNTY, TEXAS

HORIZON MESA UNIT TWO
VOL. 78, PG. 15
O.P.R.E.P.C.T.

MATCH LINE SHEET 9

SHEET 10 OF 12

PROJECT: 276.104 ACRE TRACT	
JOB NUMBER: 2035-148	
DATE: DECEMBER, 2020	
SCALE: 1"=500'	
SURVEYOR: ZAMORA	
TECHNICIAN: DMC	
DRAWING: 2035-148-BSE-PARCEL 1.dwg	
FIELD NOTES:	
PLOT/CHIEF:	
FIELD BOOKS:	

PROPOSED R-3 ZONING PARCEL 1
EXHIBIT TO ACCOMPANY LEGAL
DESCRIPTION OF 276.104 ACRE
TRACT OF LAND SITUATED IN SURVEY
NO. 30, EL PASO COUNTY, TEXAS.

LOCATIONS

ZWA
Zamora, L.L.C.
Professional Land Surveyors
Texas Firm No. 1094200
1510 N. ZARAGOZA ROAD SUITE B-4 EL PASO TX 79986
Tel: (915) 855-9009

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	N87°04'12"W	99.00'
L2	N42°43'25"W	584.97'
L3	N72°59'29"W	210.33'
L4	N87°02'49"W	134.10'
L5	N87°02'49"W	330.71'
L6	S02°57'11"W	278.70'
L7	N86°54'44"W	370.56'
L8	N03°02'33"E	620.25'
L9	N68°22'17"E	60.03'
L10	N21°07'04"W	60.00'
L11	S59°33'32"W	60.00'
L12	N45°48'13"E	60.00'
L13	N45°27'45"E	89.06'
L14	N56°00'35"E	144.05'
L15	N57°28'36"E	52.32'
L16	N29°08'45"W	52.00'
L17	N35°46'46"W	98.77'
L18	N47°36'57"W	58.30'
L19	N49°42'50"W	58.30'
L20	N46°55'05"W	58.60'

LINE TABLE		
LINE	DIRECTION	DISTANCE
L21	N53°56'09"W	59.92'
L22	N56°03'35"W	58.48'
L23	N58°09'28"W	58.48'
L24	N60°15'20"W	58.48'
L25	N61°52'03"W	76.14'
L26	N25°02'00"E	96.56'
L27	N23°52'11"E	52.06'
L28	N25°02'00"E	202.64'
L29	N24°05'37"E	52.04'
L30	N25°02'00"E	77.40'
L31	N24°23'26"E	74.04'
L32	N64°58'02"W	52.00'
L33	N10°13'37"E	167.00'
L34	N09°32'43"E	131.29'
L35	S80°04'35"E	18.12'
L36	N02°57'36"E	188.16'
L37	N87°02'24"W	13.58'
L38	N02°48'44"E	121.26'
L39	S02°28'23"W	293.01'
L40	N87°02'24"W	427.99'

LINE TABLE		
LINE	DIRECTION	DISTANCE
L41	S02°57'36"W	20.00'
L42	S87°02'24"E	120.17'
L43	S02°29'32"W	248.44'
L44	S87°02'27"E	308.08'
L45	S87°02'34"E	99.97'
L46	S02°28'26"W	28.36'

LEGEND:

- 5/8" IRON ROD FOUND W/CAP "ZWA" (UNLESS NOTED)
- 5/8" IRON ROD SET W/CAP "ZWA"
- ⊙ 1" GALVANIZED IRON PIPE FOUND (UNLESS NOTED)
- △ CALCULATED POINT

P.R.E.P.C.T. PLAT RECORDS EL PASO COUNTY, TEXAS

O.P.R.E.P.C.T. OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS

DOC. NO. DOCUMENT NUMBER

POB POINT OF BEGINNING

VOL. VOLUME

PG. PAGE

LOCATIONS



ZWA

Zamora, L.L.C.
Professional Land Surveyors
 Texas Firm No. 1094200
 1510 N. ZARAGOZA ROAD SUITE B-8 EL PASO TX 79936
 Tel (915) 855-9009

PROJECT: 276.104 ACRE TRACT

JOB NUMBER: 2035-148

DATE: DECEMBER, 2020

SCALE: 1" = 500'

SURVEYOR: ZAMORA

TECHNICIAN: DMC

DRAWING: 2035-148-BSE-PARCEL 1.dwg

FIELD NOTES:

PARTY CHIEF:

FIELD BOOKS:

PROPOSED R-3 ZONING PARCEL 1
 EXHIBIT TO ACCOMPANY LEGAL
 DESCRIPTION OF 276.104 ACRE
 TRACT OF LAND SITUATED IN SURVEY
 NO. 30, EL PASO COUNTY, TEXAS.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

CURVE TABLE					
CURVE	DISTANCE	DELTA	RADIUS	DIRECTION	CHORD
C1	711.87'	35°09'41"	1160.00'	N60°18'16"W	700.76'
C2	280.01'	0°00'37"	1566044.17'	N11°03'22"E	280.01'
C3	285.02'	11°31'58"	1416.00'	S11°06'37"W	284.54'
C4	48.96'	93°28'49"	30.01'	S40°17'58"E	43.71'
C5	46.62'	89°00'13"	30.01'	N48°26'33"E	42.07'
C6	251.38'	9°40'00"	1490.00'	N09°58'06"E	251.09'
C7	47.13'	90°00'47"	30.00'	N41°57'50"W	42.43'
C8	204.16'	4°59'53"	2340.41'	N22°27'12"W	204.10'
C9	32.10'	91°56'46"	20.00'	N24°24'32"E	28.76'
C10	31.24'	89°29'41"	20.00'	N66°55'33"W	28.16'
C11	467.49'	8°31'49"	3140.06'	N26°07'00"W	467.06'
C12	741.92'	13°35'44"	3126.67'	N37°17'58"W	740.18'
C13	4.08'	0°04'24"	3186.67'	N44°08'09"W	4.08'
C14	31.09'	89°04'40"	20.00'	N00°44'06"E	28.06'
C15	455.32'	10°32'50"	2473.41'	N50°44'10"E	454.68'
C16	140.01'	1°39'55"	4817.28'	N56°50'29"E	140.01'
C17	119.11'	1°25'00"	4817.28'	N58°22'56"E	119.11'
C18	34.44'	98°36'59"	20.00'	S71°35'04"E	30.34'
C19	32.38'	92°45'03"	20.00'	N13°51'07"E	28.96'
C20	68.90'	0°37'36"	6299.36'	N60°32'27"E	68.90'

CURVE TABLE					
CURVE	DISTANCE	DELTA	RADIUS	DIRECTION	CHORD
C21	31.96'	91°33'16"	20.00'	N70°48'38"E	28.67'
C22	30.90'	88°31'32"	20.00'	N19°13'46"W	27.92'
C23	31.85'	91°15'01"	20.00'	N70°39'30"E	28.59'
C24	31.00'	88°48'19"	20.00'	N19°22'09"W	27.99'
C25	31.84'	91°13'13"	20.00'	N70°38'37"E	28.58'
C26	31.01'	88°50'27"	20.00'	N19°23'13"W	28.00'
C27	31.01'	88°50'24"	20.00'	S69°27'12"W	28.00'
C28	536.64'	13°38'47"	2253.13'	N72°56'59"W	535.37'
C29	28.79'	0°40'54"	2420.13'	N80°06'50"W	28.79'

NOTE:

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.

META DATA:

ALL PROJECT COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(2011) (EPOCH 2010.00).



I, G. RENE ZAMORA, DO HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

G. Rene Zamora
 G. RENE ZAMORA
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 5682

SHEET 12 OF 12

LOCATIONS



ZWA
Zamora, L.L.C.
Professional Land Surveyors
 Texas Firm No. 10194200
 1510 N. ZARAGOZA ROAD SUITE B-8 EL PASO TX 79936
 Tel: (915) 855-9009

PROJECT: 276.104 ACRE TRACT

JOB NUMBER: 2035-148

DATE: DECEMBER, 2020

SCALE: 1" = 500'

SURVEYOR: ZAMORA

TECHNICIAN: DMC

DRAWING: 2035-108-BSE-PARCEL 1.dwg

FIELD NOTES:

PARTY CHIEF:

FIELD BOOKS:

PROPOSED R-3 ZONING PARCEL 1
 EXHIBIT TO ACCOMPANY LEGAL
 DESCRIPTION OF 276.104 ACRE
 TRACT OF LAND SITUATED IN SURVEY
 NO. 30, EL PASO COUNTY, TEXAS.

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING ONE PARCEL FROM R-2 TO C-1; CONTAINING APPROXIMATELY 1.983 ACRES; BEING SITUATED IN SECTION 30, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS; EAST OF THE INTERSECTION OF DESERT MIST DRIVE 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-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-2 (Residential) to C-1 (Commercial) within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, for approximately 1.983 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.

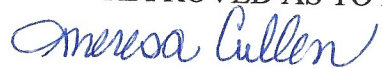
Town of Horizon City

By: _____
Ruben Mendoza, Mayor

ATTEST:

By: _____
Elvia Schuller, TRMC, City Clerk

APPROVED AS TO FORM:



Theresa Cullen, Assistant City Attorney

First Reading: 09/14/2021
Second Reading: 10/12/2021

LEGAL DESCRIPTION

DESCRIPTION OF A 1.983 ACRE TRACT OF LAND SITUATED IN SECTION 30, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, BEING A PART OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO RODMAN GROWTH 30 LTD OF RECORD IN DOCUMENT NUMBER 20170050099, OFFICIAL PUBLIC RECORDS, EL PASO COUNTY, TEXAS; SAID 1.983 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 3/4 inch pipe found for the northeast corner of a 147.875 acre tract conveyed to Land of Texas, Inc., of record in Document No. 20000067163, Official Records, El Paso County, Texas, being also the southeast corner of said Rodman Growth 30 Ltd. tract;

THENCE N 87°04'12" W, with the north line of said 147.875 acre tract, being also the south line of said Rodman Growth 30, Ltd., for a distance of 99.00 feet to a point;

THENCE, N 42°43'25" W, with the north line of Eastlake Boulevard, a variable width right of way, for a distance of 584.97 feet to a point, at the beginning of a curve to the left;

THENCE, continuing along said north line of said Eastlake Boulevard, along said curve to the left, an arc distance of 711.87 feet, a radius of 1060.00 feet, a central angle of 35°09'41", and chord bearing N 60°18'16" W a distance of 700.76 feet to a point;

THENCE, N 82°12'47" W, continuing along said north line of said Eastlake Boulevard, a distance of 175.61 feet to a point;

THENCE, N 87°02'49" W, continuing along said north line of said Eastlake Boulevard, a distance of 134.10 feet to a point, for the southeast corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, N 87°02'49" W, continuing along said north line of said Eastlake Boulevard, a distance of **270.04** feet to a point, for the southwest corner of the herein described tract;

THENCE, departing said north line of said Eastlake Boulevard, over and across said Rodman Growth 30 Ltd. tract, the following four (4) courses and distances;

1. **N 02°57'11" E**, for a distance of **278.70** feet to a point for the northwest corner of the herein described tract;
2. **S 87°02'49" E**, for a distance of **330.71** feet to a point for the northeast corner of the herein described tract, at the beginning of a curve to the left;

3. along said curve to the left, an arc distance of **251.38 feet**, a radius of **1490.00 feet**, a central angle of **09°40'00"**, and chord bearing **S 09°58'06" W** a distance of **251.09 feet** to a point at the beginning of a curve to the left;
4. along said curve to the left, an arc distance of **46.62 feet**, a radius of **30.01 feet**, a central angle of **89°00'13"**, and chord bearing **S 48°26'33" W** a distance of **42.07 feet** to the **POINT OF BEGINNING** and containing **1.983 acres** of land.

BEARING BASIS

THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD83 (93) HARN U.S. SURVEY FEET. THE BEARINGS SHOWN ARE GRID. A COMBINED SCALE FACTOR 0.99977223. ALL DISTANCE SHOWN ARE SURFACE DISTANCES.

SURVEYORS NOTE

THE CONSTRUCTION/LOCATION OF SURVEY BOUNDARIES AND CORNERS, WAS BASED UPON THE PRESCRIBED, ACCEPTED METHOD OF USING THE ORIGINAL OR PERPETUATED CORNER MONUMENTS FOUND AT THE NORTHWEST CORNER OF SECTION NO. 42, BLOCK 78, TOWNSHIP 3, (2-IN IRON PIPE FOUND) AND THE NORTHWEST CORNER OF SECTION NO. 18, BLOCK 80, TOWNSHIP 2, (BRASS ARMY DISK ON CONCRETE MONUMENT RECOGNIZED AS THE SURVEY CORNER) AS A BASELINE RUNNING DIAGONALLY (N 42°38'01" W, 32,405.40 VARAS ~ 90,014.99 FEET) ACROSS THE SURVEYS AS RUN BY PAUL MCCOMBS IN 1883; THE NORTH-SOUTH AND EAST-WEST SURVEY LINES ARE ORIENTED 45-DEGREES OFF THIS BASELINE AND RUN FROM FOUND, ACCEPTED SURVEY CORNERS MONUMENTS ALONG OR NEAR THE BASELINE, OR FROM PRORATED SURVEY CORNER POSTIONS ALONG THE BASELINE AT MISSING CORNERS.

THE STATE OF TEXAS §
 §
COUNTY OF EL PASO §

KNOW ALL MEN BY THESE PRESENTS:

That I, G. Rene Zamora, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during May, 2019 under my direction and supervision.

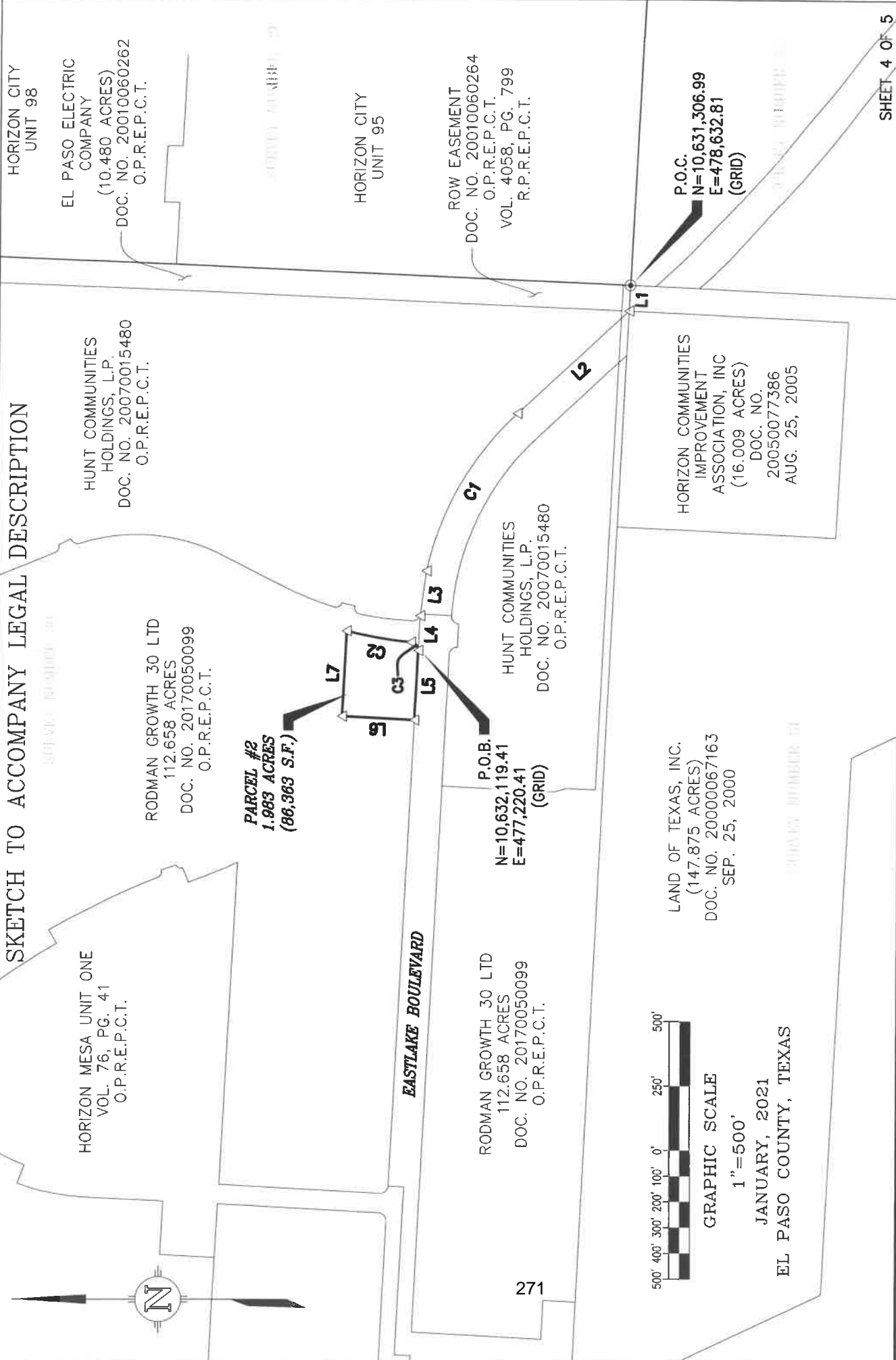
WITNESS MY HAND AND SEAL at El Paso, El Paso County, Texas this the 13th day of January, 2021, A.D.

