



HORIZON CITY

Incorporated 1988

**AGENDA
PUBLIC MEETING
REGULAR CITY COUNCIL MEETING
THE TOWN OF HORIZON CITY, TEXAS
Tuesday, November 9, 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, November 9, 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:** **4**

Mayor/City Clerk
October 12, 2021, Regular City Council Meeting.

- 4. Discussion and Action:** **13**

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

- 5. Discussion and Action:** **42**

Mayor/Planning Director
On a recording plat application and authorizing the Mayor to sign the recording plat for the Aria Subdivision (#SUB002477-2021), legally described as a portion of the 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 RR Co. Surveys, El Paso County, Texas. Application submitted by CAD Consulting Co.

- 6. Discussion and Action:** **56**

Mayor/Planning Director
On a Resolution authorizing the Mayor to sign a Memorandum of Understanding by and between the Town of Horizon City, Texas and El Paso County, Texas to identify responsibilities for the design, construction, installation, and maintenance of a passenger bus shelter along Darrington Road within the city limits of the Town of Horizon City, Texas.

- 7. Request to Excuse Absent Council Members:**

REGULAR AGENDA

- 8. Discussion:** **61**

Mayor/HR Coordinator
1st Reading of Ord 0271 Amendment No. 1, An ordinance amending Ordinance No. 0271 of the Town of Horizon City, authorizing and allowing, under the act governing the Texas Municipal Retirement System, Restricted Prior Service Credit to employees who are members of the system for service previously performed for various other public entities for which they have not received credited service; to clarify an effective date of August 1, 2021, and providing for repealer and severability clauses.

9. PUBLIC HEARING:

Mayor/Finance Director

2nd Reading of Ordinance No. 0272 Amendment No. 01, An Ordinance amending Ordinance No. 0272 of the Town of Horizon City, adopting the municipal budget for the 2021-2022 fiscal year, to allow for the budgeting and expenditure of funds to further the development of the Transit Oriented Development/Town Center project; and providing for repealer and severability clauses.

10. Discussion and Action: **64**

Mayor/Finance Director

2nd Reading of Ordinance No. 0272 Amendment No. 01, An Ordinance amending Ordinance No. 0272 of the Town of Horizon City, adopting the municipal budget for the 2021-2022 fiscal year, to allow for the budgeting and expenditure of funds to further the development of the Transit Oriented Development/Town Center project; and providing for repealer and severability clauses.

11. Discussion and Action: **68**

Mayor/Purchasing Agent

On a resolution approving the submittal of a request to the Texas Comptroller of Public Accounts to approve the Town of Horizon City's participation in the Texas Comptroller of Public Accounts Cooperative Purchasing Program.

12. Discussion and Action: **69**

Mayor/Asst. City Atty

On the reappointment of Alderman Miller for a seat on the El Paso Central Appraisal District Board of Directors.

13. Discussion and Action: **73**

Mayor/Asst. City Atty

On a Resolution of the City Council of the Town of Horizon City, authorizing participation with the State of Texas, through the Office of the Attorney General, in the Global Opioid Settlement and approving the term sheet; and authorizing the mayor to execute all necessary related documents.

14. Executive Session

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

A. Discussion and Action:

Mayor/EDC Executive Director

On real estate acquisitions for Transit Oriented Development/City Hall Development (551.071) (552.087).

Adjournment:

Motion to Adjournment: _____ 2nd _____

Dated this Friday, 11/5/21

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, 11/5/21 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
REGULAR CITY COUNCIL MEETING
THE TOWN OF HORIZON CITY, TEXAS
Tuesday, October 12, 2021, 6:00 PM**

Notice is hereby given that a Regular City Council Meeting of the Town of Horizon City, Texas was held on **Tuesday, October 12, 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. Aldermen Miller, Duran and Renteria were absent. Quorum Established.

2. Open Forum:

No one signed up to speak.

CONSENT AGENDA

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

3. Approval of Minutes from:

9/28/21 Special City Council Meeting.

4. Discussion and Action:

Mayor/Planning Director

On a Resolution authorizing the Mayor to sign a License Agreement between the Town of Horizon City and Double H Contracting, Inc. for the use of City property as a staging area for the Darrington Road phase of the Street Maintenance Program project and ratifying the approval given by the Mayor for Double H Contractors, Inc. to use such property as a staging area.

5. Discussion and Action:

Mayor/CIP Manager

On an update on the Capital Improvement Program.

6. Request to Excuse Absent Council Members:

A motion was made by Alderman Ortega and seconded by Alderman Padilla to approve the Consent Agenda. Alderman Ortega amended his motion to include excusing the absent Council Members. Alderman Padilla seconded the amended motion. The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

REGULAR AGENDA

7. **Discussion and Action:**

Mayor/HR Coordinator

On a resolution authorizing the Mayor to sign a Client Services Agreement for Human Resource Services between the Town of Horizon City and Cano HR Group, LLC to provide human resource consulting services.

HR Coordinator, Elizabeth Acosta and Cano HR Account Manager, Cynthia Ramirez spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderman Ortega to approve the resolution authorizing the Mayor to sign a Client Services Agreement for Human Resource Services between the Town of Horizon City and Cano HR Group, LLC to provide human resource consulting services. The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

8. **Discussion:**

Mayor/Finance Director

1st Reading of Ordinance No. 0272 Amendment No. 01, An Ordinance amending Ordinance No. 0272 of the Town of Horizon City, adopting the municipal budget for the 2021-2022 fiscal year, to allow for the budgeting and expenditure of funds to further the development of the Transit Oriented Development/Town Center project; and providing for repealer and severability clauses.

Finance Director, Pat Randleel spoke regarding this item.

9. **Discussion and Action:**

Mayor/Purchasing Agent

On the purchase of a Street's Department vehicle using CARES Act funding in an amount of \$30,400.86 and to allow the Mayor or designee to issue purchase orders.

Purchasing Agent, Efisio Setzu spoke regarding this item.

A motion was made by Alderman Corral and seconded by Alderman Ortega to approve the purchase of a Street's Department vehicle using CARES Act funding in an amount of \$30,400.86 and to allow the Mayor or designee to issue purchase orders. The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

10. **Discussion and Action:**

Mayor/EDC Executive Director

On a resolution that the Town of Horizon City, Texas supports the application submitted to the U.S. Economic Development Administration's Build Back Better Regional Challenge by the University of Texas at El Paso's Aerospace Center on behalf of the West Texas Aerospace and Defense Manufacturing Coalition and authorizing the Mayor to send a Letter of Support for the application.

EDC Executive Director, Eduardo Garcia spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderman Corral to approve the resolution that the Town of Horizon City, Texas supports the application submitted to the U.S. Economic Development Administration's Build Back Better Regional Challenge by the University of Texas at El Paso's Aerospace Center on behalf of the West Texas Aerospace and Defense Manufacturing Coalition and authorizing the Mayor to send a Letter of Support for the application. The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

11. **Discussion and Action:**

Mayor/EDC Executive Director

On a resolution adopting the Horizon City Incentives Policy, Guidelines and Criteria dated October 2021 and repealing the Horizon City Incentives Policy Guidelines and Criteria dated December 2013.

EDC Executive Director, Eduardo Garcia spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderman Corral to approve the resolution adopting the Horizon City Incentives Policy, Guidelines and Criteria dated October 2021 and repealing the Horizon City Incentives Policy Guidelines and Criteria dated December 2013.

The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

The Public Hearings for Items #12 through #31 were taken together.

12. **PUBLIC HEARING:**

Mayor/Planning Director

2nd 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.

Planning Director, Michelle Padilla and Hunt Companies VP, Joel Guzman spoke regarding this item. No one from the public spoke on the public hearings.

13. **Discussion and Action:**

Mayor/Planning Director

2nd 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.

Planning Director, Michelle Padilla spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderman Corral to approve the 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.

The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

14. **PUBLIC HEARING:**

Mayor/Planning Director

2nd 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.

15. **Discussion and Action:**

Mayor/Planning Director

2nd 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.

Planning Director spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderman Corral to approve the 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. The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

16. **PUBLIC HEARING:**

Mayor/Planning Director

2nd 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.

17. **Discussion and Action:**

Mayor/Planning Director

2nd 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.

Planning Director, Michelle Padilla spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderman Corral to approve the 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. The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

18. **PUBLIC HEARING:**

Mayor/Planning Director

2nd 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.

19. **Discussion and Action:**

Mayor/Planning Director

2nd 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.

Planning Director, Michelle Padilla spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderman Quiroz to approve the 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. The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

20. **PUBLIC HEARING**

Mayor/Planning Director

2nd 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.

21. **Discussion and Action:**

Mayor/Planning Director

2nd 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.

Planning Director, Michelle Padilla spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderman Corral to approve the 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. The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

22. **PUBLIC HEARING:**

Mayor/Planning Director

2nd 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.

23. **Discussion and Action:**

Mayor/Planning Director

2nd 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.

Planning Director, Michelle Padilla spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderman Corral to approve the 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. The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

24. **PUBLIC HEARING:**

Mayor/Planning Director

2nd 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.

25. **Discussion and Action:**

Mayor/Planning Director

2nd 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.

Planning Director, Michelle Padilla spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderman Corral to approve the 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. The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

26. **PUBLIC HEARING:**

Mayor/Planning Director

2nd 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.

27. **Discussion and Action:**

Mayor/Planning Director

2nd 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.

Planning Director, Michelle Padilla spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderman Corral to approve the 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. The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

28. **PUBLIC HEARING:**

Mayor/Planning Director

2nd 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.

29. **Discussion and Action:**

Mayor/Planning Director

2nd 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.

Planning Director, Michelle Padilla spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderman Quiroz to approve the 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. The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

30. **PUBLIC HEARING:**

Mayor/Planning Director

2nd 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.

31. Discussion and Action:

Mayor/Planning Director

2nd 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.

Planning Director, Michelle Padilla spoke regarding this item.

A motion was made by Alderman Padilla and seconded by Alderman Quiroz to approve the 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. The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

32. Discussion and Action:

Mayor/CIP Manager

On a resolution authorizing the Mayor to sign an Advance Funding Agreement between the Town of Horizon City, Texas and the State of Texas, acting by and through the Texas Department of Transportation, for the HSIP FY23-Darrington Road Safety Lights Project (CSJ #0924-06-644).

CIP Manager, Terry Quezada spoke regarding this item.

A motion was made by Alderman Corral and seconded by Alderman Quiroz to approve the resolution authorizing the Mayor to sign an Advance Funding Agreement between the Town of Horizon City, Texas and the State of Texas, acting by and through the Texas Department of Transportation, for the HSIP FY23-Darrington Road Safety Lights Project (CSJ #0924-06-644). The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

33. Discussion and Action:

Mayor/CIP Manager

On a resolution authorizing the Mayor to sign an Advance Funding Agreement between the Town of Horizon City, Texas and the State of Texas, acting by and through the Texas Department of Transportation, for the HSIP FY22- North Kenazo Avenue Safety Lighting Project (CSJ #0924-06-643).