Zamora, L.L.C. dba "ZWA"
1510 Zaragoza Road, Suite B-8
El Paso, TX 79936
Firm No. 10194200


G. Rene Zamora
Registered Professional Land Surveyor
No. 5682 – State of Texas



SKETCH TO ACCOMPANY LEGAL DESCRIPTION



HORIZON CITY UNIT 98

EL PASO ELECTRIC COMPANY
(10.480 ACRES)
DOC. NO. 20010060262
O.P.R.E.P.C.T.

HORIZON CITY UNIT 95

ROW EASEMENT
DOC. NO. 20010060264
O.P.R.E.P.C.T.
VOL. 4058, PG. 799
R.P.R.E.P.C.T.

P.O.C.
N=10,631,306.99
E=478,632.81
(GRID)

SHEET 4 OF 5

HORIZON MESA UNIT ONE
VOL. 76, PG. 41
O.P.R.E.P.C.T.

RODMAN GROWTH 30 LTD
112.658 ACRES
DOC. NO. 20170050099
O.P.R.E.P.C.T.

PARCEL #2
1.983 ACRES
(86,363 S.F.)

RODMAN GROWTH 30 LTD
112.658 ACRES
DOC. NO. 20170050099
O.P.R.E.P.C.T.

HUNT COMMUNITIES HOLDINGS, L.P.
DOC. NO. 20070015480
O.P.R.E.P.C.T.

P.O.B.
N=10,632,119.41
E=477,220.41
(GRID)

LAND OF TEXAS, INC.
(147.875 ACRES)
DOC. NO. 20000067163
SEP. 25, 2000

HORIZON COMMUNITIES IMPROVEMENT ASSOCIATION, INC
(16.009 ACRES)
DOC. NO. 20050077386
AUG. 25, 2005



GRAPHIC SCALE
1" = 500'

JANUARY, 2021
EL PASO COUNTY, TEXAS

PROJECT: 1.983 ACRE TRACT	
JOB NUMBER: 20.35-148	DATE: DECEMBER, 2020
SCALE: 1" = 500'	SURVEYOR: ZAMORA
TECHNICIAN: DMC	DRAWING: 205-148-RISE-PARCEL 2.dwg
FILE NOTES:	PARTY CHIEF:
FIELD BOOKS:	

LOCATIONS

ZWA
Zamora, L.L.C.
Professional Land Surveyors
Texas Firm No. 10194200
1510 N. ZARAGOZA ROAD SUITE B-8 EL PASO TX 79936
Tel (915) 855-9009

PROPOSED C-2 ZONING PARCEL 2
EXHIBIT TO ACCOMPANY LEGAL
DESCRIPTION OF 1.983 ACRE
TRACT OF LAND SITUATED IN SURVEY
NO. 30, EL PASO COUNTY, TEXAS.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEGEND:

- 5/8" IRON ROD FOUND W/CAP "ZWA"
(UNLESS NOTED)
- 5/8" IRON ROD SET W/CAP "ZWA"
- ⊙ 3/4" IRON PIPE FOUND
(UNLESS NOTED)
- △ CALCULATED POINT

P.R.E.P.C.T. PLAT RECORDS EL PASO COUNTY, TEXAS

O.P.R.E.P.C.T. OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS

DOC. NO. DOCUMENT NUMBER

POB POINT OF BEGINNING

VOL. VOLUME

PG. PAGE


NOTE:

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.

META DATA:

ALL PROJECT COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(2011) (EPOCH 2010.00).

I, G. RENE ZAMORA, DO HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.


G. RENE ZAMORA
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5682



CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	711.87'	35°09'41"	1160.00'	N60°18'16"W	700.76'
C2	251.38'	9°40'00"	1490.00'	S09°58'06"W	251.09'
C3	46.62'	89°00'13"	30.01'	S48°26'33"W	42.07'

LINE	DIRECTION	DISTANCE
L1	N87°04'12"W	99.00'
L2	N42°43'25"W	584.97'
L3	N82°12'47"W	175.61'
L4	N87°02'49"W	134.10'
L5	N87°02'49"W	270.04'
L6	N02°57'11"E	278.70'
L7	S87°02'49"E	330.71'

LOCATIONS



ZWA
Zamora, L.L.C.
Professional Land Surveyors
Texas Firm No. 0194200
1510 N. ZARAGOZA ROAD SUITE B-8 EL PASO TX 79906
Tel: (915) 855-9008

PROJECT: 1.983 ACRE TRACT
JOB NUMBER: 2035-148
DATE: DECEMBER, 2020
SCALE: 1" = 500'
SURVEYOR: ZAMORA
TECHNICIAN: DMC
DRAWING: 2035-148-85E-PARCEL 2.dwg
FIELD NOTES:
PARTY CHIEF:
FIELD BOOKS:

PROPOSED C-2 ZONING PARCEL 2
EXHIBIT TO ACCOMPANY LEGAL
DESCRIPTION OF 1.983 ACRE
TRACT OF LAND SITUATED IN SURVEY
NO. 30, EL PASO COUNTY, TEXAS.

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING ONE PARCEL FROM R-2 TO C-1; CONTAINING APPROXIMATELY 1.453 ACRES; BEING SITUATED IN SECTION 30, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS; EAST OF THE INTERSECTION OF DESERT MIST DRIVE 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-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-2 (Residential) to C-1 (Commercial) within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, for approximately 1.453 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:



Theresa Cullen, Assistant City Attorney

First Reading: 09/14/2021
Second Reading: 10/12/2021

LEGAL DESCRIPTION

DESCRIPTION OF A 1.453 ACRE TRACT OF LAND SITUATED IN SECTION 30, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, BEING A PART OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO HUNT COMMUNITIES HOLDINGS, L.P., OF RECORD IN DOCUMENT NUMBER 20070015480, OFFICIAL PUBLIC RECORDS, EL PASO COUNTY, TEXAS; SAID 1.453 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 3/4 inch pipe found for the northeast corner of a 147.875 acre tract conveyed to Land of Texas, Inc., of record in Document No. 20000067163, Official Records, El Paso County, Texas, being also the southeast corner of that certain 112.658 acre tract of land conveyed to Rodman Growth 30, Ltd., of record in Document No. 20170050099, Official Public Records, El Paso County, Texas;

THENCE N 87°04'12" W, with the north line of said 147.875 acre tract, being also the south line of said Rodman Growth 30, Ltd., for a distance of 99.00 feet to a point;

THENCE, N 42°43'25" W, with the north line of Eastlake Boulevard, a variable width right of way, for a distance of 584.97 feet to a point at the beginning of a curve to the left;

THENCE, continuing with the north line of said Eastlake Boulevard, along said curve to the left, an arc distance of **711.87 feet**, a radius of **1160.00 feet**, a central angle of **35°09'41"**, and chord bearing **N 60°18'16" W** a distance of **700.76 feet** to a point for the southeast corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, N 82°12'47" W, continuing along said north line of said Eastlake Boulevard, a distance of **175.61 feet** to a point, at the beginning of a curve to the left;

THENCE, departing said north line of said Eastlake Boulevard, over and across said Hunt Communities Holdings, L.P. tract, the following four (4) courses and distances;

1. along said curve to the left, an arc distance of **48.96 feet**, a radius of **30.01 feet**, a central angle of **93°28'49"**, and chord bearing **N 40°17'58" W** a distance of **43.71 feet** to a point at the beginning of a curve to the right;
2. along said curve to the right, an arc distance of **285.02 feet**, a radius of **1416.00 feet**, a central angle of **11°31'58"**, and chord bearing **N 11°06'37" E** a distance of **284.54 feet** to a point for the northwest corner of the herein described tract;

3. **S 72°59'29" E**, for a distance of **210.33** feet to a point for the northeast corner of the herein described tract, at the beginning of a curve to the left;
4. along said curve to the left, an arc distance of **280.01 feet**, a radius of **1566044.13 feet**, a central angle of **00°00'37"**, and chord bearing **S 11°03'22" W** a distance of **280.01** feet to the **POINT OF BEGINNING** and containing **1.453** acres of land.

BEARING BASIS

THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD83 (93) HARN U.S. SURVEY FEET. THE BEARINGS SHOWN ARE GRID. A COMBINED SCALE FACTOR 0.99977223. ALL DISTANCE SHOWN ARE SURFACE DISTANCES.

SURVEYORS NOTE

THE CONSTRUCTION/LOCATION OF SURVEY BOUNDARIES AND CORNERS, WAS BASED UPON THE PRESCRIBED, ACCEPTED METHOD OF USING THE ORIGINAL OR PERPETUATED CORNER MONUMENTS FOUND AT THE NORTHWEST CORNER OF SECTION NO. 42, BLOCK 78, TOWNSHIP 3, (2-IN IRON PIPE FOUND) AND THE NORTHWEST CORNER OF SECTION NO. 18, BLOCK 80, TOWNSHIP 2, (BRASS ARMY DISK ON CONCRETE MONUMENT RECOGNIZED AS THE SURVEY CORNER) AS A BASELINE RUNNING DIAGONALLY (N 42°38'01" W, 32,405.40 VARAS ~ 90,014.99 FEET) ACROSS THE SURVEYS AS RUN BY PAUL MCCOMBS IN 1883; THE NORTH-SOUTH AND EAST-WEST SURVEY LINES ARE ORIENTED 45-DEGREES OFF THIS BASELINE AND RUN FROM FOUND, ACCEPTED SURVEY CORNERS MONUMENTS ALONG OR NEAR THE BASELINE, OR FROM PRORATED SURVEY CORNER POSTIONS ALONG THE BASELINE AT MISSING CORNERS.

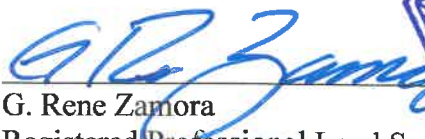
THE STATE OF TEXAS §
§
COUNTY OF EL PASO §

KNOW ALL MEN BY THESE PRESENTS:

That I, G. Rene Zamora, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during May, 2019 under my direction and supervision.

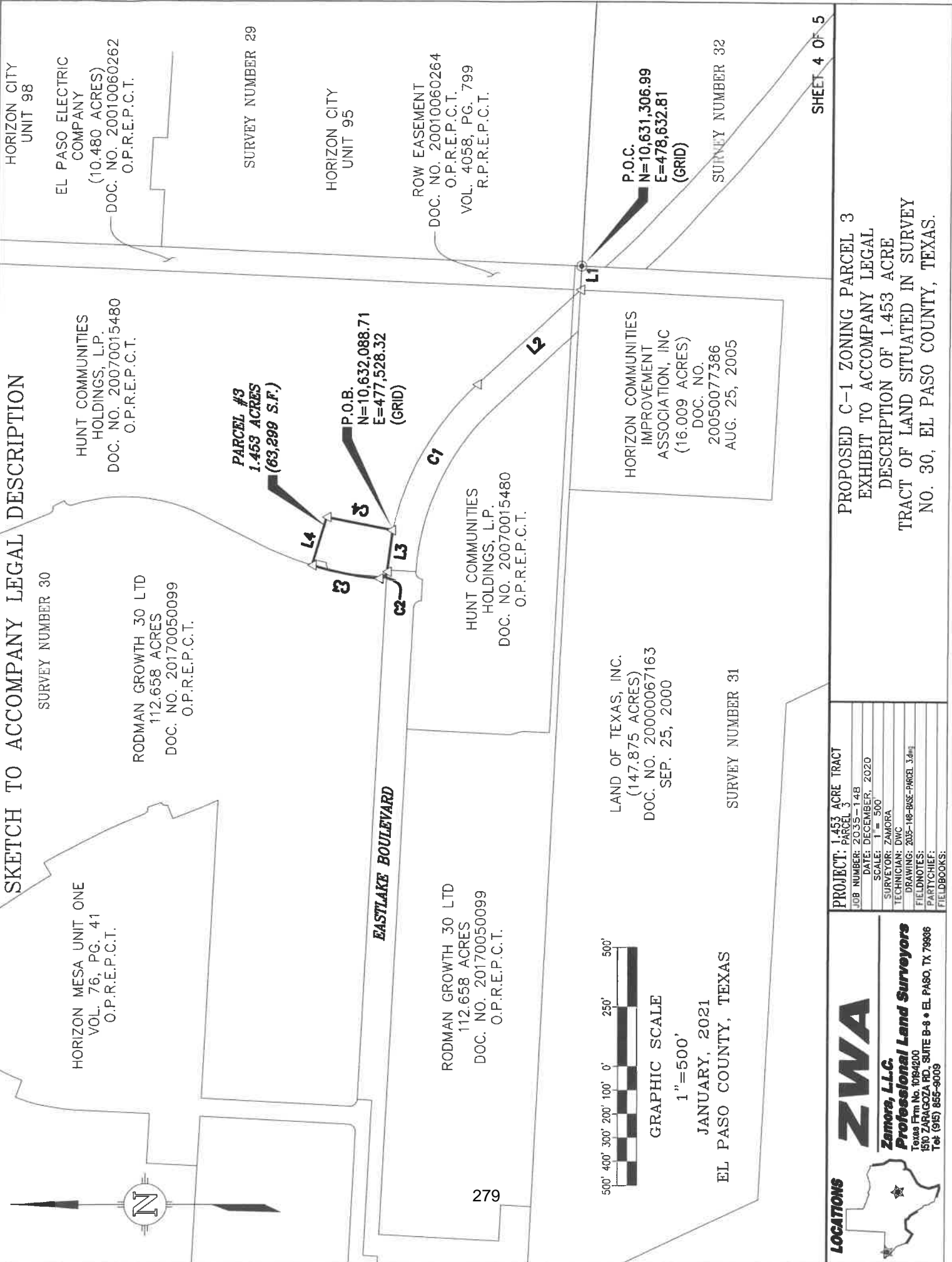
WITNESS MY HAND AND SEAL at El Paso, El Paso County, Texas this the 13th day of January, 2021, A.D.

Zamora, L.L.C. dba "ZWA"
1510 Zaragoza Road, Suite B-8
El Paso, TX 79936
Firm No. 10194200


G. Rene Zamora
Registered Professional Land Surveyor
No. 5682 – State of Texas



SKETCH TO ACCOMPANY LEGAL DESCRIPTION



HORIZON CITY
UNIT 98

EL PASO ELECTRIC
COMPANY
(10.480 ACRES)
DOC. NO. 20010060262
O.P.R.E.P.C.T.

SURVEY NUMBER 29

HORIZON CITY
UNIT 95

ROW EASEMENT
DOC. NO. 20010060264
O.P.R.E.P.C.T.
VOL. 4058, PG. 799
R.P.R.E.P.C.T.

P.O.C.
N=10,631,306.99
E=478,632.81
(GRID)

SURVEY NUMBER 32

SHEET 4 OF 5

HUNT COMMUNITIES
HOLDINGS, L.P.
DOC. NO. 20070015480
O.P.R.E.P.C.T.

PARCEL #3
1.453 ACRES
(63,299 S.F.)

P.O.B.
N=10,632,088.71
E=477,528.32
(GRID)

HORIZON COMMUNITIES
IMPROVEMENT
ASSOCIATION, INC
(16.009 ACRES)
DOC. NO.
20050077386
AUG. 25, 2005

HUNT COMMUNITIES
HOLDINGS, L.P.
DOC. NO. 20070015480
O.P.R.E.P.C.T.

SURVEY NUMBER 30

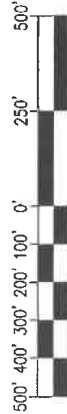
RODMAN GROWTH 30 LTD
112.658 ACRES
DOC. NO. 20170050099
O.P.R.E.P.C.T.

LAND OF TEXAS, INC.
(147.875 ACRES)
DOC. NO. 20000067163
SEP. 25, 2000

SURVEY NUMBER 31

EASTLAKE BOULEVARD

RODMAN GROWTH 30 LTD
112.658 ACRES
DOC. NO. 20170050099
O.P.R.E.P.C.T.



GRAPHIC SCALE

1" = 500'

JANUARY, 2021
EL PASO COUNTY, TEXAS

PROPOSED C-1 ZONING PARCEL 3
EXHIBIT TO ACCOMPANY LEGAL
DESCRIPTION OF 1.453 ACRE
TRACT OF LAND SITUATED IN SURVEY
NO. 30, EL PASO COUNTY, TEXAS.

PROJECT: 1.453 ACRE TRACT	
JOB NUMBER: 2035-148	DATE: DECEMBER, 2020
SCALE: 1" = 500'	
SURVEYOR: ZAMORA	
TECHNICIAN: DMC	
FIELDNOTES: 2035-148-903E-PARCEL 3.dwg	
PARTYCHIEF:	
FIELDBOOKS:	

LOCATIONS

ZWA
Zamora, LLC.
Professional Land Surveyors
Texas Firm No. 1094200
1510 ZARAGOZA RD., SUITE B-8 • EL PASO, TX 79906
Tel (915) 855-9009

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEGEND:

- 5/8" IRON ROD FOUND W/CAP "ZWA"
(UNLESS NOTED)
- 5/8" IRON ROD SET W/CAP "ZWA"
- ⊙ 3/4" IRON PIPE FOUND
(UNLESS NOTED)
- △ CALCULATED POINT

P.R.E.P.C.T. PLAT RECORDS EL PASO COUNTY, TEXAS

O.P.R.E.P.C.T. OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS

DOC. NO. DOCUMENT NUMBER
 POB POINT OF BEGINNING
 VOL. VOLUME
 PG. PAGE

NOTE:

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.

META DATA:

ALL PROJECT COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(2011) (EPOCH 2010.00).

I, G. RENE ZAMORA, DO HEREBY CERTIFY THAT THIS SURVEY IS TRUE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

G. Rene Zamora
 G. RENE ZAMORA

REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 5682



CURVE TABLE				
CURVE	LENGTH	DELTA	RADIUS	CHORD
C1	711.87'	35°09'41"	1160.00'	700.76'
C2	48.96'	93°28'49"	30.01'	43.71'
C3	285.02'	11°31'58"	1416.00'	284.54'
C4	280.01'	0°00'37"	1566044.13'	280.01'

LINE TABLE	
LINE	DIRECTION
L1	N87°04'12"W 99.00'
L2	N42°43'25"W 584.97'
L3	N82°12'47"W 175.61'
L4	S72°59'29"E 210.33'

PROPOSED C-1 ZONING PARCEL 3
 EXHIBIT TO ACCOMPANY LEGAL
 DESCRIPTION OF 1.453 ACRE
 TRACT OF LAND SITUATED IN SURVEY
 NO. 30, EL PASO COUNTY, TEXAS.

PROJECT: 1.453 ACRE TRACT
 JOB NUMBER: PARCEL 3
 DATE: DECEMBER, 2020
 SCALE: 1" = 500'
 SURVEYOR: ZAMORA
 TECHNICIAN: DMC
 DRAWING: 2005-146-905E-PARCEL 3.dwg
 FIELD NOTES:
 PARTY CHIEF:
 FIELD BOOKS:

ZWA

Zamora, L.L.C.
Professional Land Surveyors
Texas Firm No. 1094200
 1510 ZARAGOZA RD., SUITE B-8 • EL PASO, TX 79906
 Tel (915) 855-9008

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING ONE PARCEL FROM C-1 AND R-2 TO R-3; CONTAINING APPROXIMATELY 45.426 ACRES; BEING SITUATED IN SECTION 30, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS; SOUTH AND EAST OF THE INTERSECTION OF DESERT MIST DRIVE 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 R-3, Residential; 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 C-1 (Commercial) and R-2 (Residential) to R-3 (Residential) within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, for approximately 45.426 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:



Theresa Cullen, Assistant City Attorney

First Reading: 09/14/2021
Second Reading: 10/12/2021

LEGAL DESCRIPTION

DESCRIPTION OF A 45.426 ACRE TRACT OF LAND SITUATED IN SECTION 30, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, BEING A PART OF THAT CERTAIN 112.658 ACRE TRACT OF LAND AS DESCRIBED IN A DEED TO RODMAN GROWTH 30 LTD. OF RECORD IN DOCUMENT NO. 20170050099, AND PART OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO HUNT COMMUNITIES HOLDINGS, L.P. OF RECORD IN DOCUMENT NO. 20070015480, OFFICIAL PUBLIC RECORDS, EL PASO COUNTY, TEXAS; SAID 45.426 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 3/4 inch pipe found for the northeast corner of a 147.875 acre tract of land conveyed to Land of Texas, Inc., of record in Document No. 20000067163, Official Records, El Paso County, Texas, being also the southwest corner the Horizon City Unit 95, a subdivision of record in Book 21, Page 33, Plat Records, El Paso County, Texas;

THENCE N 87°04'12" W, with the north line of said 147.875 acre tract, for a distance of 99.00 feet to a point;

THENCE, N 87°04'12" W, continuing with the north line of said 147.875 acre tract, for a distance of 171.67 feet to a point for the southeast corner and **POINT OF BEGINNING** of the herein described tract;

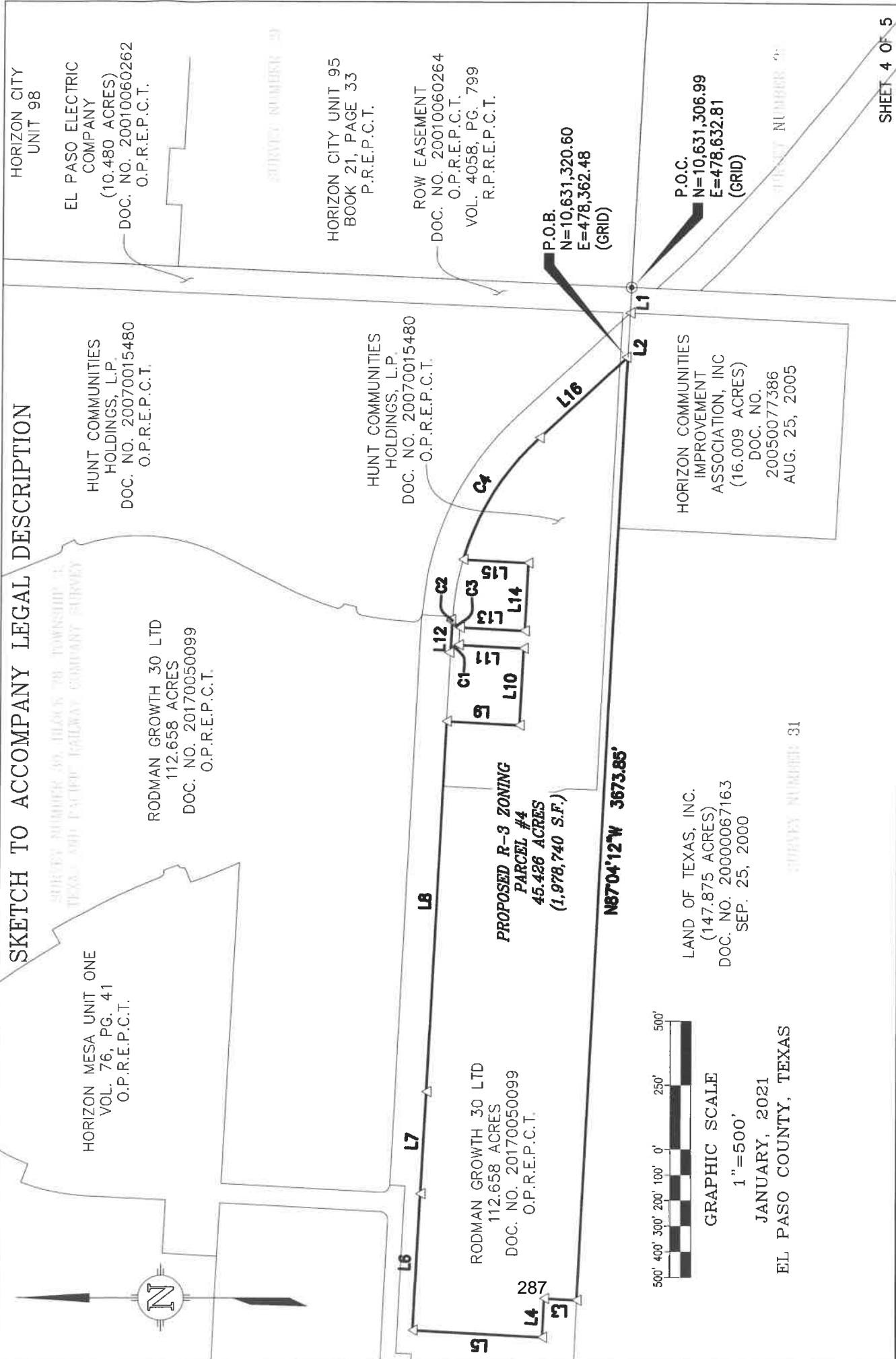
THENCE, N 87°04'12" W, continuing with the north line of said 147.875 acre tract, for a distance of **3673.85** feet to a point for the southwest corner of the herein described tract,

THENCE, departing the north line of said 147.875 acre tract, over and across said 112.658 acre tract, the following eighteen (18) courses and distances;

1. N 03°01'26" E, for a distance of **125.07** feet to an interior angle point on the west line of the herein described tract;
2. N 86°46'35" W, for a distance of **151.80** feet to an exterior angle point on the west line of the herein described tract;
3. N 03°02'43" E, for a distance of **496.38** feet to point for the northwest corner of the herein described tract;

4. **S 86°54'52" E**, for a distance of **534.26** feet to an angle point on the north line of the herein described tract;
5. **S 86°58'13" E**, for a distance of **398.07** feet to an angle point on the north line of the herein described tract;
6. **S 87°02'49" E**, for a distance of **1443.59** feet to an exterior angle point on the north line of the herein described tract;
7. **S 02°57'11" W**, for a distance of **280.00** feet to an interior angle point on the north line of the herein described tract;
8. **S 87°02'49" E**, for a distance of **299.00** feet to an interior angle point on the north line of the herein described tract;
9. **N 02°57'11" E**, for a distance of **250.61** feet to point at the beginning of a curve to the left;
10. along said curve to the left, an arc distance of **46.51 feet**, a radius of **30.01 feet**, a central angle of **88°47'58"**, and chord bearing **N 42°38'17" W** a distance of **41.99** feet to a point on the north line of the herein described tract;
11. **S 87°02'49" E**, for a distance of **122.47** feet to point at the beginning of a compound curve to the left;
12. along said compound curve to the left, an arc distance of **5.70 feet**, a radius of **1040.00 feet**, a central angle of **0°18'50"**, and chord bearing **S 86°53'24" E** a distance of **5.70** feet to a point;
13. continuing along said compound curve to the left, an arc distance of **47.29 feet**, a radius of **30.00 feet**, a central angle of **90°18'50"**, and chord bearing **S 48°06'36" W** a distance of **42.54** feet to a point at the end of said curve;
14. **S 02°57'11" W**, for a distance of **250.27** feet to an interior angle point on the north line of the herein described tract;
15. **S 87°02'49" E**, for a distance of **263.83** feet to an interior angle point on the north line of the herein described tract;
16. **N 02°57'11" E**, for a distance of **252.37** feet to an exterior angle point on the north line of the herein described tract, at the beginning of a curve to the right;
17. along said curve to the right, an arc distance of **563.00 feet**, a radius of **1040.00 feet**, a central angle of **31°01'01"**, and chord bearing **S 58°13'56" E** a distance of **556.15** feet to a point at the end of said curve;

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



GRAPHIC SCALE
1" = 500'

JANUARY, 2021
EL PASO COUNTY, TEXAS

 <p>ZWA Zamora, L.L.C. Professional Land Surveyors Texas Firm No. 10994200 1510 ZARAGOZA RD., SUITE B-8 • EL PASO, TX 79936 Tel: (915) 855-9009</p>	<p>PROJECT: 45.426 ACRE TRACT PARCEL 4 JOB NUMBER: 2035-148 DATE: DECEMBER, 2020 SCALE: 1" = 500' SURVEYOR: ZAMORA TECHNICIAN: DMC DRAWING: 2035-148-BISE-PARCEL 4.dwg FIELD NOTES: PARTY CHIEF: FIELD BOOKS:</p>
	<p>PROPOSED R-3 ZONING, PARCEL 4 EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION OF 45.426 ACRE TRACT OF LAND SITUATED IN SURVEY NO. 30, BLOCK 78, TOWNSHIP 3, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS.</p>

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEGEND:

- 5/8" IRON ROD FOUND W/CAP "ZWA"
(UNLESS NOTED)
- 5/8" IRON ROD SET W/CAP "ZWA"
- ⊙ 3/4" GALVANIZED IRON PIPE FOUND
(UNLESS NOTED)
- △ CALCULATED POINT

P.R.E.P.C.T. PLAT RECORDS EL PASO COUNTY, TEXAS

O.P.R.E.P.C.T. OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS

DOC. NO. DOCUMENT NUMBER
POB POINT OF BEGINNING
VOL. VOLUME
PG. PAGE

CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	46.51'	88°47'58"	30.01'	N42°38'17"W	41.99'
C2	5.70'	0°18'50"	1040.00'	S86°53'24"E	5.70'
C3	47.29'	90°18'50"	30.00'	S48°06'36"W	42.54'
C4	563.00'	31°01'01"	1040.00'	S58°13'56"E	556.15'

LINE	DIRECTION	DISTANCE
L1	N87°04'12"W	99.00'
L2	N87°04'12"W	171.67'
L3	N03°01'26"E	125.07'
L4	N86°46'35"W	151.80'
L5	N03°02'43"E	496.38'
L6	S86°54'52"E	534.26'
L7	S86°58'13"E	398.07'
L8	S87°02'49"E	1443.59'
L9	S02°57'11"W	280.00'
L10	S87°02'49"E	299.00'
L11	N02°57'11"E	250.61'
L12	S87°02'49"E	122.47'
L13	S02°57'11"W	250.27'
L14	S87°02'49"E	263.83'
L15	N02°57'11"E	252.37'
L16	S42°43'25"E	462.20'

NOTE:

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.

META DATA:

ALL PROJECT COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(2011) (EPOCH 2010.00).

I, G. RENE ZAMORA, DO HEREBY CERTIFY THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

G. Rene Zamora
G. RENE ZAMORA
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5682



LOCATIONS



ZWA

Zamora, L.L.C.
Professional Land Surveyors
Texas Firm No. 10194200
510 ZARAGOZA RD., SUITE B-8 • EL PASO, TX 79906
Tel (915) 855-9009

PROJECT: 45.426 ACRES
JOB NUMBER: PARCEL 4
DATE: DECEMBER, 2020
SCALE: 1" = 500'
SURVEYOR: ZAMORA
TECHNICIAN: DMC
DRAWING: 205-1B-DISE-PARCEL 4.dwg
FIELD NOTES:
PARTY CHECK:
FIELD BOOKS:

PROPOSED R-3 ZONING, PARCEL 4,
EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION
OF 45.426 ACRE TRACT OF LAND SITUATED IN SURVEY NO. 30, BLOCK 78,
TOWNSHIP 3, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS,
EL PASO COUNTY, TEXAS.

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING ONE PARCEL FROM R-2 TO C-1; CONTAINING APPROXIMATELY 1.918 ACRES; BEING SITUATED IN SECTION 30, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS; EAST OF THE INTERSECTION OF DESERT MIST DRIVE 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-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-2 (Residential) to C-1 (Commercial) within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, for approximately 1.918 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.

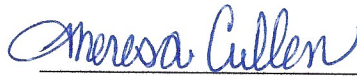
Town of Horizon City

By: _____
Ruben Mendoza, Mayor

ATTEST:

By: _____
Elvia Schuller, TRMC, City Clerk

APPROVED AS TO FORM:



Theresa Cullen, Assistant City Attorney

First Reading: 09/14/2021
Second Reading: 10/12/2021

LEGAL DESCRIPTION

DESCRIPTION OF A 1.918 ACRE TRACT OF LAND SITUATED IN SECTION 30, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, BEING A PART OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO HUNT COMMUNITIES HOLDINGS, L.P. OF RECORD IN DOCUMENT NO. 20070015480, OFFICIAL PUBLIC RECORDS, EL PASO COUNTY, TEXAS; SAID 1.918 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 3/4 inch pipe found for the northeast corner of a 147.875 acre tract conveyed to Land of Texas, Inc., of record in Document No. 20000067163, Official Records, El Paso County, Texas, being also the southeast corner of that certain 112.658 acre tract of land conveyed to Rodman Growth 30, Ltd., of record in Document No. 2017005009, Official Public Records, El Paso County, Texas;

THENCE N 87°04'12" W, with the north line of said 147.875 acre tract, being also the south line of said Rodman Growth 30, Ltd. tract, for a distance of 99.00 feet to a point;

THENCE, N 87°04'12" W, with said north line of said 147.875 acre tract, being also the south line of Eastlake Boulevard, a variable width right of way, for a distance of 171.67 feet to a point;

THENCE, N 42°43'25" W, continuing along said south line of said Eastlake Boulevard, for a distance of 462.20 feet to a point at the beginning of a curve to the right;

THENCE, continuing along said south line of said Eastlake Boulevard, along said curve to the right, an arc distance of 563.00 feet, a radius of 1040.00 feet, a central angle of 31°01'01", and chord bearing N 58°13'56" W a distance of 556.15 feet to a point at the beginning of a curve to the right;

THENCE, continuing along said south line of said Eastlake Boulevard, along said curve to the right, an arc distance of 241.53 feet, a radius of 1040.00 feet, a central angle of 13°18'23", and chord bearing N 80°23'38" W a distance of 240.99 feet to a point; at the beginning of a curve to the left;

THENCE, departing said south line of said Eastlake Boulevard, over and across said Hunt Communities Holdings, L.P. tract, the following two (2) courses and distances;

1. along said curve to the left, an arc distance of 47.29 feet, a radius of 30.00 feet, a central angle of 90°18'50", and chord bearing S 48°06'36" W a distance of 42.54 feet to a point at the beginning of a curve to the right;

2. N 87°02'49" W, for a distance of 63.79, to a point on the east line and **POINT OF BEGINNING** of the herein described tract;

THENCE, continuing over and across said Hunt Communities Holdings, L.P. tract, the following three (3) courses and distances;

1. S 02°57'11" W, for a distance of 250.61 feet to a point for the southeast corner of the herein described tract;
2. N 87°02'49" W, for a distance of 299.00 feet to a point for the southwest corner of the herein described tract;
3. N 02°57'11" E, for a distance of 280.00 feet to a point on said south line of said Eastlake Boulevard, for the northwest corner of the herein described tract;

THENCE, S 87°02'49" E, with said south line of said Eastlake Boulevard for a distance of 269.00 feet to a point at the beginning of a curve to the right;

THENCE, along said curve to the right, an arc distance of 46.51 feet, a radius of 30.01 feet, a central angle of 88°47'58", and chord bearing S 42°38'17" E a distance of 41.99 feet to the **POINT OF BEGINNING** and containing 1.918 acres of land.

BEARING BASIS

THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD83 (93) HARN U.S. SURVEY FEET. THE BEARINGS SHOWN ARE GRID. A COMBINED SCALE FACTOR 0.99977223. ALL DISTANCE SHOWN ARE SURFACE DISTANCES.