CIP Manager, Terry Quezada spoke regarding this item.

A motion was made by Alderman Corral and seconded by Alderman Quiroz to approve the resolution authorizing the Mayor to sign an Advance Funding Agreement between the Town of Horizon City, Texas and the State of Texas, acting by and through the Texas Department of Transportation, for the HSIP FY22- North Kenazo Avenue Safety Lighting Project (CSJ #0924-06-643). The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

34. Discussion and Action:

Mayor/Asst. City Atty

On a Resolution to Deny the Proposed Rate Change requested by El Paso Electric Company's Petition and Statement of Intent to Change Rates dated June 1, 2021, Public Utility Commission of Texas, Docket No. 52195.

Asst. City Atty, Terry Cullen spoke regarding this item.

A motion was made by Alderman Corral and seconded by Alderman Quiroz to approve the Resolution to Deny the Proposed Rate Change requested by El Paso Electric Company's Petition and Statement of Intent to Change Rates dated June 1, 2021, Public Utility Commission of Texas, Docket No. 52195. The CITY CLERK polled the Council: MILLER – Absent; QUIROZ – Aye; ORTEGA – Aye; RENTERIA – Absent; DURAN – Absent; PADILLA – Aye; CORRAL – Aye. Motion passed.

35. **Executive Session**

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

ADJOURNMENT

A motion was made by Alderman Corral and seconded by Alderman Quiroz to adjourn at 7:08 PM.

Approved this ____ day of _____, 20__.

Attest:

Elvia Schuller, City Clerk

Ruben Mendoza, Mayor

Town of Horizon City Capital Improvement Program

Council Meeting
November 9, 2021

Oxbow & Pawling Street Improvements

- Have begun coordinating with HRMUD's water line projects on Breaux and Oxbow
- Project will likely follow HRMUD project for improvements on Horizon Blvd., Breaux and Oxbow – mid 2022.
- Most recent information from HRMUD:
 - HRMUD award November 2021
 - Line installation on Pawling and Breaux through late February 2022

Municipal Facilities – Phase 1

- Staff continues to work on final application for USDA which requires a department-specific environmental document
- Staff coordinating with bond counsel for debt issuance

Municipal Facilities – Phase 1

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

- Council approval of the letter of intent outlining loan conditions
- Updating engagement with bond counsel
- Bond ordinance
- USDA review of final plans and specifications – coordinating with consultant and USDA

Municipal Facilities – Phase 1



Rendering from Exigo Architecture – December 2020

Golden Eagle Park

Construction

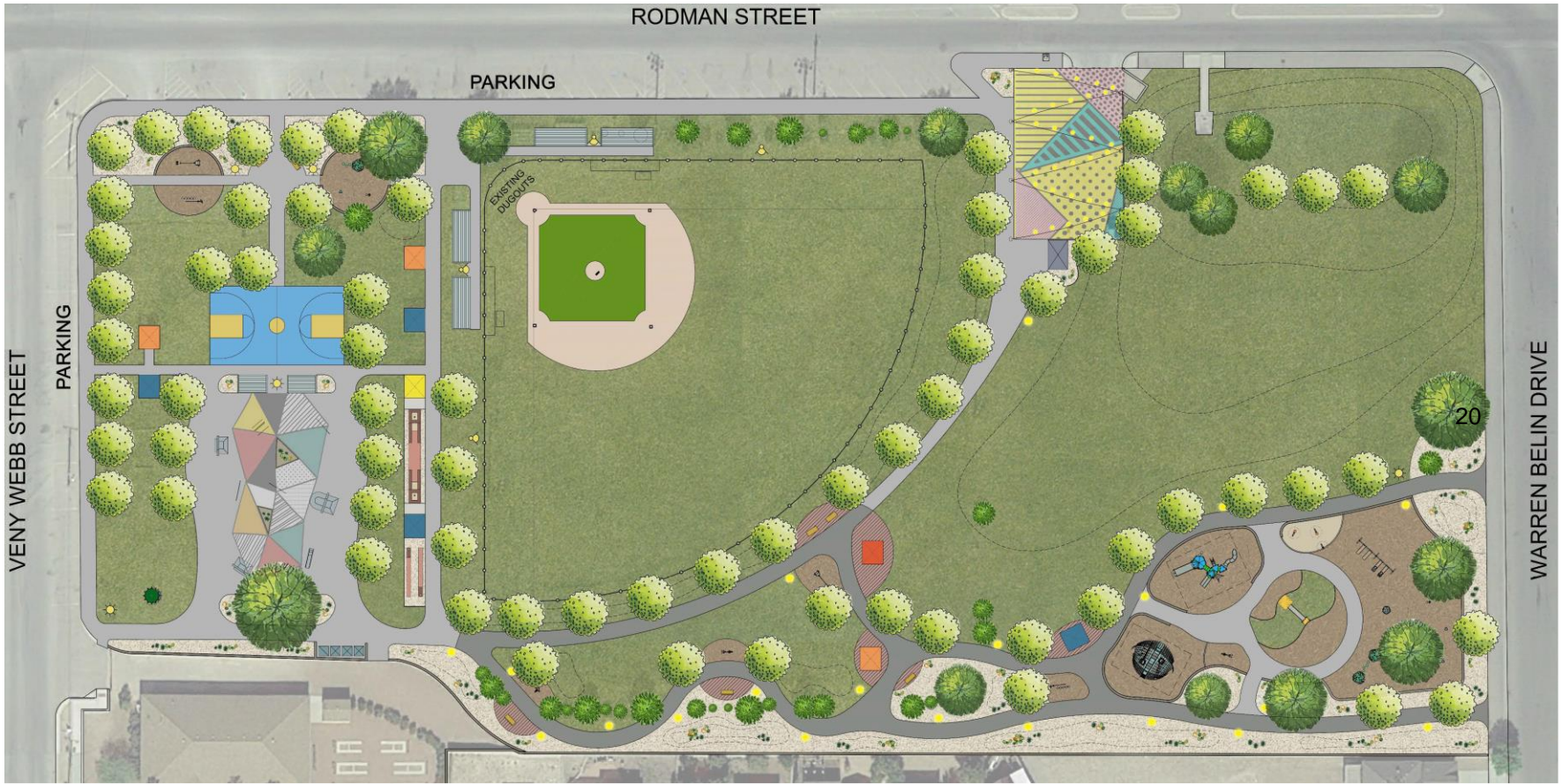
- Construction contract awarded September 16, 2019
- Construction Start – Fall 2019
- Scheduled completion date – Fall 2020
- During July 2021
 - Leaks were addressed
 - Turf time was granted
- Working with contractor to close-out project – pending final change orders for work completed and liquidated damages to be assessed.

Desmond Corcoran (Corky) Park

Construction

- Construction start – January 11, 2021
- Working with HRMUD for irrigation line connection
- Completion winter 2021/2022

Desmond Corcoran (Corky) Park



Corky Park



21



Corky Park



Benton/Ryderwood Dog Park

- Updating scope
- Scheduling design to begin in first calendar quarter of 2022

Regional Park

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

Regional Park

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

ADA Transition Plan

- Statements of qualifications have been received.
- In evaluation phase.

Street Maintenance Fund

2020 Street Maintenance Program

Maintenance efforts on

- **N. Darrington**
- **Duanesburg from McMahan to S. Kenazo**
- **Acra**

Coordinated with HRMUD to allow them to locate valves on N. Darrington ahead of contractor. Will help with N. Darrington Reconstruction project.

2021 Street Maintenance

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

- **Breaux** – to be packaged with Oxbow & Pawling

Federally- & State-Funded Project Updates

N. Darrington Reconstruction

- Environmental approval expected in October or November 2021 – pending Funding Agreement.
- Project will be re-scheduled for construction award in **FY 2023**
- Town staff continues working with TXDOT and design team to develop project

N. Darrington Reconstruction

- Staff continues to work with TXDOT and MPO for full funding; proposing to swap out traditional Surface Transportation Program Funds for Coronavirus Response and Relief Supplemental Appropriation Act (CRRSAA) funds which do not require a local match.
- MPO is not anticipating significant increase in available funding as a result of Build Back Better
- Staff developing funding options for gap between existing funding and project estimate.

N. Darrington Reconstruction - ROW

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

Safety Projects

- Town submitted several projects for safety funding consideration through TXDOT
- 2 projects are were **approved** for construction
 - **S. Darrington Safety Lighting** from Alberton to LTV Rd. – **FY 2023**
 - **N. Kenazo Safety Lighting** from Eastlake to Horizon Blvd. – **FY 2022**
- Pending budget allocation from 2014 C.O.s.

Funding Updates – 2050 MTP

2050 Metropolitan Transportation Plan (MTP)

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

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

All projects are recommended for inclusion in MTP.

Proposed MTP Projects

Project	MTP Year
S. Darrington Rd. Repaving (Oxbow to Alberton)	2041
N.. Kenazo Ave. Reconstruction (Eastlake to Horizon)	2041
Alberton Ave/Antwerp Rd. Construction	2041
Dilley & Delake (TOD Phase 1 Roadways)	2025
Transit Plaza with park & ride (TOD)	2025
Horizon City – Socorro Circulator Bus Route	2029
Horizon City – UTEP Express Route	2029

TIRZ/TOD Update

TIRZ Update

TOD Architectural Design Guidelines – anticipate to have a firm on contract by end of 2021.

TIRZ Update

Coordinating with Camino Real Regional Mobility Authority (CRRMA) for next steps

- Proposed Agreement with CRRMA to assist with project development;
- Advertising for design of transportation elements

Town of Horizon City Capital Improvement Program

Council Meeting
November 9, 2021



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: November 4, 2021

To: Honorable Mayor and Members of City Council

From: Michelle Padilla, Planning Director

SUBJECT: On a recording plat application and authorizing the Mayor to sign the recording plat for the Aria Subdivision (#SUB002477-2021), legally described as a portion of the 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 RR Co. Surveys, El Paso County, Texas. Application submitted by CAD Consulting Co.

On September 28, 2021, the City Council approved the preliminary and final plats for the subject property and exempted the development from the requirement to construct the additional roadway improvements along Alberton Avenue, within an additional 25 feet of right-of-way that is being dedicated by the plat.

Staff recommends that the City Council approve the recording plat and authorize the Mayor to sign the plat so that it can be recorded. The subject property is located within the City's extraterritorial jurisdiction and requires approval from the El Paso County Commissioners Court as well.

Attached for your review is the memo and staff report that was presented at the September 28, 2021 City Council meeting and the recording plat.



**TOWN OF HORIZON CITY
MEMORANDUM**

Date: July 8, 2021; **REVISED September 28, 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 recommend 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.~~

The applicant has revised the plats to address all staff comments. The required additional right-of-way is being dedicated with the plat. However, the Applicant's engineer has provided information that indicates that the development will be used as a residential property and based on that, the City's engineer has determined that the additional improvements to the roadway are not necessitated by nor are they attributable to the development. Additionally, the County of El Paso has stated that they prefer that the additional improvements not be completed as they would be responsible for the maintenance of such improvements. Therefore, staff is requesting that the City Council exempt this development from the requirement to construct the additional improvements.