SURVEYORS NOTE

THE CONSTRUCTION/LOCATION OF SURVEY BOUNDARIES AND CORNERS, WAS BASED UPON THE PRESCRIBED, ACCEPTED METHOD OF USING THE ORIGINAL OR PERPETUATED CORNER MONUMENTS FOUND AT THE NORTHWEST CORNER OF SECTION NO. 42, BLOCK 78, TOWNSHIP 3, (2-IN IRON PIPE FOUND) AND THE NORTHWEST CORNER OF SECTION NO. 18, BLOCK 80, TOWNSHIP 2, (BRASS ARMY DISK ON CONCRETE MONUMENT RECOGNIZED AS THE SURVEY CORNER) AS A BASELINE RUNNING DIAGONALLY (N 42°38'01" W, 32,405.40 VARAS ~ 90,014.99 FEET) ACROSS THE SURVEYS AS RUN BY PAUL MCCOMBS IN 1883; THE NORTH-SOUTH AND EAST-WEST SURVEY LINES ARE ORIENTED 45-DEGREES OFF THIS BASELINE AND RUN FROM FOUND, ACCEPTED SURVEY CORNERS MONUMENTS ALONG OR NEAR THE BASELINE, OR FROM PRORATED SURVEY CORNER POSTIONS ALONG THE BASELINE AT MISSING CORNERS.

THE STATE OF TEXAS §
 §
COUNTY OF EL PASO §

KNOW ALL MEN BY THESE PRESENTS:

That I, G. Rene Zamora, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during May, 2019 under my direction and supervision.

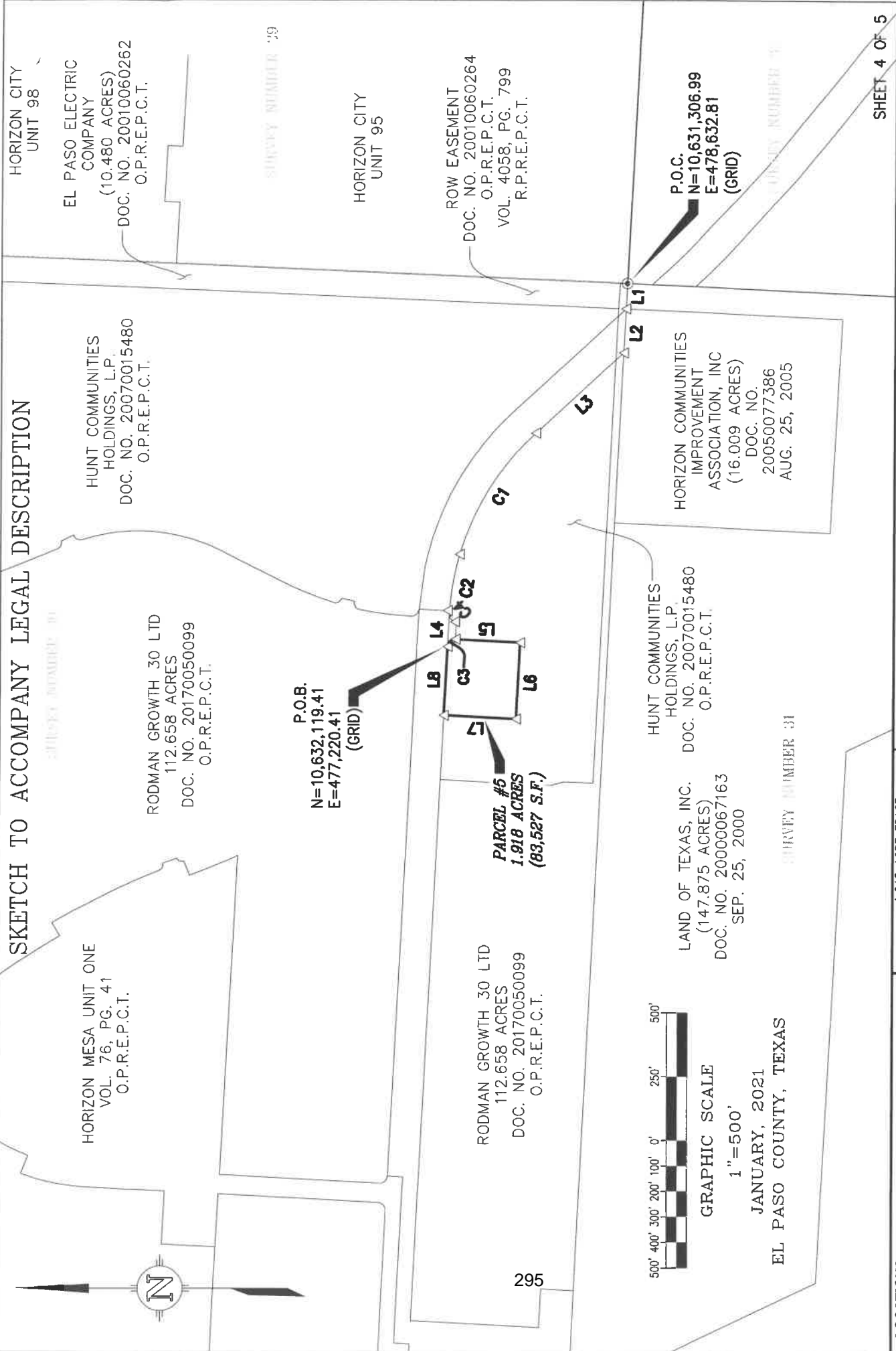
WITNESS MY HAND AND SEAL at El Paso, El Paso County, Texas this the 13th day of January, 2021, A.D.

Zamora, L.L.C. dba "ZWA"
1510 Zaragoza Road, Suite B-8
El Paso, TX 79936
Firm No. 10194200


G. Rene Zamora
Registered Professional Land Surveyor
No. 5682 – State of Texas



SKETCH TO ACCOMPANY LEGAL DESCRIPTION



SHEET 4 OF 5

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION OF 1.918 ACRE TRACT OF LAND SITUATED IN SURVEY NO. 30, EL PASO COUNTY, TEXAS.

PROJECT: 1.918 ACRE TRACT	
JOB NUMBER: 2035-148	PARCEL: 5
DATE: DECEMBER, 2020	
SCALE: 1" = 500'	
SURVEYOR: ZAMORA	
TECHNICIAN: DWG	
DRAWING: 2035-148-INSE-PARCEL 5.dwg	
FIELD NOTES:	
PARTY CHIEF:	
FIELD BOOKS:	

LOCATIONS

ZWA
Zamora, L.L.C.
Professional Land Surveyors
 Texas Firm No. 1084200
 1510 ZARAGOZA RD. SUITE B-8 • EL PASO, TX 79936
 Tel (915) 855-9009



GRAPHIC SCALE

1" = 500'

JANUARY, 2021
 EL PASO COUNTY, TEXAS

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEGEND:

- 5/8" IRON ROD FOUND W/CAP "ZWA"
(UNLESS NOTED)
- 5/8" IRON ROD SET W/CAP "ZWA"
- ⊙ 3/4" IRON PIPE FOUND
(UNLESS NOTED)
- △ CALCULATED POINT

P.R.E.P.C.T. PLAT RECORDS EL PASO COUNTY, TEXAS

O.P.R.E.P.C.T. OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS

DOC. NO. DOCUMENT NUMBER
 POB POINT OF BEGINNING
 VOL. VOLUME
 PG. PAGE

NOTE:

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.

META DATA:

ALL PROJECT COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(2011) (EPOCH 2010.00).

I, G. RENE ZAMORA, DO HEREBY CERTIFY THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

G. Rene Zamora
 G. RENE ZAMORA
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 5682



CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	563.00'	31°01'01"	1040.00'	N58°13'56"W	556.15'
C2	241.53'	13°18'23"	1040.00'	N80°23'38"W	240.99'
C3	46.51'	88°47'58"	30.01'	S42°38'17"E	41.99'
C4	47.29'	90°18'50"	30.00'	S48°06'36"W	42.54'

LINE	DIRECTION	DISTANCE
L1	N87°04'12"W	99.00'
L2	N87°04'12"W	171.67'
L3	N42°43'25"W	462.20'
L4	N87°02'49"W	63.79'
L5	S02°57'11"W	250.61'
L6	N87°02'49"W	299.00'
L7	N02°57'11"E	280.00'
L8	S87°02'49"E	269.00'

LOCATIONS



ZWA
Zamora, LLC.
Professional Land Surveyors
 Texas Firm No. 1094200
 1510 ZAPARAGOZA RD., SUITE B-8 • EL PASO, TX 79986
 Tel (915) 855-9009

PROJECT: 1.918 ACRE TRACT
 JOB NUMBER: PARCEL 5
 JOB NUMBER: 2035-148
 DATE: DECEMBER, 2020
 SCALE: 1" = 500'
 SURVEYOR: ZAMORA
 TECHNICIAN: DMC
 DRAWING: 2035-148-BASE-PARCEL 5.dwg
 FIELD NOTES:
 PARTY CHIEF:
 FIELD BOOKS:

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION OF 1.918 ACRE TRACT OF LAND SITUATED IN SURVEY NO. 30, EL PASO COUNTY, TEXAS.

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING ONE PARCEL FROM R-2 TO C-1; CONTAINING APPROXIMATELY 1.642 ACRES; BEING SITUATED IN SECTION 30, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS; EAST OF THE INTERSECTION OF DESERT MIST DRIVE 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-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-2 (Residential) to C-1 (Commercial) within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, for approximately 1.642 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.

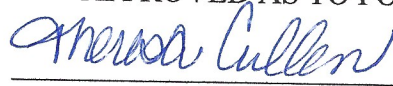
Town of Horizon City

By: _____
Ruben Mendoza, Mayor

ATTEST:

By: _____
Elvia Schuller, TRMC, City Clerk

APPROVED AS TO FORM:



Theresa Cullen, Assistant City Attorney

First Reading: 09/14/2021
Second Reading: 10/12/2021

LEGAL DESCRIPTION

DESCRIPTION OF A 1.642 ACRE TRACT OF LAND SITUATED IN SECTION 30, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, BEING A PART OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO HUNT COMMUNITIES HOLDINGS, L.P. OF RECORD IN DOCUMENT NO. 20070015480, OFFICIAL PUBLIC RECORDS, EL PASO COUNTY, TEXAS; SAID 1.642 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 3/4 inch pipe found for the northeast corner of a 147.875 acre tract conveyed to Land of Texas, Inc., of record in Document No. 20000067163, Official Records, El Paso County, Texas, being also the southeast corner of that certain 112.658 acre tract of land conveyed to Rodman Growth 30, Ltd., of record in Document No. 2017005009, Official Public Records, El Paso County, Texas;

THENCE N 87°04'12" W, with the north line of said 147.875 acre tract, being also the south line of said Rodman Growth 30, Ltd. tract, for a distance of 99.00 feet to a point;

THENCE, N 87°04'12" W, with said north line of said 147.875 acre tract, being also the south line of Eastlake Boulevard, a variable width right of way, for a distance of 171.67 feet to a point;

THENCE, N 42°43'25" W, continuing along said south line of said Eastlake Boulevard, for a distance of 462.20 feet to a point at the beginning of a curve to the right;

THENCE, continuing along said south line of said Eastlake Boulevard, along said curve to the right, an arc distance of 563.00 feet, a radius of 1040.00 feet, a central angle of 31°01'01", and chord bearing N 58°13'56" W a distance of 556.15 feet to a point for the northeast corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, departing the south line of said Eastlake Boulevard, over and across that certain tract of land conveyed to Hunt Communities Holdings, L.P. of record in Document No. 20070015480, Official Public Records, El Paso County, Texas, the following five (5) courses and distances;

1. **S 02°57'11" W**, for a distance of **252.37** feet to a point for the southeast corner of the herein described tract;

2. **N 87°02'49" W**, for a distance of **263.83** feet to a point for the southwest corner of the herein described tract;
3. **N 02°57'11" E**, for a distance of **250.27** feet to a point at the beginning of a curve to the right;
4. along said curve to the right, an arc distance of **47.29 feet**, a radius of **30.00 feet**, a central angle of **90°18'50"**, and chord bearing **N 48°06'36" E** a distance of **42.54** feet to a point at the beginning of a curve to the right;
5. along said curve to the right, an arc distance of **235.83 feet**, a radius of **1040.00 feet**, a central angle of **12°59'33"**, and chord bearing **S 80°14'13" E** a distance of **235.33** feet to the **POINT OF BEGINNING** and containing **1.642** acres of land.

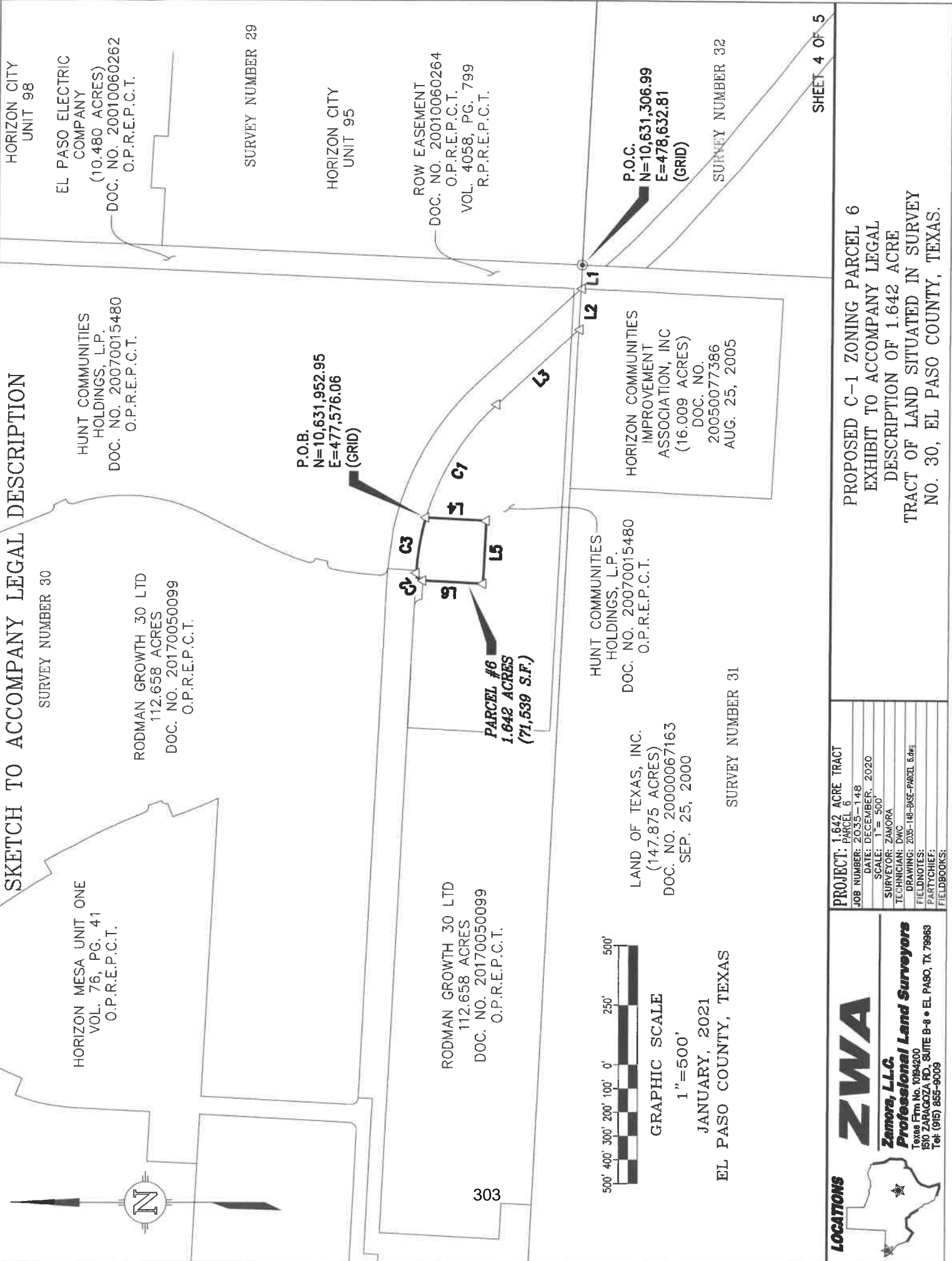
BEARING BASIS

THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD83 (93) HARN U.S. SURVEY FEET. THE BEARINGS SHOWN ARE GRID. A COMBINED SCALE FACTOR 0.99977223. ALL DISTANCE SHOWN ARE SURFACE DISTANCES.

SURVEYORS NOTE

THE CONSTRUCTION/LOCATION OF SURVEY BOUNDARIES AND CORNERS, WAS BASED UPON THE PRESCRIBED, ACCEPTED METHOD OF USING THE ORIGINAL OR PERPETUATED CORNER MONUMENTS FOUND AT THE NORTHWEST CORNER OF SECTION NO. 42, BLOCK 78, TOWNSHIP 3, (2-IN IRON PIPE FOUND) AND THE NORTHWEST CORNER OF SECTION NO. 18, BLOCK 80, TOWNSHIP 2, (BRASS ARMY DISK ON CONCRETE MONUMENT RECOGNIZED AS THE SURVEY CORNER) AS A BASELINE RUNNING DIAGONALLY (N 42°38'01" W, 32,405.40 VARAS ~ 90,014.99 FEET) ACROSS THE SURVEYS AS RUN BY PAUL MCCOMBS IN 1883; THE NORTH-SOUTH AND EAST-WEST SURVEY LINES ARE ORIENTED 45-DEGREES OFF THIS BASELINE AND RUN FROM FOUND, ACCEPTED SURVEY CORNERS MONUMENTS ALONG OR NEAR THE BASELINE, OR FROM PRORATED SURVEY CORNER POSTIONS ALONG THE BASELINE AT MISSING CORNERS.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



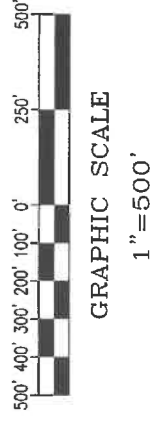
SHEET 4 OF 5

PROPOSED C-1 ZONING PARCEL 6
EXHIBIT TO ACCOMPANY LEGAL
DESCRIPTION OF 1.642 ACRE
TRACT OF LAND SITUATED IN SURVEY
NO. 30, EL PASO COUNTY, TEXAS.

PROJECT: 1.642 ACRE TRACT	
JOB NUMBER: 2035-148	PARCEL # 6
DATE: DECEMBER, 2020	
SCALE: 1" = 500'	
SURVEYOR: ZAMORA	
TECHNICIAN: DMC	
DRAWING: 2035-148-PAGE-PARCEL 6.dwg	
FIELDNOTES:	
PARTYCHIEF:	
FIELDBOOKS:	

LOCATIONS

ZWA
Zamora, LLC.
Professional Land Surveyors
Texas Fm No. 1094200
650 ZARAGOZA RD., SUITE B-8 • EL PASO, TX 79963
Tel: (915) 855-9009



JANUARY, 2021
EL PASO COUNTY, TEXAS

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEGEND:

- 5/8" IRON ROD FOUND W/CAP "ZWA"
(UNLESS NOTED)
- 5/8" IRON ROD SET W/CAP "ZWA"
- ⊙ 3/4" IRON PIPE FOUND
(UNLESS NOTED)
- △ CALCULATED POINT

P.R.E.P.C.T. PLAT RECORDS EL PASO COUNTY, TEXAS

O.P.R.E.P.C.T. OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS

DOC. NO. DOCUMENT NUMBER

POB POINT OF BEGINNING

VOL. VOLUME

PG. PAGE


NOTE:

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.

META DATA:

ALL PROJECT COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(2011) (EPOCH 2010.00).

I, G. RENE ZAMORA, DO HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.


G. RENE ZAMORA
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5682



CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	563.00'	31°01'01"	1040.00'	N58°13'56"W	556.15'
C2	47.29'	90°18'50"	30.00'	N48°06'36"E	42.54'
C3	235.83'	12°59'33"	1040.00'	S80°14'13"E	235.33'

LINE	DIRECTION	DISTANCE
L1	N87°04'12"W	99.00'
L2	N87°04'12"W	171.67'
L3	N42°43'25"W	462.20'
L4	S02°57'11"W	252.37'
L5	N87°02'49"W	263.83'
L6	N02°57'11"E	250.27'

LOCATIONS



ZWA

Zamora, LLC.
Professional Land Surveyors
Texas Firm No. 1094200
1500 ZARAGOZA RD., SUITE B-8 • EL PASO, TX 79963
Tel: (915) 855-9009

PROJECT: 1.642 ACRE TRACT
JOB NUMBER: 2035-148
DATE: DECEMBER, 2020
SCALE: 1" = 500'
SURVEYOR: ZAMORA
TECHNICIAN: DMC
DRAWING: 2035-148-BASE-PARCEL 6.dwg
FIELD NOTES:
PARTY CHIEF:
FIELD BOOKS:

PROPOSED C-1 ZONING PARCEL 6
EXHIBIT TO ACCOMPANY LEGAL
DESCRIPTION OF 1.642 ACRE
TRACT OF LAND SITUATED IN SURVEY
NO. 30, EL PASO COUNTY, TEXAS.

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING ONE PARCEL FROM R-2 TO R-3; CONTAINING APPROXIMATELY 185.716 ACRES; BEING SITUATED IN SECTION 32, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS; NORTH AND WEST OF THE INTERSECTION OF EASTLAKE BOULEVARD AND HORIZON BOULEVARD (FM 1281); 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-3, Residential; 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 R-3 (Residential) within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, for approximately 185.716 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:



Theresa Cullen, Assistant City Attorney

First Reading: 09/14/2021
Second Reading: 10/12/2021

LEGAL DESCRIPTION

DESCRIPTION OF A 185.716 ACRE TRACT OF LAND SITUATED IN SECTION 32, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, BEING A PART OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO HORIZON BLUFF GROWTH 32, OF RECORD IN DOCUMENT NUMBER 20000087353, OFFICIAL PUBLIC RECORDS, EL PASO COUNTY, TEXAS; SAID 185.716 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 3/4 inch pipe found for the northeast corner of a 147.875 acre tract conveyed to Land of Texas, Inc., of record in Document No. 20000067163, Official Records, El Paso County, Texas, being also the northwest corner of the remaining 0.0774 acres of that certain 227.6496 acre tract of land conveyed to Colony Partners East, LP, of record in Document No. 20010013820. Official Public Records, El Paso County, Texas;

THENCE S 02°28'46" W, with the east line of said 147.875 acre tract, for a distance of 266.84 feet to a point on the south line of Eastlake Boulevard, a variable width right of way and being the north corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, continuing along said south line of said Eastlake Boulevard, over and across said Horizon Bluff Growth 32 tract, the following nineteen (19) courses and distances;

1. **S 42°43'25" E**, for a distance of **7.90 feet** to a point at the beginning of a curve to the left;
2. along said curve to the left, an arc distance of **140.53 feet**, a radius of **1560.00 feet**, a central angle of **05°09'41"**, and chord bearing **S 45°18'16" E** a distance of **140.48 feet** to a point;
3. **S 47°53'06" E**, for a distance of **372.24 feet** to a point, at the beginning of a curve to the left;
4. along said curve to the left, an arc distance of **101.25 feet**, a radius of **1560.00 feet**, a central angle of **03°43'08"**, and chord bearing **S 49°44'40" E** a distance of **101.24 feet** to a point;
5. **S 51°36'14" E**, for a distance of **488.79 feet** to a point at the beginning of a curve to the right;
6. along said curve to the right, an arc distance of **69.74 feet**, a radius of **1440.00 feet**, a central angle of **02°46'29"**, and chord bearing **S 50°13'00" E** a distance of **69.73 feet** to a point;

7. **S 48°49'45" E**, for a distance of **1131.38 feet** to a point at the beginning of a curve to the right;
8. along said curve to the right, an arc distance of **942.55 feet**, a radius of **1040.00 feet**, a central angle of **51°55'37"**, and chord bearing **S 22°51'57" E** a distance of **910.62 feet** to a point;
9. **S 03°05'52" W**, for a distance of **465.69 feet** to a point at the beginning of a curve to the left;
10. along said curve to the left, an arc distance of **512.75 feet**, a radius of **4060.00 feet**, a central angle of **07°14'10"**, and chord bearing **S 00°31'13" E** a distance of **512.41 feet** to a point;
11. **S 04°08'18" E**, for a distance of **598.71 feet** to a point at the beginning of a curve to the right;
12. along said curve to the right, an arc distance of **448.34 feet**, a radius of **1439.74 feet**, a central angle of **17°50'31"**, and chord bearing **S 04°46'50" W** a distance of **446.53 feet** to a point;
13. **S 13°42'06" W**, for a distance of **142.04 feet** to a point at the beginning of a curve to the left;
14. along said curve to the left, an arc distance of **111.76 feet**, a radius of **1960.46 feet**, a central angle of **03°15'58"**, and chord bearing **S 12°04'00" W** a distance of **111.74 feet** to a point for the southeast corner of the herein described tract;
15. **N 87°02'46" W**, departing said west line of said Eastlake Boulevard, a distance of **1835.41 feet** to a point, for an interior angle point on the south line of the herein described tract;
16. **S 02°57'14" W**, for a distance of **345.48 feet** to a point for an exterior angle point on the south line of the herein described tract;
17. **N 87°03'28" W**, for a distance of **238.95 feet** to a point for the southwest corner of the herein described tract;
18. **N 02°29'28" E**, for a distance of **591.24 feet** to a point for an interior angle point on the west line of the herein described tract;
19. **N 25°43'37" W**, for a distance of **317.63 feet** to a point on the east line of said 147.875 acre tract, being also a point on the west line of the herein described tract;

THENCE, N 02°28'46" E, continuing with the east line of said 147.875 acre tract, for a distance of **260.66 feet** to a point on the west line of the herein described tract;

THENCE, N 02°28'46" E, continuing with the east line of said 147.875 acre tract, for a distance of **3722.94 feet** to the **POINT OF BEGINNING** and containing **185.716** acres of land.

BEARING BASIS

THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD83 (93) HARN U.S. SURVEY FEET. THE BEARINGS SHOWN ARE GRID. A COMBINED SCALE FACTOR 0.99977223. ALL DISTANCE SHOWN ARE SURFACE DISTANCES.

SURVEYORS NOTE

THE CONSTRUCTION/LOCATION OF SURVEY BOUNDARIES AND CORNERS, WAS BASED UPON THE PRESCRIBED, ACCEPTED METHOD OF USING THE ORIGINAL OR PERPETUATED CORNER MONUMENTS FOUND AT THE NORTHWEST CORNER OF SECTION NO. 42, BLOCK 78, TOWNSHIP 3, (2-IN IRON PIPE FOUND) AND THE NORTHWEST CORNER OF SECTION NO. 18, BLOCK 80, TOWNSHIP 2, (BRASS ARMY DISK ON CONCRETE MONUMENT RECOGNIZED AS THE SURVEY CORNER) AS A BASELINE RUNNING DIAGONALLY (N 42°38'01" W, 32,405.40 VARAS ~ 90,014.99 FEET) ACROSS THE SURVEYS AS RUN BY PAUL MCCOMBS IN 1883; THE NORTH-SOUTH AND EAST-WEST SURVEY LINES ARE ORIENTED 45-DEGREES OFF THIS BASELINE AND RUN FROM FOUND, ACCEPTED SURVEY CORNERS MONUMENTS ALONG OR NEAR THE BASELINE, OR FROM PRORATED SURVEY CORNER POSTIONS ALONG THE BASELINE AT MISSING CORNERS.

THE STATE OF TEXAS §
§
COUNTY OF EL PASO §

KNOW ALL MEN BY THESE PRESENTS:

That I, G. Rene Zamora, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during May, 2019 under my direction and supervision.

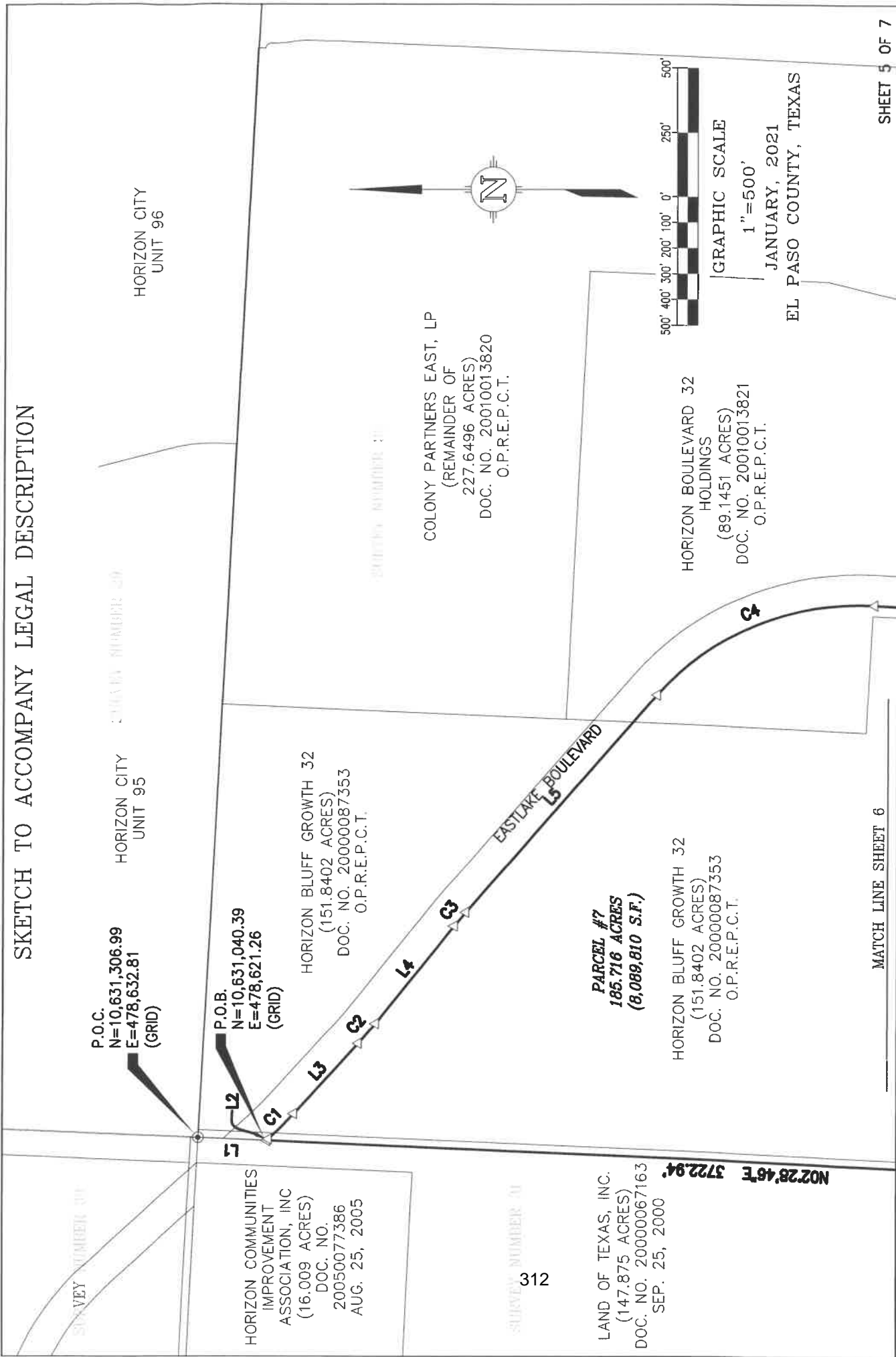
WITNESS MY HAND AND SEAL at El Paso, El Paso County, Texas this the 13th day of January, 2021, A.D.

Zamora, L.L.C. dba "ZWA"
1510 Zaragoza Road, Suite B-8
El Paso, TX 79936
Firm No. 10194200


G. Rene Zamora
Registered Professional Land Surveyor
No. 5682 – State of Texas



SKETCH TO ACCOMPANY LEGAL DESCRIPTION



SHEET 5 OF 7

PROPOSED R-3 ZONING PARCEL 7
 EXHIBIT TO ACCOMPANY LEGAL
 DESCRIPTION OF 185.716 ACRE
 TRACT OF LAND SITUATED IN SURVEY
 NO. 30, EL PASO COUNTY, TEXAS.

PROJECT:	185.716 ACRE TRACT
JOB NUMBER:	2035-148
DATE:	DECEMBER, 2020
SCALE:	1" = 500'
SURVEYOR:	ZAMORA
TECHNICIAN:	DWC
DRAWING:	2035-148-BASE-PARCEL 7.dwg
FIELD NOTES:	
PARTICHTIEF:	
FIELD BOOKS:	

LOCATIONS

ZWA
Zamora, L.L.C.
Professional Land Surveyors
 Texas Firm No. 1094200
 150 ZARAGOZA RD. SUITE B-8 • EL PASO, TX 79963
 Tel (915) 855-9008

MATCH LINE SHEET 6

312

NOZ28'46"E 3722.94'

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

MATCH LINE SHEET 5

HORIZON BLUFF GROWTH 32
(151.8402 ACRES)
DOC. NO. 20000087353
O.P.R.E.P.C.T.