Attached is the staff report that was presented to the Planning and Zoning Commission, and the revised plats, and the development use report.



**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

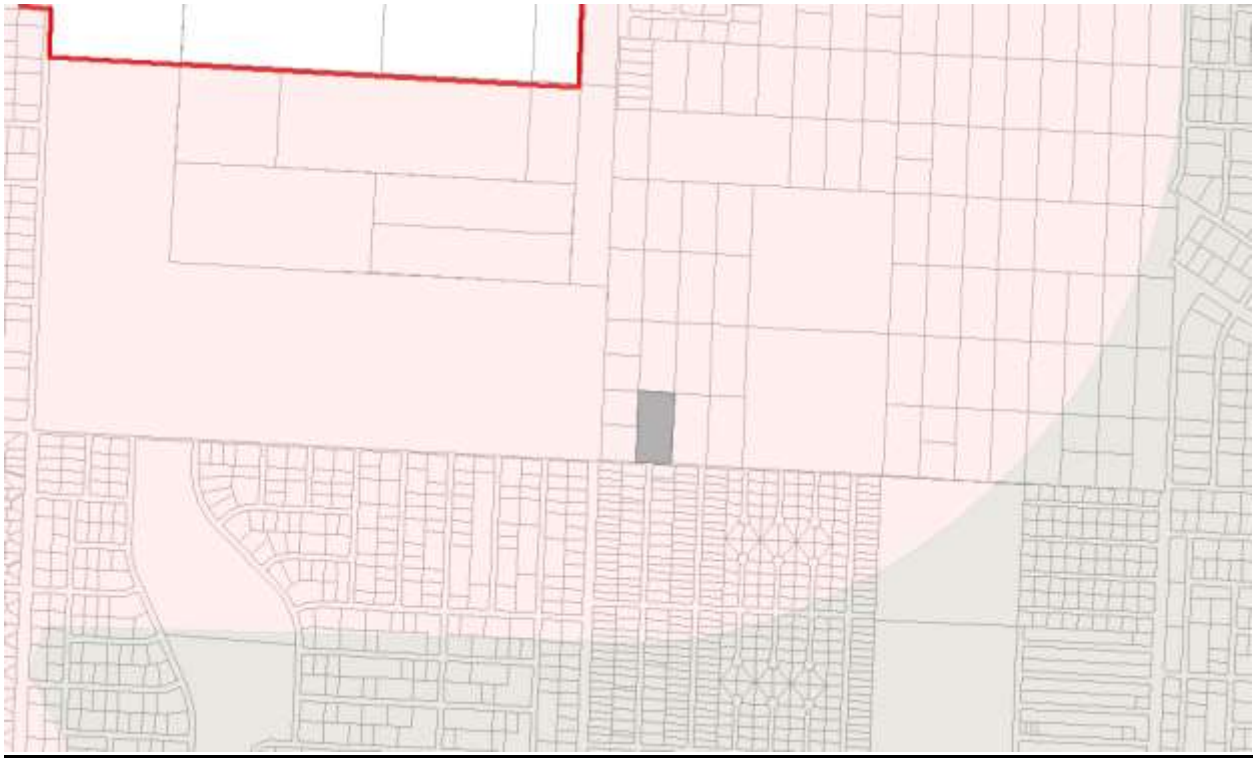
El Paso Central Appraisal District Comments:





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 SW 1/4 OF 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 (NAME & ADDRESS) (EMAIL) 915-603-1370 (PHONE)

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

16. ENGINEER 45 ENGINEERING (NAME & ADDRESS) (EMAIL) 915-443-9644 (PHONE)

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

18. REP/POINT OF CONTACT CAD CONSULTING CO (NAME & ADDRESS) (EMAIL) 915-633-6422 (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 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 & 6.1.7, 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 B... (NAME & ADDRESS) _____ (EMAIL) _____ (PHONE) 915-443-9644

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

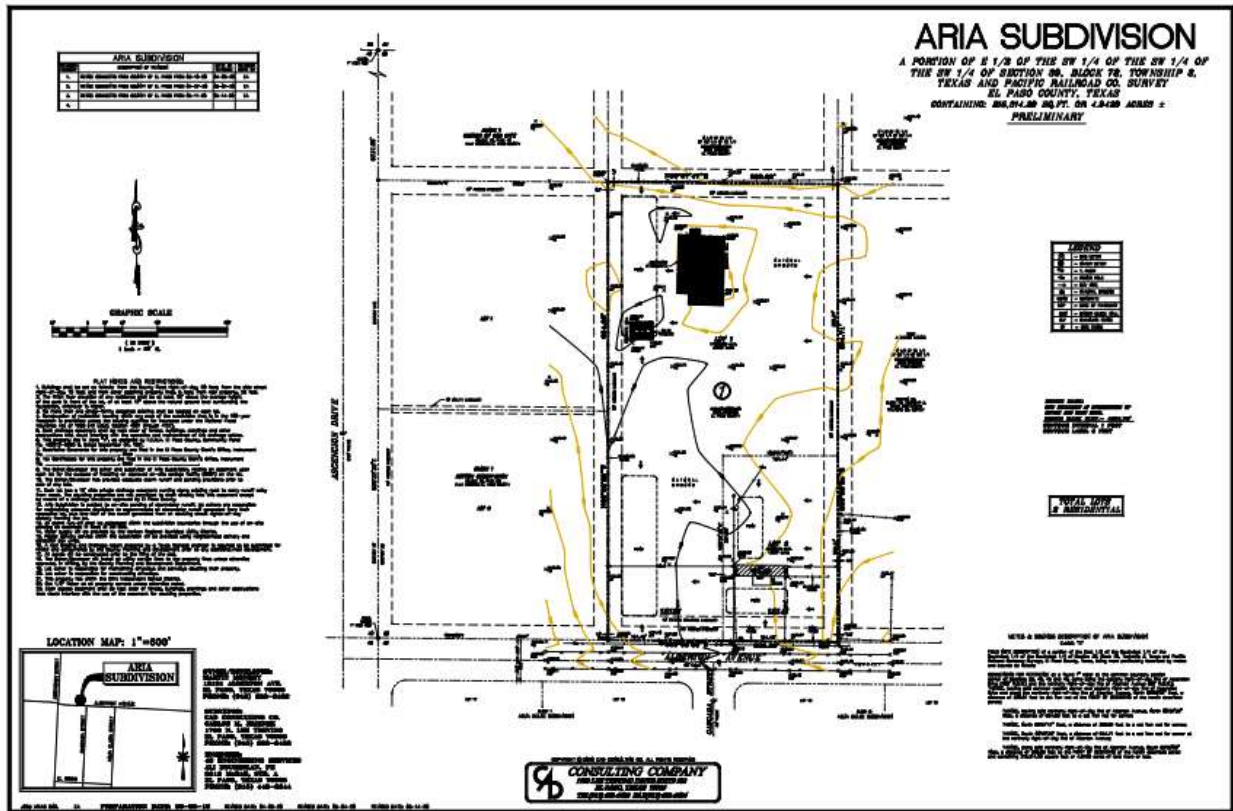
18. REP/POINT OF CONTACT CAA CONSULTING CO. CAA@CONSULTING1@TOLIMY (NAME & ADDRESS) _____ (EMAIL) _____ (PHONE) 915-633-6422

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



Ali Boureslan, P.E.
(915) 591-3312

4S ENGINEERING SERVICE
Inspections • Consulting • Civil • Structural • Environmental • Construction

3616 McRae, Ste A
El Paso, TX 79925

September 25, 2021

Town Engineer
Horizon City
14999 Darrington Rd.
Horizon City, Texas 79928

RE: ARIA Subdivision

Dear Sirs:

As you requested, to determine the number of vehicular trips the development will generate if the additional improvements to the ROW are completed, the following must be taken into account:

- There is one building in the back which was used by the owner to store his yard cleaning tools and equipment. It is currently vacant.
- The new lot in the front is being sold to Mr. Brandon Mendez to build his residence. Design and permits will be completed in due course according to city ordinance(s) and requirements.
- As a result, additional vehicular trips in this subdivision would be negligible and hardly affect the current vehicular movement.

This report and certification of facts are based on information stated by the subdivision owner and Brandon Mendez.

Should you have any questions, please call Ali Boureslan, P.E. at (915) 443-9644.

Sincerely,

Ali Boureslan
Ali Boureslan, P.E.



Firm No 05017



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

RECORDING PLAT APPLICATION

SUBDIVISION PROPOSED NAME: ARIA SUBDIVISION SUBMITTAL DATE: _____

1. LEGAL DESCRIPTION FOR THE AREA INCLUDED ON THIS PLAT (TRACT, BLOCK, GRANT, etc.)
A PORTION OF THE E 1/2 OF THE SW 1/4 OF THE SW 1/4 SECTION 39, BLOCK 28, TOWNSHIP 3, TEXAS & PACIFIC RAILROAD CO. SURVEYS

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	_____	_____	_____	_____	_____
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 DONT KNOW

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 NONE

11. REMARKS AND/OR EXPLANATION OF SPECIAL CIRCUMSTANCES: N/A

12. WILL PLAT BE RECORDED PRIOR TO SUBDIVISION IMPROVEMENTS BEING COMPLETED & APPROVED? YES NO N/A INITIALS EA
 IF YES, REQUIRED GUARANTEE, Improvement Cost Estimates & Construction Agreement have been submitted? YES NO Date: N/A

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

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

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

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

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

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

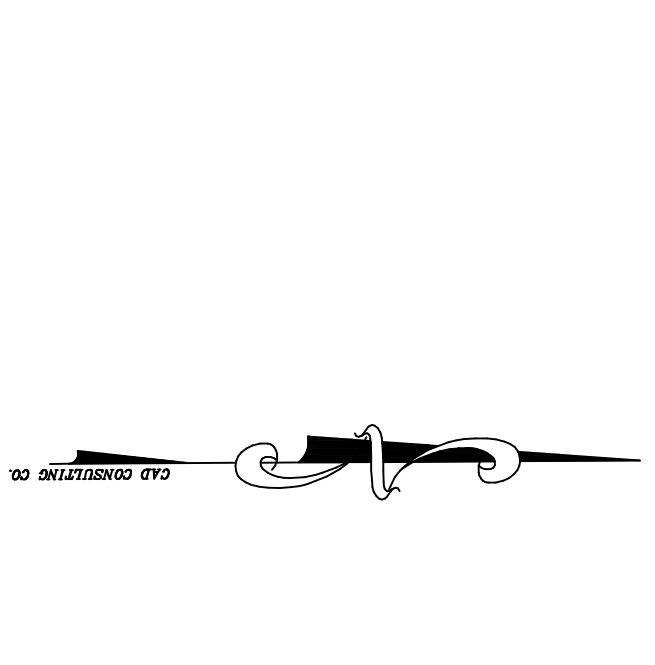
NOTE: Applicant is responsible for all expenses incurred by the City in connection with the Recording plat approval request, including but not limited to attorneys, engineering, County Clerk & publication fees. Charges exceeding deposit will be invoiced separately. Initials EA.