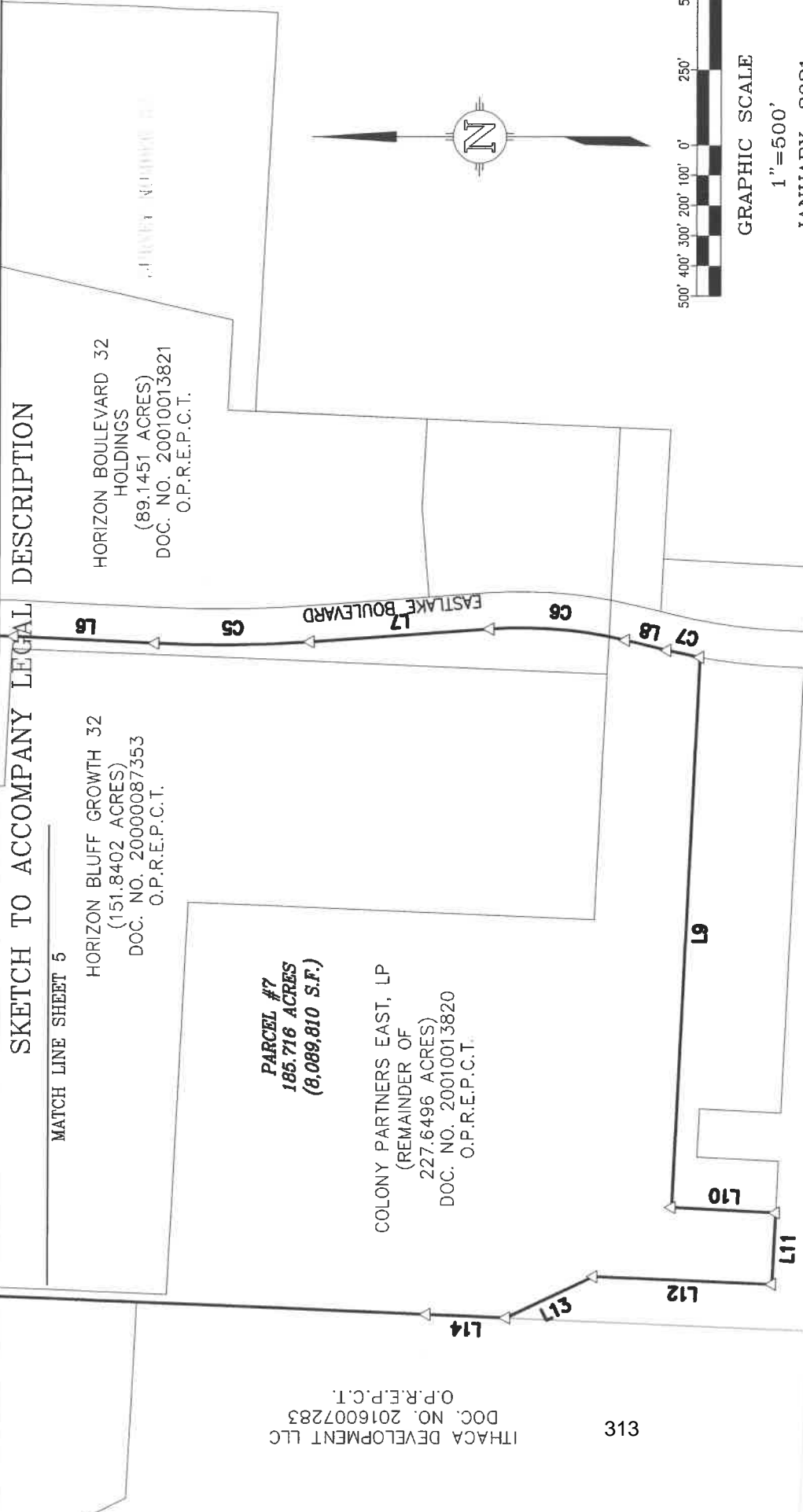
PARCEL #7
185.716 ACRES
(8,089,810 S.F.)

COLONY PARTNERS EAST, LP
(REMAINDER OF
227.6496 ACRES)
DOC. NO. 20010013820
O.P.R.E.P.C.T.

ITHACA DEVELOPMENT LLC
DOC. NO. 2016007283
O.P.R.E.P.C.T.

313

HORIZON BOULEVARD 32
HOLDINGS
(89.1451 ACRES)
DOC. NO. 20010013821
O.P.R.E.P.C.T.



GRAPHIC SCALE

1" = 500'

JANUARY, 2021
EL PASO COUNTY, TEXAS

HUNT HORIZON
CROSSING 2 LP
DOC. NO. 20070100990
O.P.R.E.P.C.T.

SHEET 6 OF 7

PROJECT: 185.716 ACRE TRACT	
JOB NUMBER: 2035-148	
DATE: DECEMBER, 2020	SCALE: 1" = 500'
SURVEYOR: ZAMORA	
TECHNICIAN: DMC	
DRAWING: 2035-148-RSE-PARCEL 7.dwg	
FIELD NOTES:	
PARTY CHIEF:	
FIELD BOOKS:	

PROPOSED R-3 ZONING PARCEL 7
EXHIBIT TO ACCOMPANY LEGAL
DESCRIPTION OF 185.716 ACRE
TRACT OF LAND SITUATED IN SURVEY
NO. 30, EL PASO COUNTY, TEXAS.

LOCATIONS

ZWA
Zamora, L.L.C.
Professional Land Surveyors
Texas Firm No. 0094200
1510 ZARAGOZA RD, SUITE B-8 • EL PASO, TX 79963
Tel: (915) 855-9009

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	140.53'	5°09'41"	1560.00'	S45°18'16"E	140.48'
C2	101.25'	3°43'08"	1560.00'	S49°44'40"E	101.24'
C3	69.74'	2°46'29"	1440.00'	S50°13'00"E	69.73'
C4	942.55'	51°55'37"	10400.00'	S22°51'57"E	910.62'
C5	512.75'	7°14'10"	4060.00'	S00°31'13"E	512.41'
C6	448.34'	17°50'31"	1439.74'	S04°46'50"W	446.53'
C7	111.76'	3°15'58"	1960.46'	S12°04'00"W	111.74'

CURVE TABLE

LINE	DIRECTION	DISTANCE
L1	S02°28'46"W	266.84'
L2	S42°43'25"E	7.90'
L3	S47°53'06"E	372.24'
L4	S51°36'14"E	488.79'
L5	S48°49'45"E	1131.38'
L6	S03°05'52"W	465.69'
L7	S04°08'18"E	598.71'
L8	S13°42'06"W	142.04'
L9	N87°02'46"W	1835.41'
L10	S02°57'14"W	345.48'
L11	N87°03'28"W	238.95'
L12	N02°29'28"E	591.24'
L13	N25°43'37"W	317.63'
L14	N02°28'46"E	260.66'

LEGEND:

- 5/8" IRON ROD FOUND W/CAP "ZWA" (UNLESS NOTED)
 - 5/8" IRON ROD SET W/CAP "ZWA"
 - ⊙ 1" GALVANIZED IRON PIPE FOUND (UNLESS NOTED)
 - △ CALCULATED POINT
- P.R.E.P.C.T. PLAT RECORDS EL PASO COUNTY, TEXAS
 O.P.R.E.P.C.T. OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS
- DOC. NO. DOCUMENT NUMBER
 POB POINT OF BEGINNING
 VOL. VOLUME
 PG. PAGE

NOTE:
 THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.

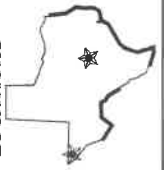
META DATA:
 ALL PROJECT COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(2011) (EPOCH 2010.00).

I, G. RENE ZAMORA, DO HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

G. Rene Zamora
 G. RENE ZAMORA
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 5682



LOCATIONS



ZWA

Zamora, L.L.C.
Professional Land Surveyors
 Texas Firm No. 10194200
 1510 ZARAGOZA RD., SUITE B-8 • EL PASO, TX 79963
 Tel: (915) 855-9039

PROJECT: 185.716 ACRE TRACT
 JOB NUMBER: PARCEL 7
 DATE: DECEMBER, 2020
 SCALE: 1" = 500'
 SURVEYOR: ZAMORA
 TECHNICIAN: DVC
 DRAWING: 2035-148-BSE-PARCEL 7.dwg
 FIELD NOTES:
 PARTY CHIEF:
 FIELD BOOKS:

PROPOSED R-3 ZONING PARCEL 7
 EXHIBIT TO ACCOMPANY LEGAL
 DESCRIPTION OF 185.716 ACRE
 TRACT OF LAND SITUATED IN SURVEY
 NO. 32, EL PASO COUNTY, TEXAS.

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING ONE PARCEL FROM R-2 TO C-2; CONTAINING APPROXIMATELY 13.451 ACRES; BEING SITUATED IN SECTION 32, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS; WEST OF THE INTERSECTION OF EASTLAKE BOULEVARD AND HORIZON BOULEVARD (FM 1281); 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, for approximately 13.451 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:



Theresa Cullen, Assistant City Attorney

First Reading: 09/14/2021
Second Reading: 10/12/2021

LEGAL DESCRIPTION

DESCRIPTION OF A 13.451 ACRE TRACT OF LAND SITUATED IN SECTION 32, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, BEING A PART OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO COLONY PARTNERS EAST, LP, OF RECORD IN DOCUMENT NUMBER 20010013820, OFFICIAL PUBLIC RECORDS, EL PASO COUNTY, TEXAS; SAID 185.716 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 3/4 inch pipe found for the northeast corner of a 147.875 acre tract conveyed to Land of Texas, Inc., of record in Document No. 20000067163, Official Records, El Paso County, Texas, being also the northwest corner of said Colony Partners East, LP;

THENCE, S 02°28'46" W, with the east line of said 147.875 acre tract, for a distance of 266.84 feet to a point on the west line of said Colony Partners East, LP tract;

THENCE, S 02°28'46" W, continuing with the east line of said 147.875 acre tract, for a distance of 3722.94 feet to a point on the west line of said Colony Partners East, LP tract;

THENCE, S 02°28'46" W, continuing with the west line of said Colony Partners East, LP tract, for a distance of 260.66 feet to a point;

THENCE, departing the west line of said Colony Partners East, LP tract, over and across said Colony Partners East, LP tract, the following three (3) courses and distances;

1. S 25°43'37" E, continuing with the west line of said Colony Partners East, LP tract, for a distance of 317.63 feet to a point;
2. S 02°29'28" W, continuing with the west line of said Colony Partners East, LP tract, for a distance of 591.24 feet to a point for an interior angle point on the north line of Horizon Boulevard, a variable width right of way;
3. S 87°03'28" E, continuing with the west line of said Colony Partners East, LP tract, for a distance of 238.95 feet to a point for the southwest corner and **POINT OF BEGINNING** of the herein described tract and being on the south lie of said Horizon Boulevard;

THENCE, continuing over and across said Colony Partners East, LP tract, the following two (2) courses and distances;

1. **N 02°57'14" E**, for a distance of **345.48 feet** to a point for the northwest corner of the herein described tract;
2. **S 87°02'46" E**, a distance of **1835.41 feet** to a point, on the west line of said Eastlake Boulevard, for the northeast corner the herein described tract, at the beginning of a curve to the left;

THENCE, continuing with the west line of said Eastlake Boulevard, along said curve to the left, an arc distance of **256.11 feet**, a radius of **1960.00 feet**, a central angle of **07°29'12"**, and chord bearing **S 06°41'24" W** a distance of **255.92 feet** to a point at the end of said curve;

THENCE, **S 02°56'48" W**, continuing with said west line of said Eastlake Boulevard, for a distance of **89.86 feet** to a point for the southeast corner of the herein described property;

THENCE, departing the west line of said Eastlake Boulevard, over and across said Colony Partners East, LP tract, and being on the north line of said Horizon Boulevard, the following six (6) courses and distances;

1. **N 87°03'11" W**, for a distance of **918.10 feet** to a point on the south line of the herein described tract;
2. **N 87°03'13" W**, for a distance of **567.10 feet** to a point for an exterior angle on the south line of the herein described tract;
3. **N 02°57'35" E**, departing the north line of said Horizon Boulevard, for a distance of **270.08 feet** to a point for an interior angle point on the south line of the herein described tract;
4. **N 87°02'25" W**, for a distance of **161.34 feet** to a point for an interior angle point on the south line of the herein described tract;
5. **S 02°57'35" W**, for a distance of **270.13 feet** to a point for an exterior angle point on the south line of the herein described tract and being on the north line of said Horizon Boulevard;
6. **N 87°03'28" W**, for a distance of **172.20 feet** to the **POINT OF BEGINNING** and containing **13.451 acres** of land.

BEARING BASIS

THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD83 (93) HARN U.S. SURVEY FEET. THE BEARINGS SHOWN ARE GRID. A COMBINED SCALE FACTOR 0.99977223. ALL DISTANCE SHOWN ARE SURFACE DISTANCES.

SURVEYORS NOTE

THE CONSTRUCTION/LOCATION OF SURVEY BOUNDARIES AND CORNERS, WAS BASED UPON THE PRESCRIBED, ACCEPTED METHOD OF USING THE ORIGINAL OR PERPETUATED CORNER MONUMENTS FOUND AT THE NORTHWEST CORNER OF SECTION NO. 42, BLOCK 78, TOWNSHIP 3, (2-IN IRON PIPE FOUND) AND THE NORTHWEST CORNER OF SECTION NO. 18, BLOCK 80, TOWNSHIP 2, (BRASS ARMY DISK ON CONCRETE MONUMENT RECOGNIZED AS THE SURVEY CORNER) AS A BASELINE RUNNING DIAGONALLY (N 42°38'01" W, 32,405.40 VARAS ~ 90,014.99 FEET) ACROSS THE SURVEYS AS RUN BY PAUL MCCOMBS IN 1883; THE NORTH-SOUTH AND EAST-WEST SURVEY LINES ARE ORIENTED 45-DEGREES OFF THIS BASELINE AND RUN FROM FOUND, ACCEPTED SURVEY CORNERS MONUMENTS ALONG OR NEAR THE BASELINE, OR FROM PRORATED SURVEY CORNER POSTIONS ALONG THE BASELINE AT MISSING CORNERS.

**THE STATE OF TEXAS §
§
COUNTY OF EL PASO §**

KNOW ALL MEN BY THESE PRESENTS:

That I, G. Rene Zamora, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during March, 2020 under my direction and supervision.

WITNESS MY HAND AND SEAL at El Paso, El Paso County, Texas this the 13th day of January, 2021, A.D.

Zamora, L.L.C. dba "ZWA"
1510 Zaragoza Road, Suite B-8
El Paso, TX 79936
Firm No. 10194200


G. Rene Zamora
Registered Professional Land Surveyor
No. 5682 – State of Texas



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

SURVEY NUMBER 00

P.O.C.
N=10,631,306.99
E=478,632.81
(GRID)

HORIZON CITY
UNIT 95

SURVEY NUMBER 29

HORIZON CITY
UNIT 96

HORIZON COMMUNITIES
IMPROVEMENT
ASSOCIATION, INC
(16.009 ACRES)
DOC. NO.
20050077386
AUG. 25, 2005

HORIZON BLUFF GROWTH 32
(151.8402 ACRES)
DOC. NO. 20000087353
O.P.R.E.P.C.T.

SURVEY NUMBER 32, BLOCK 78, TOWNSHIP 3,
TEXAS PACIFIC RAILROAD COMPANY SURVEYS

COLONY PARTNERS EAST, LP
(REMAINDER OF
227.6496 ACRES)
DOC. NO. 20010013820
O.P.R.E.P.C.T.

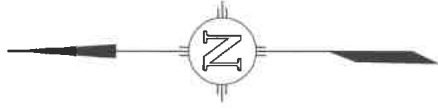
SURVEY NUMBER 71
321

LAND OF TEXAS, INC.
(147.875 ACRES)
DOC. NO. 20000067163
SEP. 25, 2000

S02°28'46"W 3722.94'

HORIZON BLUFF GROWTH 32
(151.8402 ACRES)
DOC. NO. 20000087353
O.P.R.E.P.C.T.

HORIZON BOULEVARD 32
HOLDINGS
(89.1451 ACRES)
DOC. NO. 20010013821
O.P.R.E.P.C.T.



GRAPHIC SCALE

1"=500'

JANUARY, 2021

EL PASO COUNTY, TEXAS

MATCH LINE SHEET 6

SHEET 4 OF 6

LOCATIONS



ZWA

Zamora, L.L.C.
Professional Land Surveyors
Texas Firm No. 10194200
150 ZARAGOZA RD., SUITE B-8 • EL PASO, TX 79963
Tel (915) 855-9009

PROJECT: 13.451 ACRE TRACT
JOB NUMBER: 2035-148
DATE: DECEMBER, 2020
SCALE: 1" = 500'
SURVEYOR: ZAMORA
TECHNICIAN: DVC
DRAWING: 2035-148-BISE-PARCEL 8.dwg
FIELD NOTES:
PARTY CHIEF:
FIELD BOOKS:

PROPOSED C-2 ZONING PARCEL 8
EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION OF 13.451 ACRE
TRACT OF LAND SITUATED IN SURVEY NO. 32, BLOCK 78, TOWNSHIP 3,
TEXAS PACIFIC RAILROAD COMPANY SURVEYS, EL PASO COUNTY, TEXAS.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEGEND:

- 5/8" IRON ROD FOUND W/CAP "ZWA"
(UNLESS NOTED)
- 5/8" IRON ROD SET W/CAP "ZWA"
- ⊙ 1" GALVANIZED IRON PIPE FOUND
(UNLESS NOTED)
- △ CALCULATED POINT

P.R.E.P.C.T. PLAT RECORDS EL PASO COUNTY, TEXAS

O.P.R.E.P.C.T. OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS

DOC. NO. DOCUMENT NUMBER

POB POINT OF BEGINNING

VOL. VOLUME

PG. PAGE


NOTE:

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META DATA:

ALL PROJECT COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(2011) (EPOCH 2010.00).

I, G. RENE ZAMORA, DO HEREBY CERTIFY THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.


G. RENE ZAMORA
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5682



CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	256.11'	7°29'12"	1960.00'	S06°41'24"W	255.92'

LINE	DIRECTION	DISTANCE
L1	S02°28'46"W	266.84'
L2	S02°28'46"W	260.66'
L3	S25°43'37"E	317.63'
L4	S02°29'28"W	591.24'
L5	S87°03'28"E	238.95'
L6	N02°57'14"E	345.48'
L7	S02°56'48"W	89.86'
L8	N87°03'11"W	918.10'
L9	N87°03'13"W	567.10'
L10	N02°57'35"E	270.08'
L11	N87°02'25"W	161.34'
L12	S02°57'35"W	270.13'
L13	N87°03'28"W	172.20'

LOCATIONS



ZWA

Zamora, L.L.G.
Professional Land Surveyors
Texas Firm No. 1094200
1510 ZARAGOZA RD., SUITE B-8 • EL PASO, TX 79963
Tel: (915) 855-9008

PROJECT: 13.451 ACRE TRACT

JOB NUMBER: PARCEL 8

DATE: DECEMBER, 2020

SCALE: 1" = 500'

SURVEYOR: ZAMORA

TECHNICIAN: DMC

DRAWING: 2015-118-BISE-PARCEL 8.dwg

FIELD NOTES:

PARTY CHIEF:

FIELD BOOKS:

PROPOSED C-2, PARCEL 8

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION OF 13.451 ACRE TRACT OF LAND SITUATED IN SURVEY NO. 32, BLOCK 78, TOWNSHIP 3, TEXAS PACIFIC RAILROAD COMPANY SURVEYS, EL PASO COUNTY, TEXAS.