Applicant Signature [Signature] EMAIL CADCONSULTING@aol.com

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 3S, RANGE 12E, COUNTY OF EL PASO, TEXAS AND PACIFIC RAILROAD CO. SURVEY
 EL PASO COUNTY, TEXAS
 CONTAINING: 215.31429 SQ.FT. OR 4.9429 ACRES ±

REVISION NUMBER	DESCRIPTION OF REVISION	DATE OF REVISION	REVISION BY
1.	REVISE COMMENTS FROM COUNTY OF EL PASO FROM 03-10-20	04-09-20	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 05-11-20	05-14-20	EA
4.	REVISE COMMENTS FROM TOWN OF HORIZON FROM 08-22-2021	08-19-21	EA

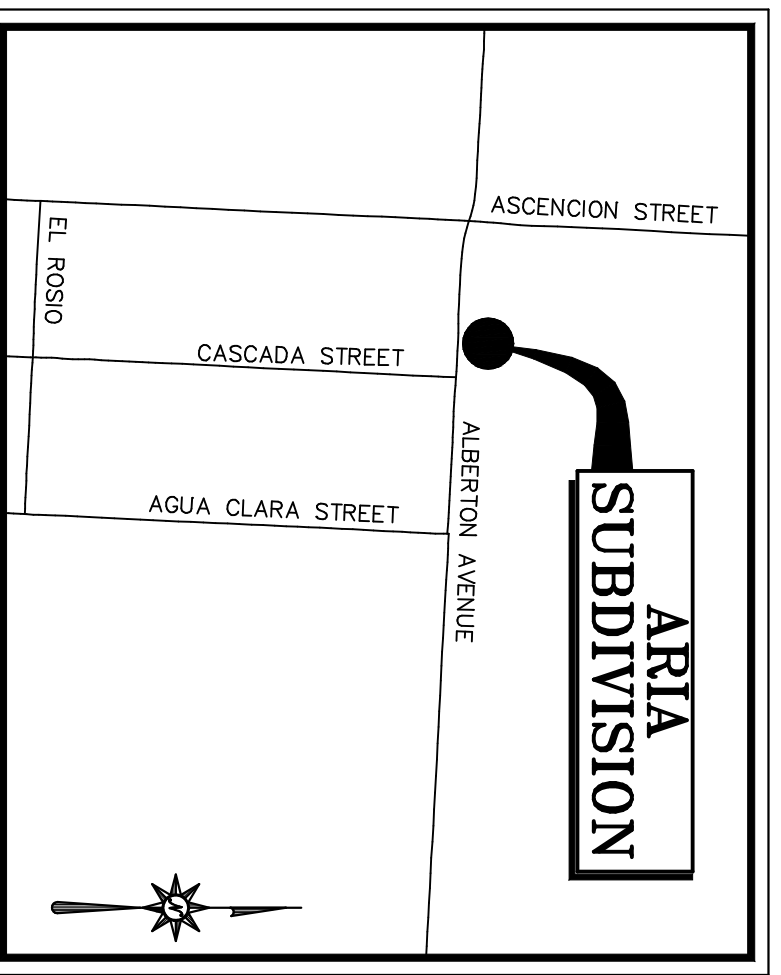


BENCH MARK:
 CITY MOVEMENT AT INTERSECTION OF
 RIFTON AND DUST DRIVE.
 BENCH MARK ELEV. = 4024.78' (DATUM N.A.T.D. 89)
 CONTROL INTERVAL 1 FOOT
 CONTROL LABEL: 9 7821

PLAT NOTES AND RESTRICTIONS:

- Buildings shall be set as follows: from the County Road right-of-way, 20 feet; from the side street, 10 feet; from the rear lot line, 10 feet; from the front lot line, 10 feet.
- The first floor elevation of any residence shall be at least 18" above the average height of the curb in front of the lot, or at least 12" above the natural ground level surrounding the foundation, whichever is higher.
- Construction of residential housing within any area of the subdivision that is in the 100-year floodplain is prohibited unless the housing qualifies for insurance under the National Flood Insurance Act of 1968 (42 U.S.C. Section 4001 through 4127).
- Construction of residential housing shall be subject to all zoning ordinances, floodplain regulations and other restrictions that would interfere with the operation and maintenance of the drainage swales.
- This property lies in Zone "X", as designated by F.E.M.A. El Paso County, Community Panel 22-0250.
- Dated September 04, 1981, and in the El Paso County Clerk's Office, Instrument No. _____.
- Relictive Covenants for this property are found in the El Paso County Clerk's Office, Instrument No. _____.
- Tax Certificates for this property are filed in the El Paso County Clerk's Office, Instrument No. _____.
- The Owner/Developer of this subdivision, retains an easement upon each lot for the purpose of installing an approved on-site sewage facility (OSSF) on the lot.
- The Owner/Developer has provided adequate storm runoff and ponding provisions prior to sale of any lots, a 15' wide private drainage easement running along existing road to carry runoff from roads. The existing properties are not permitted to drain directly into this easement except by means of a drainage structure approved by El Paso County.
- Each Subdivision is subject to on-site ponding of stormwater runoff, lot owners are responsible for the design, construction, maintenance and operation of any on-site ponding or detention structure. The drainage structure shall be constructed in accordance with the standards set forth in the El Paso County Engineering Department's standards for on-site ponding or detention structures.
- Water supply will be provided by the Horizon Regional Municipal Utility District.
- A new Grading and Drainage report prepared by a Texas licensed engineer is required to be submitted for all lots. All ponds will be constructed prior to the filing of the plat.
- All ponds will be constructed prior to the filing of the plat.
- The Owner/Developer will install all utility service lines to the property lines unless otherwise approved, in writing by the County Planning and Development Department.
- Lot owner is responsible for constructing driveways and parking ways abutting their property.
- This property lies within the Clint Independent School District.
- Set 1/2" Rebar with cap stamped #3850 at all property corners unless otherwise noted.
- Set 1/2" Rebar with cap stamped #3850 at all property corners unless otherwise noted.
- The Basis of Bearing is from Hilton Subdivision.

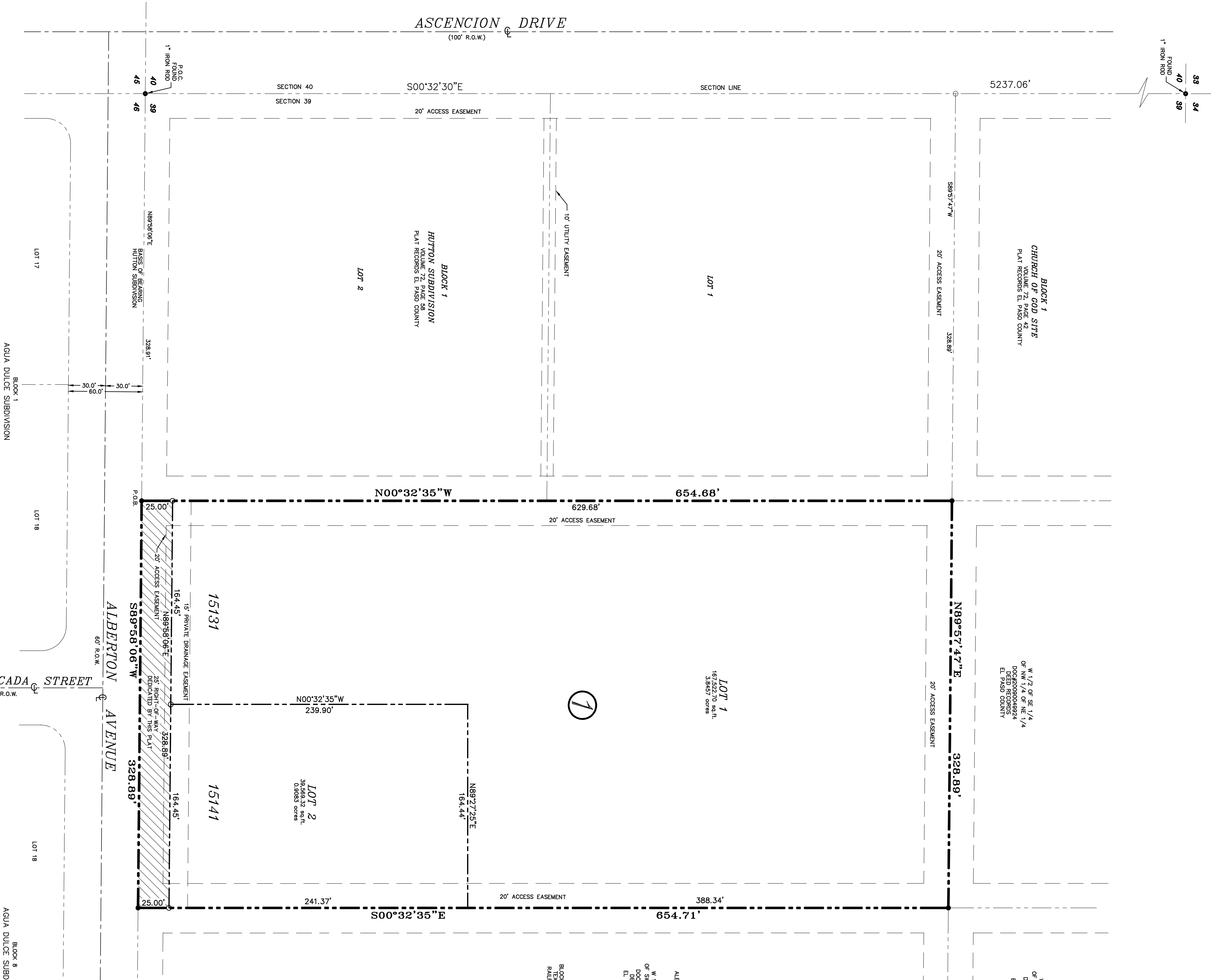
LOCATION MAP: 1" = 600'



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

SUPERVISOR:
 CAD CONSULTING CO.
 CARLOS M. JIMENEZ
 1790 N. LEE TREVINO
 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) 443-9644



TOTAL LOTS
 2 RESIDENTIAL

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

STATE OF TEXAS
 COUNTY OF EL PASO

OWNER'S DEDICATION, CERTIFICATION AND ATTESTATION

I, 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 25' right-of-way and utility easements shown herein. I certify that I have complied with the requirement of Texas Local Government Code 232.032 and that:

- The water quality and connections to the lots meet, or will meet, the minimum state standards;
- Electrical connections provided to the lots meet, or will meet, the minimum state standards; and
- Gas connections provided to the lots meet, or will meet, the minimum state standards.

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 _____

TOWN OF HORIZON CITY TOWN COUNCIL
 CERTIFICATE OF PLAT APPROVAL UNDER LOCAL GOVERNMENT
 CODE 212.008 (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.

ELVA SCHULLER, City Clerk _____ RUBEN MENDEZA, Mayor _____

Approved for filing this _____ day of _____ 2021 A.D.

Approved for filing this _____ day of _____ 2021 A.D.

Approved for filing this _____ day of _____ 2021 A.D.

Approved for filing this _____ day of _____ 2021 A.D.

Approved for filing this _____ day of _____ 2021 A.D.

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

County Clerk _____ Date _____ By Deputy _____ Date _____

Filed and recorded in the office of the County Clerk of El Paso County, Texas, this _____ day of _____ 2021, A.D. in _____ File No. _____

METES & BOUNDS DESCRIPTION OF ARIA SUBDIVISION Exhibit "A"

FIELD NOTE DESCRIPTION of a portion of the East 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 39, Block 78, Township 3S, Range 12E, County of El Paso, Texas, being more particularly described by metes and bounds as follows:

COMMERCIAL FOR REFERENCE: A 1" color plat of the common boundary between Corner of Section 39, Block 78, Township 3S, Range 12E, County of El Paso, Texas, and the common section corner and easterly right-of-way line of Ascencion Drive (100' R.O.W.) and the westerly right-of-way line of Alberton Avenue (60' R.O.W.), a distance of 328.81 feet to set from road at the POINT OF BEGINNING of the herein described parcel:

THENCE, leaving said northerly right-of-way line of Alberton Avenue, North 00°32'35" West, a distance of 654.68 feet to a set from road for corner;

THENCE, North 89°57'47" East, a distance of 328.89 feet to a set from road for corner;

THENCE, South 03°32'35" East, a distance of 654.71 feet to a set from road for corner at the northerly right-of-way line of Alberton Avenue;

THENCE, along said northerly right-of-way line of Alberton Avenue, South 89°57'47" West, a distance of 654.68 feet to a set from road for corner;

and containing 215.31429 square feet or 4.9429 acres of land more or less.

STATE OF TEXAS
 COUNTY OF EL PASO

I, Carlos M. Jimenez, a Registered Professional Land Surveyor in Texas, hereby certify that the above plat and description of the Ario Subdivision were prepared from a survey of the property made on the ground by me or under my supervision on _____ SEPTEMBER 02, _____ 2019.

 Carlos M. Jimenez
 Texas No. 3850
 Professional Land Surveyor

 Date _____

RESOLUTION

WHEREAS, El Paso County, Texas established a Countywide Passenger Shelter Project for its El Paso County Transit System with the long-term vision of providing numerous passenger shelters, benches, and stops along its commuter bus routes; and

WHEREAS, El Paso County, Texas has identified locations for passenger shelters, benches, and stops along El Paso County Transit commuter bus routes, including the need for a passenger bus shelter along Darrington Road within the city limits of the Town of Horizon, City, Texas; and

WHEREAS, the County of El Paso, Texas and the Town of Horizon City, Texas desire to provide transit riders with safe, accessible, and comfortable facilities that also offer transit users adequately sized waiting areas, accurate bus information; and

WHEREAS, a passenger bus shelter along Darrington Road within the city limits of the Town of Horizon, City, Texas will increase public transportation access to both City and County residents.

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

That the Mayor be authorized to sign a Memorandum of Understanding by and between the Town of Horizon City, Texas and El Paso County, Texas to identify responsibilities for the design, construction, installation, and maintenance of a passenger bus shelter along Darrington Road within the city limits of the Town of Horizon City, Texas.

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, AICP
Planning Director

**MEMORANDUM OF UNDERSTANDING
BETWEEN EL PASO COUNTY AND THE
TOWN OF HORIZON CITY**

This Memorandum of Understanding (“MOU”) is made on _____, 2021 (“Effective Date”) and is between El Paso County, a political subdivision of the State of Texas (the “County”) and the Town of Horizon City, a Texas home rule municipal corporation (the “City”). The City and the County may be referred to singularly as a “Party” or collectively as “Parties.” The Parties agree to all the terms, conditions, and representations contained in this MOU.

**I.
PURPOSE**

The County established a Countywide Passenger Shelter Project for its El Paso County Transit System with the long-term vision of providing numerous passenger shelters, benches, and stops along its commuter bus routes. As one of the main goals of any transit agency, El Paso County Transit felt the need to make improvements to provide transit riders with safe, accessible, and comfortable facilities that also offer transit users adequately sized waiting areas, accurate bus information, and—a key element in transit route operations and facilities enhancements—a bus shelter. At the request of the County, the Countywide Passenger Shelter Project was established based off the results and findings from the detailed study “Developing Guidelines and Best Practices for Bus Shelter Locations Along El Paso County Rural Transit Routes” (“Task Order 9”) conducted by the Texas A&M Transportation Institute (“TTI”). Task Order 9 results recommended eighteen (18) proposed passenger shelter locations along El Paso County Transit corridors, justifying the need for these transit improvements. The County also realized the need for a route analysis due to its outdated system, and further requested TTI conduct another study for route service improvements as well as more precise passenger shelter locations, now known as “Best Practices and Guidelines for El Paso County Rural Public Transportation to Identify Potential Stop Locations and Route Configurations” (“Task Order 10”). Task Order 10 results proposed numerous passenger shelters, benches, and stops along El Paso County Transit commuter bus routes, to include passenger shelter locations at the City of El Paso Sun Metro transfer stations. These transit improvements will increase public transportation access to both City and County residents.

**II.
DURATION**

The term of this MOU shall be through the useful life of the bus shelter and amenities, which is estimated at twenty (20) years.

**III.
COUNTY RESPONSIBILITIES**

The County agrees to:

- Develop design for a passenger shelter for placement within the City’s public right of way

on Darrington Road. The design shall comply with all applicable federal, state, and local laws, regulations, and ordinances, including but not limited to the accessibility requirements of the Americans with Disabilities Act (P.L. 101-336) (ADA).

- Obtain written permission to construct and install the proposed passenger shelter and amenities, including but not limited to any utilities, safety lighting and landscaping, in the mutually agreed upon location within the City's public right of way on Darrington Road, at no cost to the City.
- Finalize, construct, and install the proposed passenger shelter and amenities in accordance with the plans approved by the City.
- Require all its contractors working on the City's public right of way to obtain insurance in the amounts and types approved by the City. The County's contractors shall name the City as an additional insured. The County will provide copies of each contractor's certificate of insurance to the City.
- Require all its contractors working on the City's public right of way to indemnify and hold the City harmless.
- Maintain the passenger shelter and amenities, including but not limited to any costs of utilities, in a condition acceptable to the City.
- Remove the passenger shelter and amenities at the termination of this MOU and return the site to a condition satisfactory to the City.
- Offer feedback opportunities from the City.

IV. CITY RESPONSIBILITIES

The City agrees to:

- Review design for the passenger shelter location submitted by the County.
- Assist as needed with review of locations, design, and installation. Inspect the work.

V. POINT OF CONTACT

Each Party shall designate a principal point of contact to oversee and facilitate the services under this MOU and coordinate with appropriate administrators at their respective facilities.

- Representative for City:
 - Michelle Padilla, Planning Director
- Representative for County
 - Sal Alonzo, Transportation Engineer

VI. TERMINATION

Either Party may terminate this MOU, with or without cause, upon thirty (30) days written notice to the other Party. Termination shall be without penalty and neither Party shall be liable to the other for any monetary or other losses that may result. Such written notice of termination shall not affect any obligation by either Party incurred prior to the receipt of such notice.

VII. NOTICE

Any notice or communication required or permitted under this MOU shall be sufficiently given if delivered by certified mail, return receipt requested, to

County:

Ricardo A. Samaniego, 500 E. San Antonio, Ste. 301, El Paso, Texas 79901

City:

Ruben Mendoza, 14999 Darrington Road, Horizon City, Texas 79928

VIII. MISCELLANEOUS

- A. This MOU is governed by the laws of the State of Texas, its conflicts of law or choice of law principles notwithstanding. Jurisdiction and venue in any litigation arising out of this MOU shall lie in a state or federal court sitting in El Paso County, Texas. Each Party, its employees, and agents shall comply with all applicable laws in their performance under this MOU. This provision survives termination of the MOU.
- B. Nothing contained in this MOU shall be deemed to create a partnership, joint venture, or relationship of employment between the Parties. No Party shall have the authority to act on behalf of the other Parties, or to commit any other Party in any manner or cause whatsoever, or to use any other Party's name in any way not specifically authorized by this MOU.
- C. **To the extent permitted by law, the County agrees to indemnify and hold harmless the City and its officers, employees, and agents from and against all liabilities, claims, actions, expenses (including attorneys' fees and costs related to any such claim, action, or proceeding), obligations, losses, fines, penalties, and assessments resulting from or arising out of the County's obligations, services, operations, activities, default, negligence, and/or misconduct under this MOU, whether by the County, its directors, officers, employees, or agents.**
- D. Both Parties hereto agree and recognize that law, rules, and regulations related to this MOU and performance by either Party are subject to change. The parties specifically agree any provision in this MOU may be amended to bring this program or this MOU into compliance with such change in laws, rules, and regulations. An amendment to this MOU due to a change in applicable laws, rules and regulations is deemed to occur as soon as necessary to allow the parties to remain compliant. The Parties will cooperate to promptly conform this

MOU to any applicable legal changes.

- E. The Parties specifically agree any provision in this MOU may be amended or changed must be in writing and agreed to by both Parties.
- F. Limitation of Liability: No rights or limitation of rights shall arise or be assumed between the Parties as a result of the terms of this MOU.
- G. The County shall not assign, delegate, or attempt to so convey an interest in this MOU. In the event, the County does attempt to so convey an interest in this MOU, said MOU shall be terminable.
- H. This MOU constitutes and expresses the entire agreement of the Parties.
- I. The signing of this MOU does not constitute a formal undertaking, and as such it simply intends that the signatories shall strive to reach, to the best of their abilities, the goals and objectives stated in this MOU.
- J. This MOU shall be signed by the County and the City and shall be effective as of the effective date noted on page one.

In witness whereof, the parties execute this Agreement.

EL PASO COUNTY

By: _____
Ricardo Samaniego
El Paso County Judge

Date: _____

TOWN OF HORIZON CITY

By: _____
Ruben Mendoza
Mayor

Date: _____

ORDINANCE NO. 0271 AMENDMENT NO. 01

AN ORDINANCE AMENDING ORDINANCE NO. 0271 OF THE TOWN OF HORIZON CITY, AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, RESTRICTED PRIOR SERVICE CREDIT TO EMPLOYEES WHO ARE MEMBERS OF THE SYSTEM FOR SERVICE PREVIOUSLY PERFORMED FOR VARIOUS OTHER PUBLIC ENTITIES FOR WHICH THEY HAVE NOT RECEIVED CREDITED SERVICE; TO CLARIFY AN EFFECTIVE DATE OF AUGUST 1, 2021, AND PROVIDING FOR REPEALER AND SEVERABILITY CLAUSES.