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING ONE PARCEL FROM R-2 TO R-3; CONTAINING APPROXIMATELY 212.581 ACRES; BEING SITUATED IN SECTION 32, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS; NORTH AND EAST OF THE INTERSECTION OF EASTLAKE BOULEVARD AND HORIZON BOULEVARD (FM 1281); 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-3, Residential; 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 R-3 (Residential) within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, for approximately 212.581 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:



Theresa Cullen, Assistant City Attorney

First Reading: 09/14/2021
Second Reading: 10/12/2021

LEGAL DESCRIPTION

DESCRIPTION OF A 212.581 ACRE TRACT OF LAND SITUATED IN SECTION 32, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, BEING A PART OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO COLONY PARTNERS EAST, LP, OF RECORD IN DOCUMENT NUMBER 20010013820, BEING ALSO OUT OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO HORIZON BLUFF GROWTH 32, OF RECORD IN DOCUMENT NUMBER 20000087353, AND BEING OUT OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO HORIZON BOULEVARD 32 HOLDINGS, OF RECORD IN DOCUMENT NUMBER 20010013821, OFFICIAL PUBLIC RECORDS, EL PASO COUNTY, TEXAS; SAID 212.581 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 3/4 inch pipe found for the northeast corner of a 147.875 acre tract conveyed to Land of Texas, Inc., of record in Document No. 20000067163, Official Records, El Paso County, Texas, being also the northwest corner of Colony Partners East, LP, and being the northwest corner of the herein described tract;

THENCE, S 87°04'04" E, with the north line of said Colony Partners East, LP tract, and the north line of said Horizon Bluff Growth 32 tract, for a distance of **4263.90 feet** to a point at the northeast corner of said Colony Partners East, LP tract, being also the northwest corner of Desert Breeze Subdivision Unit 2, a subdivision of record in Document Number 2006009122, Official Public Records, El Paso County, Texas;

THENCE, S 02°56'19" W, continuing with the east line of said Colony Partners East, LP tract, for a distance of **30.00 feet** to a point on the west line of said Desert Breeze Subdivision Unit 2, being also a point on the east line of the herein described tract, at the beginning of a curve to the right;

THENCE, along a curve to the right, an arc distance of **31.06 feet**, a radius of **20.00 feet**, a central angle of **88°59'13"**, and chord bearing **S 42°34'07" E** a distance of **28.03 feet** to a point at the end of said curve, for a compound curve to the right;

THENCE, along said compound curve to the right, an arc distance of **90.99 feet**, a radius of **330.00 feet**, a central angle of **15°47'51"**, and chord bearing **S 04°57'36" E** a distance of **90.70 feet** to a point at the end of said curve and at the beginning of a compound curve to the right;

THENCE, along said compound curve to the right, an arc distance of **64.30 feet**, a radius of **240.00 feet**, a central angle of **15°21'03"**, and chord bearing **S 05°11'00" E** a distance of **64.11 feet** to a point at the end of said curve;

THENCE, S 02°29'32" W, continuing with said east line of said Colony Partners East, LP tract, being also the west line of said Desert Breeze Subdivision Unit 2, for a distance of **1391.62 feet** to a point on the east line of the herein described property;

THENCE, S 02°29'32" W, continuing with said east line of said Colony Partners East, LP tract, being also the west line of said Desert Breeze Subdivision Unit 2, for a distance of **1668.11 feet** to a point for the most northerly southeast corner of the herein described property;

THENCE, N 87°30'53" W, along the south line of said Colony Partners East, LP tract, being also the north line of Desert Breeze Subdivision Unit 1, a subdivision of record in Document Number 2005002255, Official Public Records, El Paso County, Texas, for a distance of **123.77 feet** to a point on the south line of the herein described property;

THENCE, N 86°58'35" W, along said south line of said Colony Partners East, LP tract, being also the north line of Desert Breeze Subdivision Unit 1, for a distance of **1200.23 feet** to a point for an interior angle point on the south line of the herein described property;

THENCE, S 02°32'17" W, along said south line of said Colony Partners East, LP tract, being also the west line of Desert Breeze Subdivision Unit 1, for a distance of **571.87 feet** to a point for an exterior angle point on the south line of the herein described property;

THENCE, N 86°58'35" W, along said south line of said Colony Partners East, LP tract, being also the north line of Desert Breeze Subdivision Unit 1, for a distance of **294.70 feet** to an angle point on the south line of the herein described property;

THENCE, S 85°37'17" W, along said south line of said Colony Partners East, LP tract, for a distance of **297.82 feet** to a point on the east line of Eastlake Boulevard, for the southwest corner of the herein described property;

THENCE, continuing along said east line of said Eastlake Boulevard, being also the west line of said Colony Partners East, LP tract, the following fifteen (15) courses and distances;

1. **N 04°08'18" W**, for a distance of **403.82 feet** to a point;
2. along a curve to the right, an arc distance of **183.81 feet**, a radius of **3940.00 feet**, a central angle of **02°40'23"**, and chord bearing **N 02°48'07" W** a distance of **183.79 feet** to a point at the end of said curve;
3. along a curve to the right, an arc distance of **173.75 feet**, a radius of **4191.36 feet**, a central angle of **02°22'30"**, and chord bearing **N 00°12'07" W** a distance of **173.73 feet** to a point at the end of said curve;
4. along a curve to the right, an arc distance of **140.04 feet**, a radius of **3940.00 feet**, a central angle of **02°02'11"**, and chord bearing **N 02°04'46" E** a distance of **140.03 feet** to a point at the end of said curve;
5. **N 03°05'52" E**, a distance of **402.56 feet** to a point;

6. **N 03°05'52" E**, for a distance of **63.13 feet** to a point;
7. along a curve to the left, an arc distance of **1051.30 feet**, a radius of **1160.00 feet**, a central angle of **51°55'37"**, and chord bearing **N 22°51'57" W** a distance of **1015.69 feet** to a point at the end of said curve
8. **N 48°49'45" W**, a distance of **1131.38 feet** to a point;
9. along a curve to the left, an arc distance of **75.55 feet**, a radius of **1560.00 feet**, a central angle of **02°46'29"**, and chord bearing **N 50°13'00" W** a distance of **75.54 feet** to a point at the end of said curve;
10. **N 51°36'14" W**, for a distance of **488.79 feet** to a point;
11. along a curve to the left, an arc distance of **93.47 feet**, a radius of **1440.00 feet**, a central angle of **03°43'08"**, and chord bearing **N 49°44'40" W** a distance of **93.45 feet** to a point at the end of said curve;
12. **N 47°53'06" W**, for a distance of **372.24 feet** to a point;
13. along a curve to the right, an arc distance of **129.72 feet**, a radius of **1440.00 feet**, a central angle of **05°09'41"**, and chord bearing **N 45°18'16" W** a distance of **129.68 feet** to a point at the end of said curve;
14. **N 42°43'25" W**, for a distance of **127.05 feet** to a point;
15. **N 02°28'46" E**, for a distance of **97.52 feet** to the **POINT OF BEGINNING** and containing **212.581** acres of land.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

P.O.B.
N=10,631,306.99
E=478,632.81
(GRID)

HORIZON CITY
UNIT 95

TRAP NUMBER 30

HORIZON CITY
UNIT 96

S8704'04"E 4263.90'

HORIZON COMMUNITIES
IMPROVEMENT
ASSOCIATION, INC
(16.009 ACRES)
DOC. NO.
20050077386
AUG. 25, 2005

HORIZON BLUFF GROWTH 32
(151.8402 ACRES)
DOC. NO. 20000087353
O.P.R.E.P.C.T.

COLONY PARTNERS EAST, LP
(REMAINDER OF
227.6496 ACRES)
DOC. NO. 20010013820
O.P.R.E.P.C.T.

PROPOSED R-3 ZONING
PARCEL #9
212.581 ACRES
(9,260,029 S.F.)

DESERT BREEZE SUBDIVISION UNIT 2
DOC. NO. 2006009122
O.P.R.E.P.C.T.

HORIZON BLUFF GROWTH 32
(151.8402 ACRES)
DOC. NO. 20000087353
O.P.R.E.P.C.T.



GRAPHIC SCALE

1" = 500'

JANUARY, 2021
EL PASO COUNTY, TEXAS

MATCH LINE SHEET 8

SHEET 5 OF 7

PROPOSED R-3 ZONING, PARCEL 9, EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION OF 212.581 ACRE TRACT OF LAND SITUATED IN SURVEY NO. 32, BLOCK 78, TOWNSHIP 3, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS.

PROJECT:	212.581 ACRE TRACT
JOB NUMBER:	2035-148
DATE:	DECEMBER, 2020
SCALE:	1" = 500'
SURVEYOR:	ZAMORA
TECHNICIAN:	DVC
DRAWING:	2035-148-BASE-PARCEL 9.dwg
FIELDNOTES:	
PARTYCHECK:	
FIELDBOOKS:	

LOCATIONS

ZWA
Zamora, L.L.C.
Professional Land Surveyors
Texas Firm No. 1094200
1510 ZARAGOZA RD., SUITE B-8 • EL PASO, TX 79963
Tel: (915) 855-9009

SURVEY NUMBER 31

SURVEY NUMBER 31

LAND OF TEXAS, INC.
(147.875 ACRES)
DOC. NO. 20000067163
SEP. 25, 2000

331

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

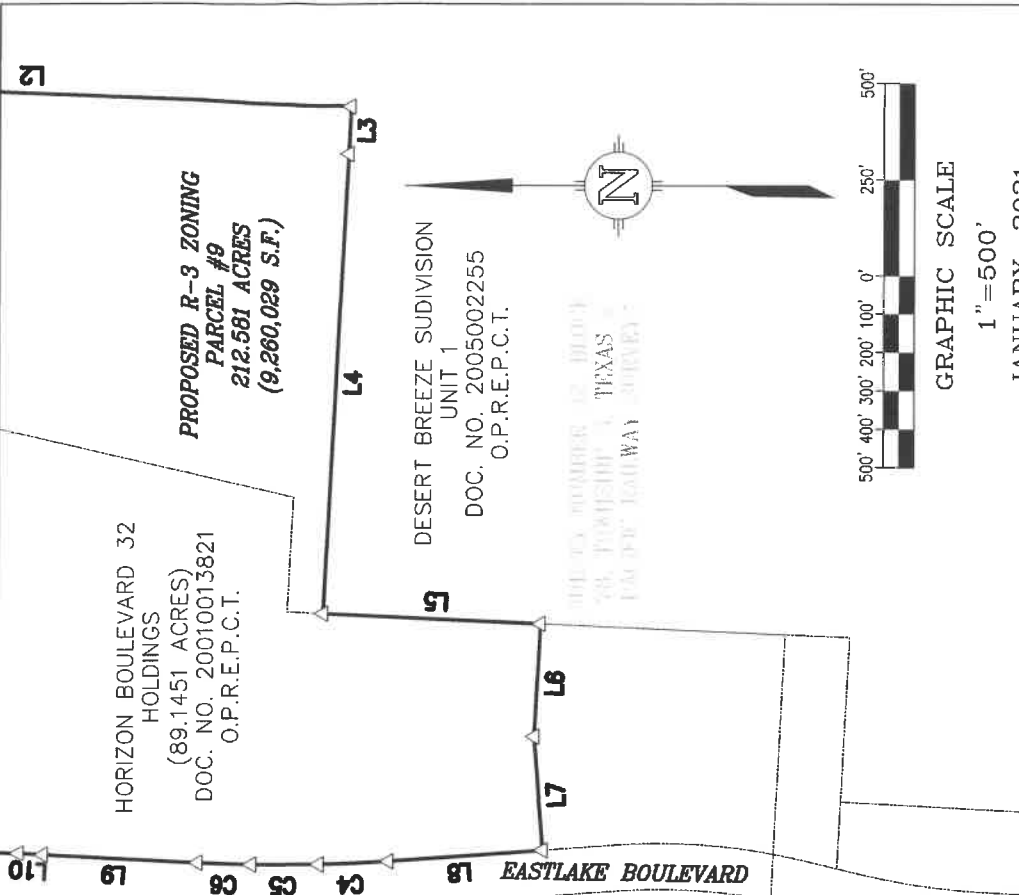
MATCH LINE SHEET 7

HORIZON BLUFF GROWTH 32
(151.8402 ACRES)
DOC. NO. 20000087353
O.P.R.E.P.C.T.

COLONY PARTNERS EAST, LP
(REMAINDER OF
227.6496 ACRES)
DOC. NO. 20010013820
O.P.R.E.P.C.T.

ITHACA DEVELOPMENT LLC
DOC. NO. 2016007283
O.P.R.E.P.C.T.

332



500' 400' 300' 200' 100' 0' 250' 500'

GRAPHIC SCALE

1" = 500'

JANUARY, 2021

EL PASO COUNTY, TEXAS

SHEET 6 OF 7

PROPOSED R-3 ZONING, PARCEL 9, EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION OF 212.581 ACRE

TRACT OF LAND SITUATED IN SURVEY NO. 32, BLOCK 78, TOWNSHIP 3, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS.

PROJECT: 212.581 ACRE TRACT
JOB NUMBER: PARCEL 9
DATE: DECEMBER, 2020
SCALE: 1" = 500'
SURVEYOR: ZAMORA
TECHNICIAN: DMC
DRAWING: 2035-148-BASE-PARCEL 9.0#1
FIELD NOTES:
PARTY CHIEF:
FIELD BOOKS:

LOCATIONS

ZWA
Zamora, L.L.C.
Professional Land Surveyors
Texas Firm No. 0194200
1510 ZARAGOZA RD, SUITE B-8 • EL PASO, TX 79963
Tel (915) 855-9008

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEGEND:

- 5/8" IRON ROD FOUND W/CAP "ZWA"
(UNLESS NOTED)
- 5/8" IRON ROD SET W/CAP "ZWA"
- ⊙ 3/4" IRON PIPE FOUND
(UNLESS NOTED)
- △ CALCULATED POINT

P.R.E.P.C.T. PLAT RECORDS EL PASO COUNTY, TEXAS

O.P.R.E.P.C.T. OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS

DOC. NO. DOCUMENT NUMBER

POB POINT OF BEGINNING

VOL. VOLUME

PG. PAGE

NOTE:

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.

META DATA:

ALL PROJECT COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(2011) (EPOCH 2010.00).

I, G. RENE ZAMORA, DO HEREBY CERTIFY THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

G. Rene Zamora
G. RENE ZAMORA

REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5682



CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	31.06'	88°59'13"	20.00'	S42°34'06"E	28.03'
C2	90.99'	15°47'51"	330.00'	S04°57'36"E	90.70'
C3	64.30'	15°21'03"	240.00'	S05°11'00"E	64.11'
C4	183.81'	2°40'23"	3940.00'	N02°48'07"W	183.79'
C5	173.75'	2°22'30"	4191.36'	N00°12'07"W	173.73'
C6	140.04'	2°02'11"	3940.00'	N02°04'46"E	140.03'
C7	1051.30'	51°55'37"	1160.00'	N22°51'57"W	1015.69'
C8	75.55'	2°46'29"	1560.00'	N50°13'00"W	75.54'
C9	93.47'	3°43'08"	1440.00'	N49°44'40"W	93.45'
C10	129.72'	5°09'41"	1440.00'	N45°18'16"W	129.68'

LINE	DIRECTION	DISTANCE
L1	S02°56'19"W	30.00'
L2	S02°29'32"W	1668.11'
L3	N87°30'53"W	123.77'
L4	N86°58'35"W	1200.23'
L5	S02°32'17"W	571.87'
L6	N86°58'35"W	294.70'
L7	S85°37'17"W	297.82'
L8	N04°08'18"W	403.82'
L9	N03°05'52"E	402.56'
L10	N03°05'52"E	63.13'
L11	N48°49'45"W	1131.38'
L12	N51°36'14"W	488.79'
L13	N47°53'06"W	372.24'
L14	N42°43'25"W	127.05'
L15	N02°28'46"E	97.52'

PROJECT: 212.581 ACRE TRACT
JOB NUMBER: 2035-148
DATE: DECEMBER, 2020
SCALE: 1" = 500'
SURVEYOR: ZAMORA
TECHNICIAN: DNC
DRAWING: 2035-148-BISE-PARCEL 9.dwg
FIELD NOTES:
PARTY/CHIEF:
FIELDBOOKS:

LOCATIONS

ZWA
Zamora, L.L.C.
Professional Land Surveyors
Texas Firm No. 0094200
150 ZARAGOZA RD., SUITE B-8 • EL PASO, TX 79963
Tel: (915) 855-9009

PROPOSED R-3 ZONING, PARCEL 9, EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION OF 212.581 ACRE TRACT OF LAND SITUATED IN SURVEY NO. 32, BLOCK 78, TOWNSHIP 3, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING ONE PARCEL FROM R-2 TO C-2; CONTAINING APPROXIMATELY 4.263 ACRES; BEING SITUATED IN SECTION 32, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS; NORTH AND EAST OF THE INTERSECTION OF EASTLAKE BOULEVARD AND HORIZON BOULEVARD (FM 1281); 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, for approximately 4.263 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.**