WHEREAS, Ordinance No. 0271 of the Town of Horizon City was enacted on July 13, 2021, authorizing and allowing, under the act governing the Texas Municipal Retirement System, Restricted Prior Service Credit to employees who are members of the system for service previously performed for various other public entities for which they have not received credited service; and

WHEREAS, Ordinance No. 0271 identified an effective date of July 1, 2021; and

WHEREAS, the July 1, 2021 effective date for the ordinance was an error, and the correction of this error is necessary to reflect the intention of the City Council that Ordinance No. 0271 have an August 1, 2021 effective date.

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. CLARIFICATION OF EFFECTIVE DATE

Ordinance No. 0271 shall have an effective date on the first day of August, 2021.

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 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

(Signatures continue on next page)

ATTEST:

Elvia Schuller, City Clerk

APPROVED AS TO FORM:

Theresa Cullen, Assistant City Attorney

First Reading: November 9, 2021
Second Reading: December 14, 2021

ORDINANCE NO. 0272 AMENDMENT NO. 01

AN ORDINANCE AMENDING ORDINANCE NO. 0272 OF THE TOWN OF HORIZON CITY, ADOPTING THE MUNICIPAL BUDGET FOR THE 2021-2022 FISCAL YEAR, TO ALLOW FOR THE BUDGETING AND EXPENDITURE OF FUNDS TO FURTHER THE DEVELOPMENT OF THE TRANSIT ORIENTED DEVELOPMENT/TOWN CENTER PROJECT; AND PROVIDING FOR REPEALER AND SEVERABILITY CLAUSES.

WHEREAS, an Ordinance was enacted on the 14th day of September 2021, which adopted a budget for the fiscal year of October 1, 2021 to September 30, 2022 for the Town of Horizon City; and

WHEREAS, it is now necessary to amend said budget for municipal purposes to add the transfer of funds from the General Fund to the Capital Improvement Fund, in the amount of \$300,000.00. This funding and expenditure is necessary to provide additional development of the Transit Oriented Development/Town Center Project 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: October 12, 2021

Second Reading: November 9, 2021

ATTACHMENT A
BUDGET FUND TRANSFER

**TOWN OF HORIZON CITY
2022 BUDGET AMENDMENT 01
GENERAL FUND
EXHIBIT A**

Line No.	Description	Amount
1	Planning, Preparation and Land Purchase	280,000.00
2	Miscellaneous	20,000.00
3	Total Proposed	<u>300,000.00</u>
	<u>Revenue</u>	
4	01-400-4600 Prior Years Fund Surplus	300,000.00
	<u>Expense</u>	
5	01-507-6700 Transfers Out	300,000.00



RESOLUTION

State of Texas

County of EL PASO

Whereas, the Texas Comptroller of Public Accounts is authorized to provide purchasing services for local governments pursuant to §§ 271.082 and 271.083 of the Local Government Code;

and **WHEREAS**, the CITY COUNCIL
(e.g., Commissioner

of TOWN OF HORIZON CITY, is a: (Check one of the following.)
(Name of Qualified Entity)

<input type="checkbox"/> County	<input type="checkbox"/> Independent School District
<input checked="" type="checkbox"/> Municipality	<input type="checkbox"/> Junior College District
<input type="checkbox"/> Political Subdivision (Utility, Appraisal Districts)	<input type="checkbox"/> Mental Health and Mental Disability Community Center
<input type="checkbox"/> State-funded Assistance Organization	<input type="checkbox"/> Housing and Transportation Authority

defined as an entity qualified to participate in the Texas SmartBuy Membership Program of the Texas Comptroller of Public Accounts pursuant to § 271.081 of the Local Government Code; and

WHEREAS, in accordance with the requirements of 34 TAC §20.85 administrative rules, the Agent(s) of Record, LILIA GAYTAN, FINANCE ACCOUNTANT
(Name of Person, primary contact) (Title)

(and GERADO SETZU, PURCHASING AGENT) is/are authorized to execute
(Name of Person, secondary contact) (Title)

any and all documentation for TOWN OF HORIZON CITY pertaining to its participation in the Texas
(Entity Name)

Comptroller of Public Accounts Cooperative Purchasing Program; and

WHEREAS, TOWN OF HORIZON CITY acknowledges its obligation to pay annual participation fees
(Entity Name)

established by the Texas Comptroller of Public Accounts.

NOW, THEREFORE BE IT RESOLVED, that request be made to the Texas Comptroller of Public Accounts to approve TOWN OF HORIZON CITY for participation in the Texas Comptroller of Public Accounts Cooperative Purchasing Program.
(Entity Name)

Adopted this 9TH day of NOVEMBER, 2021 by TOWN OF HORIZON CITY
(Entity Name)

By: _____
(Signature of Chair)
RUBEN MENDOZA
(Printed Name)
MAYOR
(Title of Chair)

(Signature of primary Agent of Record)
PAT RANDLEEL, FINANCE DIRECTOR
(Name/Title of primary Agent of Record)

(Signature of secondary Agent of Record)
ELVIA SCHULLER, CITY CLERK
(Name/Title of secondary Agent of Record)



October 1, 2021

TO: El Paso County Taxing Entity Presiding Officers
From: Dinah L. Kilgore, RPA, Executive Director/ Chief Appraiser

Subject: Appointment/ Reappointment of EPCAD Board of Directors

The primary duties of the El Paso Central Appraisal District (EPCAD) Board of Directors are to select the Chief Appraiser and to adopt EPCAD's annual operating budget. The Board does not appraise property or make decisions that may affect the appraisal records for properties.

The current term for EPCAD's Board of Directors concludes on December 31, 2021.

The new term begins January 1, 2022 and concludes December 31, 2023 or until a member has been reappointed or replaced.

It is now time for your entity to appoint or reappoint the 2022/2023 EPCAD Board of Directors.

The following information is divided by subject matter for easy reference.

A. Selection

Property Tax Code Sec. 6.03 establishes the selection process for EPCAD Board of Directors. Members of the Board are selected by the district's participating taxing units (entities).

The selection process and nine-member board is authorized by Property Tax Code Sec. 6.031.

Board members are appointed by majority vote of their respective governing bodies:

1. City of El Paso appoints two members;
2. County of El Paso appoints one member;
3. El Paso Independent School District (EPISD) appoints two members;
4. Lower Valley entities appoint two members;
 - 4.1 Clint Independent School District;
 - 4.2 Fabens Independent School District;
 - 4.3 San Elizario Independent School District;
 - 4.4 Socorro Independent School District;

- 4.5 Tornillo Independent School District;
 - 4.6 El Paso Community College;
 - 4.7 San Elizario City;
 - 4.8 Town of Clint;
 - 4.9 Town of Horizon City; and
 - 4.10 Town of Socorro
- 5. Upper Valley entities appoint one member;
 - 5.1 Anthony Independent School District;
 - 5.2 Canutillo Independent School District;
 - 5.3 Town of Anthony; and
 - 5.4 Village of Vinton
 - 6. Ysleta Independent School District (YISD) appoints one member.

Two members on the EPCAD Board of Directors represent the Lower Valley Entities as a group. If more than two individuals are nominated to serve on the EPCAD Board of Directors, the two individuals with the most nominations will be appointed.

One member on the EPCAD Board of Directors represents the Upper Valley Entities as a group. If more than one individual is nominated to serve on the EPCAD Board of Directors, the individual with the most nominations will be appointed.

If an equal number of nominations are received, either for the Lower Valley entities or the Upper Valley entities, the entity governing body(ies) must re-vote to achieve a majority vote for the available seat(s) on the EPCAD Board of Directors. If no nominees are received, the EPCAD Board of Directors will decide the nominee(s).

B. Eligibility

- 1. To be eligible to serve on the Board, an individual must be a resident of the district (El Paso County, Texas) and must have resided in the district for at least two years immediately preceding the date of appointment.
- 2. Property Tax Code Sec. 6.035, states an individual is ineligible to serve on an appraisal district board of directors if the individual owns property on which delinquent taxes have been owed to a taxing unit for more than 60 days after the date the individual knew or should have known of the delinquency unless:
 - a. the delinquent taxes and any penalties and interest are being paid under an installment payment agreement;
 - b. A suit to collect the delinquent taxes is deferred or abated.
- 3. An employee of a taxing entity participating in the appraisal district is not eligible to serve unless the individual is also a member of the governing body or an elected official of a taxing entity participating in the district.
- 4. Property Tax Code Sec. 6.035, effective September 1, 1989, bars EPCAD Board of Directors from serving if the member is related to a person who operates for compensation as a tax agent or a property tax appraiser in the appraisal district.
- 5. Property Tax Code Sec. 6.036, bars EPCAD Board of Directors from serving on the Board if they contract with the District, or if they contract on

a tax-related matter with a taxing entity served by the District, or if they have a substantial interest in a business that contracts with the District or a taxing entity served by the District.

6. Property Tax Code Sec 6.03 (a), states, "an employee of a taxing unit that participates in the district is **not** eligible to serve on the board **unless** the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district".

C. Term of Office

Members of the EPCAD Board of Directors serve two-year terms beginning January 1 of even-numbered years. Pursuant to Section 6.035 of the Texas Tax Code, amended by the 87th Texas Legislature, board members may only serve five terms.

Before December 31 of the odd-numbered year, the governing body of the taxing entity is(are) responsible for appointing a member(s) through a nomination and by resolution or motion of appointment as evidenced in the entity's official meeting agenda and reflected in the approved meeting minutes. The chief appraiser will submit the results to the governing body of each taxing entity in the district and to the candidates.

D. Board Vacancies

City of El Paso, County of El Paso, EPISD, and YISD taxing entities:

Property Tax Code Sec. 6.03 provides that in the event a board member is unable to complete their term, the governing body of the taxing entities shall appoint a member.

Lower Valley and Upper Valley taxing entities:

Property Tax Code Sec. 6.03 provides that in the event a board member is unable to complete their term, the governing body of the taxing entity shall nominate a candidate. Board of Directors shall elect by a majority vote one of the nominees to fill the vacancy.

E. Agenda and Resolution Example wording:

The following is an example wording to include on your entity's meeting agenda and resolution:

Agenda

Entity name nominates *Individual's full name* to serve as our appointee to the El Paso Central Appraisal District Board of Directors for the term January 1, 2022 through December 31, 2023. *Individual's full name* will serve for the referenced term or until they have been reappointed or replaced.

Resolution

On Date, Entity name nominated or appointed Individual's full name to be on the El Paso Central Appraisal District Board of Directors for the term January 1, 2022 through December 31, 2023.

Sincerely,

A handwritten signature in black ink that reads "Dinah L. Kilgore". The signature is written in a cursive style with a large initial "D".

Dinah Kilgore, RPA
Executive Director/Chief Appraiser
El Paso Central Appraisal District
5801 Trowbridge Drive
El Paso, Texas 79925
Office: (915)780-2101
Fax: (915) 780-2130

**RESOLUTION
TOWN OF HORIZON CITY**

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, AUTHORIZING PARTICIPATION WITH THE STATE OF TEXAS, THROUGH THE OFFICE OF THE ATTORNEY GENERAL, IN THE GLOBAL OPIOID SETTLEMENT AND APPROVING THE TERM SHEET; AND AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY RELATED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Horizon City obtained information indicating that certain drug companies and their corporate affiliates, parents, subsidiaries, and such other defendants as may be added to the litigation (collectively, “Defendants”) have engaged in fraudulent and/or reckless marketing and/or distribution of opioids that have resulted in addictions and overdoses;

WHEREAS, these actions, conduct and misconduct have resulted in financial costs to the Town of Horizon City (the “Town”);

WHEREAS, on May 13, 2020, the State of Texas, through the Office of the Attorney General, and a negotiation group for Texas political subdivisions entered into an Agreement entitled Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet (hereafter, the Texas Term Sheet) approving the allocation of any and all opioid settlement funds within the State of Texas. The Texas Term Sheet is attached hereto as Exhibit “A”; and

WHEREAS, Legal counsel for the City and the State of Texas have recommended that the City Council of the Town of Horizon City support the adoption and approval the Texas Term Sheet in its entirety.

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

SECTION 1.

The Town supports the adoption and approval the Texas Term Sheet in its entirety.

SECTION 2.

There is a substantial need for repayment of opioid-related expenditures and payment to abate opioid-related harms in and about the Town of Horizon City.

SECTION 3.

The Town supports in its entirety and hereby adopts the allocation method for opioid settlement proceeds as set forth in the STATE OF TEXAS AND TEXAS POLITICAL SUBDIVISIONS' OPIOID ABATEMENT FUND COUNCIL AND SETTLEMENT ALLOCATION TERM SHEET, attached hereto as Exhibit A.

SECTION 4.

The Town understands that the purpose of this Texas Term Sheet is to permit collaboration between the State of Texas and Political Subdivisions to explore and potentially effectuate resolution of the Opioid Litigation against Pharmaceutical Supply Chain Participants as defined therein.

SECTION 5.

The Town of Horizon City also understands that an additional purpose is to create an effective means of distributing any potential settlement funds obtained under this Texas Term Sheet between the State of Texas and Political Subdivisions in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic in this city and throughout Texas.

SECTION 6.

This Resolution shall become effective immediately from and after its passage.

PASSED & APPROVED this, the ____ day of November 2021.

Town of Horizon City

By: _____
Ruben Mendoza, Mayor

ATTEST:

Elvia Schuller, City Secretary

APPROVED AS TO FORM:

Sylvia Borunda Firth, Assistant City Attorney

**TEXAS OPIOID ABATEMENT FUND COUNCIL AND
SETTLEMENT ALLOCATION TERM SHEET**

WHEREAS, the people of the State of Texas and its communities have been harmed through the National and Statewide epidemic caused by licit and illicit opioid use and distribution within the State of Texas; and now,

WHEREAS, the State of Texas, through its elected representatives and counsel, including the Honorable Ken Paxton, Attorney General of the State of Texas, and certain Political Subdivisions, through their elected representatives and counsel, are separately engaged in litigation seeking to hold those entities in the supply chain accountable for the damage caused; and now,

WHEREAS, the State of Texas, through its Attorney General and its Political Subdivisions, share a common desire to abate and alleviate the impacts of the epidemic throughout the State of Texas; and now,

THEREFORE, the State of Texas and its Political Subdivisions, subject to completing formal documents effectuating the Parties' agreements, enter into this State of Texas and Texas Political Subdivisions' Opioid Abatement Fund Council and Settlement Allocation Term Sheet (Texas Term Sheet) relating to the allocation and use of the proceeds of any Settlements as described.

A. Definitions

As used in this Texas Term Sheet:

1. “The State” shall mean the State of Texas acting through its Attorney General.
2. “Political Subdivision(s)” shall mean any Texas municipality and county.
3. “The Parties” shall mean the State of Texas, the Political Subdivisions, and the Plaintiffs’ Steering Committee and Liaison Counsel (PSC) in the Texas Opioid MDL, *In Re: Texas Opioid Litigation*, MDL No. 2018-63587, in the 152d District Court of Harris County, Texas.
4. “Litigating Political Subdivision” means a Political Subdivision that filed suit in the state courts of the State of Texas prior to the Execution Date of this Agreement, whether or not such case was transferred to Texas Opioid MDL, or removed to federal court.
5. “National Fund” shall mean any national fund established for the benefit of the Texas Political Subdivisions. In no event shall any National Fund be used to create federal jurisdiction, equitable or otherwise, over the Texas Political Subdivisions or those similarly situated state-court litigants who are included in the state coalition, nor shall the National Fund require participating in a class action or signing a participation agreement as part of the criteria for participating in the National Fund.
6. “Negotiating Committee” shall mean a three-member group comprising four representatives for each of (1) the State; (2) the PSC; and (3) Texas’

Political Subdivisions (collectively, “Members”). The State shall be represented by the Texas Attorney General or his designees. The PSC shall be represented by attorneys Mikal Watts, Jeffrey Simon, Dara Hegar, Dan Downey, or their designees. Texas’ Political Subdivisions shall be represented by Clay Jenkins (Dallas County Judge), Terrence O’Rourke (Special Assistant County Attorney, Harris County), Nelson Wolff (Bexar County Judge), and Nathaniel Moran (Smith County Judge) or their designees.

7. “Settlement” shall mean the negotiated resolution of legal or equitable claims against a Pharmaceutical Supply Chain Participant that includes the State and Political Subdivisions.
8. “Opioid Funds” shall mean monetary amounts obtained through a Settlement as defined in this Texas Term Sheet.
8. “Approved Purpose(s)” shall mean those uses identified in Exhibit A hereto.
9. “Pharmaceutical Supply Chain” shall mean the process and channels through which opioids or opioids products are manufactured, marketed, promoted, distributed, or dispensed.

10. “Pharmaceutical Supply Chain Participant” shall mean any entity that engages in or has engaged in the manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic.
11. “Texas Opioid Council” shall mean the Council described in Exhibit A hereto, which has the purpose of ensuring the funds recovered by Texas (through the joint actions of the Attorney General and the Texas Political Subdivisions) are allocated fairly and spent to remediate the opioid crisis in Texas, using efficient and cost-effective methods that are directed to the hardest hit regions in Texas while also ensuring that all Texans benefit from prevention and recovery efforts.

B. Allocation of Settlement Proceeds

1. All Opioid Funds distributed in Texas shall be divided with 15% going to Political Subdivisions (“Subdivision Share”), 70% to the Texas Opioid Abatement Fund through the Texas Opioid Council (Texas Abatement Fund Share) identified and described on Exhibits A and C hereto, and 15% to the Office of the Texas Attorney General as Counsel for the State of Texas (“State Share”). Out of the Texas Opioid Abatement Fund, reasonable expenses up to 1% shall be paid to the Texas Comptroller for the administration of the Texas Opioid Council pursuant to the Opioid

Abatement Fund (Texas Settlement) Opioid Council Agreement, Exhibit A hereto.

2. The Subdivisions Share shall be allocated in accordance with the division of proceeds on Exhibit B hereto.
3. The Texas Abatement Fund Share shall be allocated to the Opioid Council to be apportioned in accordance with the guidelines of Exhibit A, and Exhibit C hereto.
4. In the event a Subdivision merges, dissolves, or ceases to exist, the allocation percentage for that Subdivision shall be redistributed as directed by the settlement document, and if not specified, equitably based on the composition of the successor Subdivision. If a Subdivision for any reason is excluded from a specific settlement, the allocation percentage for that Subdivision shall be redistributed as directed by the settlement document, and if not specified, equitably among the participating Subdivisions.
5. Funds obtained from parties unrelated to the Litigation, via grant, bequest, gift or the like, separate and distinct from the Litigation, may be directed to the Texas Opioid Council and disbursed as set forth below.
6. The Subdivision share shall be initially deposited and paid in cash directly to the Subdivision under the authority and guidance of the Texas MDL Court, who shall direct any Settlement funds to be held in trust in a

segregated account to benefit the Subdivisions and to be promptly distributed as set forth herein and in accordance with Exhibit B.

7. Nothing in this Texas Term Sheet should alter or change any Subdivision's rights to pursue its own claim. Rather, the intent of this Texas Term Sheet is to join all parties to disburse settlement proceeds from one or more defendants to all parties participating in that settlement within Texas.
8. Opioid Funds from the Texas Abatement Fund Share shall be directed to the Texas Opioid Council and used in accordance with the guidelines as set out on Exhibit A hereto, and the Texas Abatement Fund Share shall be distributed to the Texas Opioid Council under the authority and guidance of the Texas MDL Court, consistent with Exhibits A and C, and the by-laws of the Texas Opioid Council documents and disbursed as set forth therein, including without limitation all abatement funds and the 1% holdback for expenses.
9. The State of Texas and the Political Subdivisions understand and acknowledge that additional steps may need to be undertaken to assist the Texas Opioid Council in its mission, at a predictable level of funding, regardless of external factors.

C. Payment of Counsel and Litigation Expenses

1. Any Master Settlement Agreement settlement will govern the payment of fees and litigation expenses to the Parties. The Parties agree to direct control of any Texas Political Subdivision fees and expenses to the “Texas Opioid Fee and Expense Fund,” which shall be allocated and distributed by the Texas MDL Court, *In re: Texas Opioid Litigation*, MDL No. 2018-63587, in the 152nd District Court of Harris County, Texas, and with the intent to compensate all counsel for Texas Political Subdivisions who have not chosen to otherwise seek compensation for fees and expenses from any federal MDL common benefit fund.
2. The Parties agree that no portion of the State of Texas 15% allocation share from any settlement shall be administered through the National Fund, the Texas MDL Court, or Texas Opioid Fee and Expense Fund, but shall be directed for payment to the State of Texas by the State of Texas.
3. The State of Texas and the Texas Political Subdivisions, and their respective attorneys, agree that all fees – whether contingent, hourly, fixed or otherwise – owed by the Texas Political Subdivisions shall be paid out of the National Fund or as otherwise provided for herein to the Texas Opioid Fee and Expense Fund to be distributed by the 152nd

District Court of Harris County, Texas pursuant to its past and future orders.

4. From any opioid-related settlements with McKesson, Cardinal Health, ABDC, and Johnson & Johnson, and for any future opioid-related settlements negotiated, in whole or in part, by the Negotiating Committee with any other Pharmaceutical Supply Chain Participant, the funds to be deposited in the Texas Opioid Fee and Expense Fund shall be 9.3925% of the combined Texas Political Subdivision and Texas Abatement Fund portions of each payment (annual or otherwise) to the State of Texas for that settlement, plus expenses from the National Fund, and shall be sought by Texas Political Subdivision Counsel initially through the National Fund. The Texas Political Subdivisions' percentage share of fees and expenses from the National Fund shall be directed to the Texas Opioid Fee and Expense Fund in the Texas MDL, as soon as is practical, for allocation and distribution in accordance with the guidelines herein.
5. If the National Fund share to the Texas Political Subdivisions is insufficient to cover the guaranteed 9.3925%, plus expenses from the National Fund, per subsection 4, immediately *supra*, or if payment from the National Fund is not received within 12 months after the date the

first payment is made by the Defendants pursuant to the settlement, then the Texas Political Subdivisions shall recover up to 12.5% of the Texas Political Subdivision Share to make up any difference.

6. If the National Fund and the Texas Political Subdivision share are insufficient to cover the guaranteed 9.3925%, plus expenses from the National Fund, or if payment from the National Fund is not received within 12 months after the date the first payment is made by the Defendants pursuant to the settlement, then the Texas Political Subdivisions shall recover up to 8.75% of the Abatement Fund Share to make up any difference. In no event shall the Texas Political Subdivision share exceed 9.3925% of the combined Texas Political Subdivision and Texas Abatement Fund portions of any settlement, plus expenses from the National Fund. In the event that any payment is received from the National Fund such that the total amount in fees and expenses exceeds 9.3925%, the Texas Political Subdivisions shall return any amounts received greater than 9.3925% of the combined Texas Political Subdivision and Texas Abatement Fund portions to those respective Funds.

7. For each settlement utilizing a National Fund, the Texas Political Subdivisions need only make one attempt at seeking fees and expenses there.
8. The total amount of the Texas Opioid Fee and Expense Fund shall be reduced proportionally, according to the agreed upon allocation of the Texas Subdivision Fund, for any Texas litigating Political Subdivision that (1) fails to enter the settlement; and (2) was filed in Texas state court, and was transferred to the Texas MDL (or removed before or during transfer to the Texas MDL) as of the execution date of this Agreement.

D. The Texas Opioid Council and Texas Abatement Fund

The Texas Opioid Council and Texas Abatement Fund is described in detail at Exhibit A, incorporated herein by reference.

E. Settlement Negotiations

1. The State and Negotiating Committee agree to inform each other in advance of any negotiations relating to a Texas-only settlement with a Pharmaceutical Supply Chain Participant that includes both the State and its Political Subdivisions and shall provide each other the opportunity to participate in all such negotiations. Any Texas-only Settlement agreed to with the State and Negotiating Committee shall be subject to the approval

of a majority of litigating Political Subdivisions. The Parties further agree to keep each other reasonably informed of all other global settlement negotiations with Pharmaceutical Supply Chain Participants and to include the Negotiating Committee or designees. Neither this provision, nor any other, shall be construed to state or imply that either the State or the Negotiating Committee is unauthorized to engage in settlement negotiations with Pharmaceutical Supply Chain Participants without prior consent or contemporaneous participation of the other, or that either party is entitled to participate as an active or direct participant in settlement negotiations with the other. Rather, while the State's and Negotiation Committee's efforts to achieve worthwhile settlements are to be collaborative, incremental stages need not be so.

2. Any Master Settlement Agreement (MSA) shall be subject to the approval and jurisdiction of the Texas MDL Court.
3. As this is a Texas-specific effort, the Committee shall be Chaired by the Attorney General. However, the Attorney General, or his designees, shall endeavor to coordinate any publicity or other efforts to speak publicly with the other Committee Members.
4. The State of Texas, the Texas MDL Plaintiff's Steering Committee representatives, or the Political Subdivision representatives may withdraw

from coordinated Settlement discussions detailed in this Section upon 10 business days' written notice to the remaining Committee Members and counsel for any affected Pharmaceutical Supply Chain Participant. The withdrawal of any Member releases the remaining Committee Members from the restrictions and obligations in this Section.

5. The obligations in this Section shall not affect any Party's right to proceed with trial or, within 30 days of the date upon which a trial involving that Party's claims against a specific Pharmaceutical Supply Chain Participant is scheduled to begin, reach a case specific resolution with that particular Pharmaceutical Supply Chain Participant.

F. Amendments

The Parties agree to make such amendments as necessary to implement the intent of this agreement.

Acknowledgment of Agreement

We, the undersigned, have participated in the drafting of the above Texas Term Sheet, including consideration based on comments solicited from Political Subdivisions. This document has been collaboratively drafted to maintain all individual claims while allowing the State and its Political Subdivisions to cooperate in exploring all possible means of resolution. Nothing in this agreement binds any party to any specific outcome. Any resolution under this document will require

acceptance by the State of Texas and a majority of the Litigating Political Subdivisions.

We, the undersigned, hereby accept the STATE OF TEXAS AND TEXAS POLITICAL SUBDIVISIONS' OPIOID ABATEMENT FUND COUNCIL AND SETTLEMENT ALLOCATION TERM SHEET. We understand that the purpose of this Texas Term Sheet is to permit collaboration between the State of Texas and Political Subdivisions to explore and potentially effectuate earlier resolution of the Opioid Litigation against Pharmaceutical Supply Chain Participants. We also understand that an additional purpose is to create an effective means of distributing any potential settlement funds obtained under this Texas Term Sheet between the State of Texas and Political Subdivisions in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Texas.

Executed this 13 day of May, 2020.

FOR THE STATE OF TEXAS:

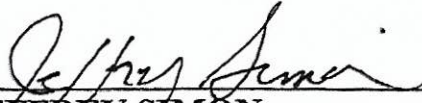


KENNETH PAXTON, JR.
ATTORNEY GENERAL

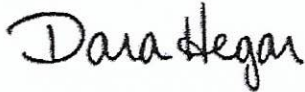
FOR THE SUBDIVISIONS
AND TEXAS MDL PSC:



MIKAL WATTS
WATTS GUERRA LLP



JEFFREY SIMON
SIMON GREENSTONE PANATIER, PC



DARA HEGAR
LANIER LAW FIRM, PC



DAN DOWNEY
DAN DOWNEY, PC

:sas

EXHIBIT A

Opioid Abatement Fund (Texas) Settlement

Opioid Council

As part of the settlement agreement and upon its execution, the parties will form the Texas Opioid Council (Council) to establish the framework that ensures the funds recovered by Texas (through the joint actions of the Attorney General and the state's political subdivisions) are allocated fairly and spent to remediate the opioid crisis in Texas, using efficient and cost-effective methods that are directed to the hardest hit regions in Texas while also ensuring that all Texans benefit from prevention and recovery efforts.

I. Structure

The Council will be responsible for the processes and procedures governing the spending of the funds held in the Texas Abatement Fund, which will be approximately 70% of all funds obtained through settlement and/or litigation of the claims asserted by the State and its subdivisions in the investigations and litigation related to the manufacturing, marketing, distribution, and sale of opioids and related pharmaceuticals.

Money paid into the abatement fund will be held by an independent administrator, who shall be responsible for the ministerial task of releasing funds solely as authorized below by the Council, and accounting for all payments to and from the fund.

The Council will be formed when a court of competent jurisdiction enters an order settling the matter, including any order of a bankruptcy court. The Council's members must be appointed within sixty (60) days of the date the order is entered.

A. Membership

The Council shall be comprised of the following thirteen (13) members:

1. Statewide Members.

Six members appointed by the Governor and Attorney General to represent the State's interest in opioid abatement. The statewide members are appointed as follows:

- a. The Governor shall appoint three (3) members who are licensed health professionals with significant experience in opioid interventions;
- b. The Attorney General shall appoint three (3) members who are licensed professionals with significant experience in opioid incidences; and
- c. The Governor will appoint the Chair of the Council as a non-voting member. The Chair may only cast a vote in the event there is a tie of the membership.

2. Regional Members.

Six (6) members appointed by the State's political subdivisions to represent their designated Texas Health and Human Services Commission "HHSC" Regional Healthcare

Partnership (Regions) to ensure dedicated regional, urban, and rural representation on the Council. The regional appointees must be from either academia or the medical profession with significant experience in opioid interventions. The regional members are appointed as follows:

- a. One member representing Regions 9 and 10 (Dallas Ft-Worth);
- b. One member representing Region 3 (Houston);
- c. One member representing Regions 11, 12, 13, 14, 15, 19 (West Texas);
- d. One member representing Regions 6, 7, 8, 16 (Austin-San Antonio);
- e. One member representing Regions 1, 2, 17, 18 (East Texas); and
- f. One member representing Regions 4, 5, 20 (South Texas).

B. Terms

All members of the Council are appointed to serve staggered two-year terms, with the terms of members expiring February 1 of each year. A member may serve no more than two consecutive terms, for a total of four consecutive years. For the first term, four (4) members (two (2) statewide and two (2) for the subdivisions) will serve a three-year term. A vacancy on the Council shall be filled for the unexpired term in the same manner as the original appointment. The Governor will appoint the Chair of the Council who will not vote on Council business unless there is a tie vote, and the subdivisions will appoint a Vice-Chair voting member from one of the regional members.

C. Governance

1. Administration

The Council is attached administratively to the Comptroller. The Council is an independent, quasi-governmental agency because it is responsible for the statewide distribution of the abatement settlement funds. The Council is exempt from the following statutes:

- a. Chapter 316 of the Government Code (Appropriations);
- b. Chapter 322 of the Government Code (Legislative Budget Board);
- c. Chapter 325 of the Government Code (Sunset);
- d. Chapter 783 of the Government Code (Uniform Grants and Contract Management);
- e. Chapter 2001 of the Government Code (Administrative Procedure);
- f. Chapter 2052 of the Government Code (State Agency Reports and Publications);
- g. Chapter 2261 of the Government Code (State Contracting Standards and Oversight);
- h. Chapter 2262 of the Government Code (Statewide Contract Management);

- i. Chapter 262 of the Local Government Code (Purchasing and Contracting Authority of Counties); and
- j. Chapter 271 of the Local Government Code (Purchasing and Contracting Authority of Municipalities, Counties, and Certain Other Local Governments).

2. *Transparency*

The Council will abide by state laws relating to open meetings and public information, including Chapters 551 and 552 of the Texas Government Code.

- i. The Council shall hold at least four regular meetings each year. The Council may hold additional meetings on the request of the Chair or on the written request of three members of the council. All meetings shall be open to the public, and public notice of meetings shall be given as required by state law.
- ii. The Council may convene in a closed, non-public meeting:
 - a. If the Commission must discuss:
 - 1. Negotiation of contract awards; and
 - 2. Matters specifically exempted from disclosure by federal and state statutes.
 - b. All minutes and documents of a closed meeting shall remain under seal, subject to release only order of a court of competent jurisdiction.

3. *Authority*

The Council does not have rulemaking authority. The terms of each Judgment, Master Settlement Agreement, or any Bankruptcy Settlement for Texas control the authority of the Council and the Council may not stray outside the bounds of the authority and power vested by such settlements. Should the Council require legal assistance in determining their authority, the Council may direct the executive director to seek legal advice from the Attorney General to clarify the issue.

D. Operation and Expenses

The independent administrator will set aside up to one (1) percent of the settlement funds for the administration of the Council for reasonable costs and expenses of operating the foregoing duties, including educational activities.

1. *