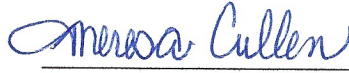
Town of Horizon City

By: _____
Ruben Mendoza, Mayor

ATTEST:

By: _____
Elvia Schuller, TRMC, City Clerk

APPROVED AS TO FORM:



Theresa Cullen, Assistant City Attorney

First Reading: 09/14/2021
Second Reading: 10/12/2021

LEGAL DESCRIPTION

DESCRIPTION OF A 4.263 ACRE TRACT OF LAND SITUATED IN SECTION 32, BLOCK 78, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, BEING A PART OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO COLONY PARTNERS EAST, LP, OF RECORD IN DOCUMENT NUMBER 20010013820, AND THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO HORIZON BOULEVARD 32 HOLDINGS, OF RECORD IN DOCUMENT NUMBER 20010013821, OFFICIAL PUBLIC RECORDS, EL PASO COUNTY, TEXAS; SAID 4.263 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 3/4 inch pipe found for the northeast corner of a 147.875 acre tract conveyed to Land of Texas, Inc., of record in Document No. 20000067163, Official Records, El Paso County, Texas, being also the northwest corner of that certain tract of land conveyed to Horizon Bluff Growth 32, of record in Document Number 20000087353, Official Public Records, El Paso County, Texas, and being the north line of Eastlake Boulevard, a variable width right of way;

THENCE, with the north and east lines of said Eastlake Boulevard, the following fifteen (15) courses and distances;

1. S 02°28'46" W, for a distance of 97.52 feet to a point;
2. S 42°43'25" E, for a distance of 127.05 feet to a point;
3. along a curve to the right, an arc distance of 129.72 feet, a radius of 1440.00 feet, a central angle of 05°09'41", and chord bearing S 45°18'16" E a distance of 129.68 feet to a point at the end of said curve;
4. S 47°53'06" E, for a distance of 372.24 feet to a point;
5. along a curve to the left, an arc distance of 93.47 feet, a radius of 1440.00 feet, a central angle of 03°43'08", and chord bearing S 49°44'40" E a distance of 93.45 feet to a point at the end of said curve;
6. S 51°36'14" E, for a distance of 488.79 feet to a point;
7. along a curve to the left, an arc distance of 75.55 feet, a radius of 1560.00 feet, a central angle of 02°46'29", and chord bearing S 50°13'00" E a distance of 75.54 feet to a point at the end of said curve;

8. S 48°49'45" E, a distance of 1131.38 feet to a point;
9. along a curve to the left, an arc distance of 1051.30 feet, a radius of 1160.00 feet, a central angle of 51°55'37", and chord bearing S 22°51'57" E a distance of 1015.69 feet to a point at the end of said curve
10. S 03°05'52" W, a distance of 63.13 feet to a point;
11. S 03°05'52" W, a distance of 402.56 feet to a point;
12. along a curve to the right, an arc distance of 140.04 feet, a radius of 3940.00 feet, a central angle of 02°02'11", and chord bearing S 02°04'46" W a distance of 140.03 feet to a point at the end of said curve;
13. along a curve to the right, an arc distance of 173.75 feet, a radius of 4191.36 feet, a central angle of 02°22'30", and chord bearing S 00°12'07" E a distance of 173.73 feet to a point at the end of said curve;
14. along a curve to the right, an arc distance of 183.81 feet, a radius of 3940.00 feet, a central angle of 02°40'23", and chord bearing S 02°48'07" E a distance of 183.79 feet to a point at the end of said curve;
15. S 04°08'18" E, for a distance of 403.82 feet to a point for the northwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, departing said east line of said Eastlake Boulevard, over and across said Horizon Boulevard 32 Holdings tract and said Colony Partners East, LP tract, the following four (4) courses and distances;

1. N 85°37'17" E, a distance of **297.82 feet** to an angle point on the north line of the herein described tract;
2. S 86°58'35" E, a distance of **294.70 feet** to a point at the northeast corner of the herein described tract;
3. S 02°32'17" W, a distance of **804.66 feet** to a point at the southeast corner of the herein described tract;
4. N 86°57'08" W, a distance of **604.16 feet** to a point on the east line of said Eastlake Boulevard, at the southwest corner of the herein described tract;

THENCE, continuing along the east line of said Eastlake Boulevard along the west line of the herein described tract, the following three (3) courses and distances;

1. **N 13°40'33" E**, a distance of **90.69 feet** to a point at the beginning of a curve to the left;
2. along a curve to the left, an arc distance of **485.70 feet**, a radius of **1560.14 feet**, a central angle of **17°50'14"**, and chord bearing **N 04°46'50" E** a distance of **483.74 feet** to a point at the end of said curve;
3. **N 04°08'18" W**, a distance of **194.89 feet** to the point of **POINT OF BEGINNING** and containing **4.263** acres of land.

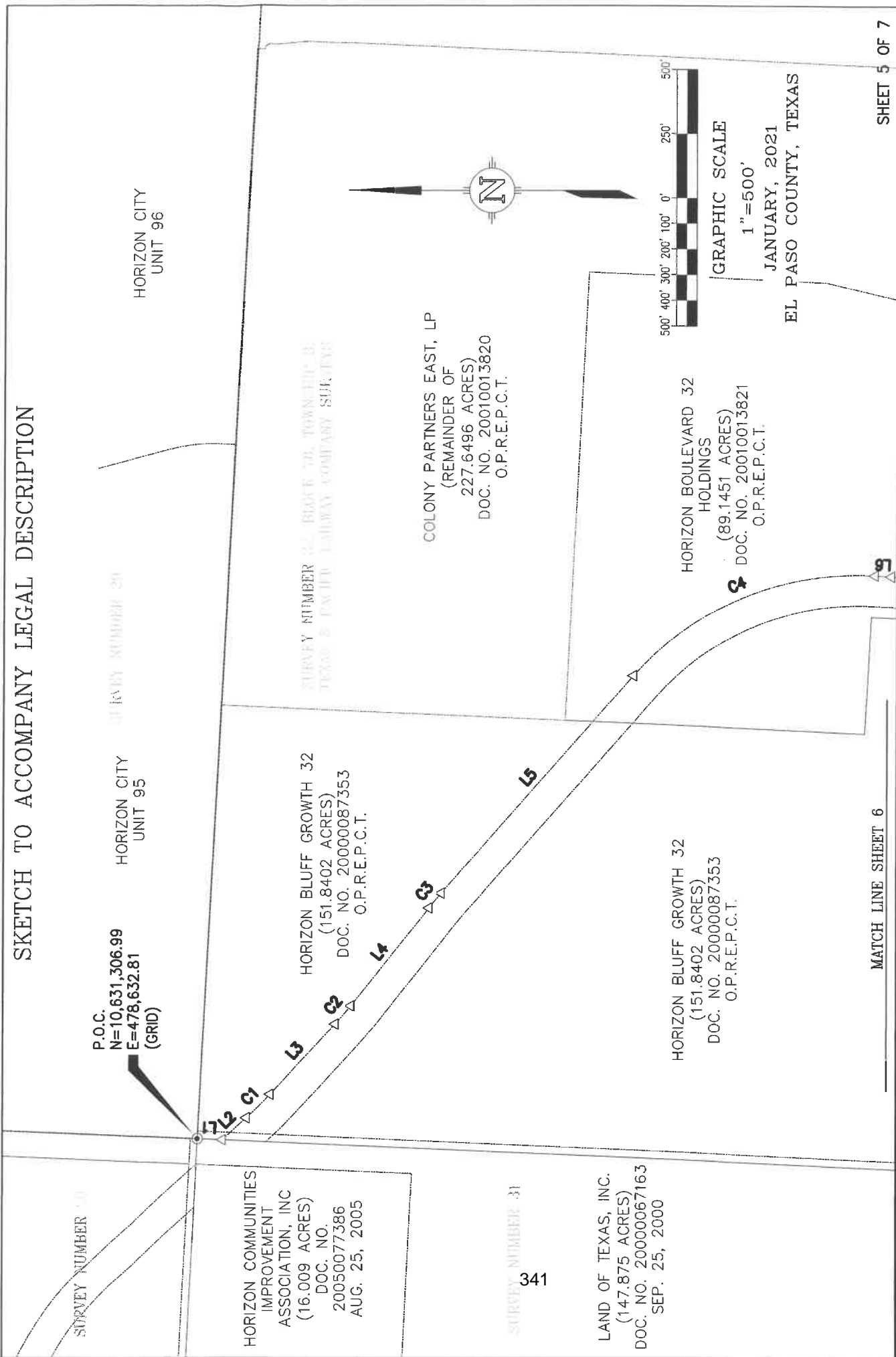
BEARING BASIS

THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD83 (93) HARN U.S. SURVEY FEET. THE BEARINGS SHOWN ARE GRID. A COMBINED SCALE FACTOR 0.99977223. ALL DISTANCE SHOWN ARE SURFACE DISTANCES.

SURVEYORS NOTE

THE CONSTRUCTION/LOCATION OF SURVEY BOUNDARIES AND CORNERS, WAS BASED UPON THE PRESCRIBED, ACCEPTED METHOD OF USING THE ORIGINAL OR PERPETUATED CORNER MONUMENTS FOUND AT THE NORTHWEST CORNER OF SECTION NO. 42, BLOCK 78, TOWNSHIP 3, (2-IN IRON PIPE FOUND) AND THE NORTHWEST CORNER OF SECTION NO. 18, BLOCK 80, TOWNSHIP 2, (BRASS ARMY DISK ON CONCRETE MONUMENT RECOGNIZED AS THE SURVEY CORNER) AS A BASELINE RUNNING DIAGONALLY (N 42°38'01" W, 32,405.40 VARAS ~ 90,014.99 FEET) ACROSS THE SURVEYS AS RUN BY PAUL MCCOMBS IN 1883; THE NORTH-SOUTH AND EAST-WEST SURVEY LINES ARE ORIENTED 45-DEGREES OFF THIS BASELINE AND RUN FROM FOUND, ACCEPTED SURVEY CORNERS MONUMENTS ALONG OR NEAR THE BASELINE, OR FROM PRORATED SURVEY CORNER POSTIONS ALONG THE BASELINE AT MISSING CORNERS.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



P.O.C.
N=10,631,306.99
E=478,632.81
(GRID)

HORIZON CITY
UNIT 95

HORIZON CITY
UNIT 96

HORIZON COMMUNITIES
IMPROVEMENT
ASSOCIATION, INC
(16.009 ACRES)
DOC. NO.
20050077386
AUG. 25, 2005

SURVEY NUMBER 31
341

LAND OF TEXAS, INC.
(147.875 ACRES)
DOC. NO. 20000067163
SEP. 25, 2000

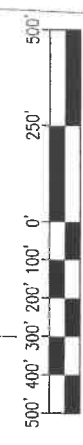
HORIZON BLUFF GROWTH 32
(151.8402 ACRES)
DOC. NO. 20000087353
O.P.R.E.P.C.T.

HORIZON BLUFF GROWTH 32
(151.8402 ACRES)
DOC. NO. 20000087353
O.P.R.E.P.C.T.

COLONY PARTNERS EAST, LP
(REMAINDER OF
227.6496 ACRES)
DOC. NO. 20010013820
O.P.R.E.P.C.T.

HORIZON BOULEVARD 32
HOLDINGS
(89.1451 ACRES)
DOC. NO. 20010013821
O.P.R.E.P.C.T.

SURVEY NUMBER 32, BLOCK 78, TOWNSHIP 3,
TEXAS & PACIFIC RAILWAY COMPANY SURVEY



JANUARY, 2021
EL PASO COUNTY, TEXAS

MATCH LINE SHEET 6

SHEET 5 OF 7

LOCATIONS

ZWA
Zamora, L.L.C.
Professional Land Surveyors
Texas Firm No. 1094200
1510 ZARAGOZA RD., SUITE B-8 • EL PASO, TX 79963
Tel: (915) 855-9009

PROJECT: 4.263 ACRE TRACT
JOB NUMBER: 2035-148
DATE: DECEMBER, 2020
SCALE: 1" = 500'
SURVEYOR: ZAMORA
TECHNICIAN: DMC
DRAWING: 2035-148-BSE-PARCEL 10.dwg
FIELD NOTES:
PARTY CHIEF:
FIELD BOOKS:

PROPOSED C-2 ZONING, PARCEL 10
EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION OF 4.263 ACRE
TRACT OF LAND SITUATED IN SURVEY NO. 32, BLOCK 78, TOWNSHIP 3,
TEXAS & PACIFIC RAILWAY COMPANY SURVEYS,
EL PASO COUNTY, TEXAS.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

MATCH LINE SHEET 5

HORIZON BLUFF GROWTH 32
(151.8402 ACRES)
DOC. NO. 20000087353
O.P.R.E.P.C.T.

COLONY PARTNERS EAST, LP
(REMAINDER OF
227.6496 ACRES)
DOC. NO. 20010013820
O.P.R.E.P.C.T.

ITHACA DEVELOPMENT LLC
DOC. NO. 2016007283
O.P.R.E.P.C.T.

P.O.B.
N=10,627,317.16
E=480,850.35
(GRID)

HORIZON BOULEVARD 32
HOLDINGS
(89.1451 ACRES)
DOC. NO. 20010013821
O.P.R.E.P.C.T.

SURVEY NUMBER 32 BLOCK 78, TOWNSHIP 31,
TEXAS AS FACED RAILWAY COMPANY SURVEY

PROPOSED C-2
ZONING
PARCEL #10
4.263 ACRES
(455,073 S.F.)

HUNT HORIZON
CROSSING 2 LP
DOC. NO. 20070100990
O.P.R.E.P.C.T.



GRAPHIC SCALE

1"=500'

JANUARY, 2021
EL PASO COUNTY, TEXAS

SHEET 6 OF 7

LOCATIONS



ZWA

Zamora, L.L.C.
Professional Land Surveyors
Texas Firm No. 1094200
1510 ZARAGOZA RD., SUITE B-8 • EL PASO, TX 79963
Tel (915) 855-9009

PROJECT: 4.263 ACRE TRACT

JOB NUMBER: 2035-148

DATE: DECEMBER, 2020

SCALE: 1"= 500'

SURVEYOR: ZAMORA

TECHNICIAN: DMC

DRAWING: 2035-148-BASE-PARCEL 10.dwg

FIELDNOTES:

PARTYCHECK:

FIELDBOOKS:

PROPOSED C-2 ZONING, PARCEL 10

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION OF 4.263 ACRE

TRACT OF LAND SITUATED IN SURVEY NO. 32, BLOCK 78, TOWNSHIP 3,
TEXAS & PACIFIC RAILWAY COMPANY SURVEYS,
EL PASO COUNTY, TEXAS.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEGEND:

- 5/8" IRON ROD FOUND W/CAP "ZWA"
(UNLESS NOTED)
- 5/8" IRON ROD SET W/CAP "ZWA"
- ⊙ 1" GALVANIZED IRON PIPE FOUND
(UNLESS NOTED)
- △ CALCULATED POINT

P.R.E.P.C.T. PLAT RECORDS EL PASO COUNTY, TEXAS

O.P.R.E.P.C.T. OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS

DOC. NO. DOCUMENT NUMBER

POB POINT OF BEGINNING

VOL. VOLUME

PG. PAGE

NOTE:

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.

META DATA:

ALL PROJECT COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(2011) (EPOCH 2010.00).

I, G. RENE ZAMORA, DO HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

G. Rene Zamora

G. RENE ZAMORA
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5682



LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	S02°28'46"W	97.73'
L2	S42°43'25"E	127.05'
L3	S47°53'06"E	372.24'
L4	S51°36'14"E	488.79'
L5	S48°49'45"E	1131.38'
L6	S03°05'52"W	63.13'
L7	S03°05'52"W	402.56'
L8	S04°08'18"E	403.82'
L9	N85°37'17"E	297.82'
L10	S86°58'35"E	294.70'
L11	S02°32'17"W	804.66'
L12	N86°57'08"W	604.16'
L13	N13°40'33"E	90.69'
L14	N04°08'18"W	194.89'

CURVE TABLE					
CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	129.72'	5°09'41"	1440.00'	S45°18'16"E	129.68'
C2	93.47'	3°43'08"	1440.00'	S49°44'40"E	93.45'
C3	75.55'	2°46'29"	1560.00'	S50°13'00"E	75.54'
C4	1051.30'	51°55'37"	1160.00'	S22°51'57"E	1015.69'
C5	140.04'	2°02'11"	3940.00'	S02°04'46"W	140.03'
C6	173.75'	2°22'30"	4191.36'	S00°12'07"E	173.73'
C7	183.81'	2°40'23"	3940.00'	S02°48'07"E	183.79'
C8	485.70'	17°50'14"	1560.14'	N04°46'50"E	483.74'

LOCATIONS



ZWA

Zamora, L.L.C.
Professional Land Surveyors
Texas Firm No. 0794200
1510 ZARAGOZA RD, SUITE B-8 • EL PASO, TX 79963
Tel: (915) 855-9008

PROJECT: 4.263 ACRE TRACT
JOB NUMBER: 2035-148
DATE: DECEMBER, 2020

SCALE: 1" = 500'
SURVEYOR: ZAMORA
TECHNICIAN: DMC
DRAWING: 2035-148-BISE-PARCEL 10.dwg
FIELDNOTES:
PARTYCHIEF:
FIELDBOOKS:

PROPOSED C-2 ZONING, PARCEL 10

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION OF 4.263 ACRE TRACT OF LAND SITUATED IN SURVEY NO. 32, BLOCK 78, TOWNSHIP 3, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS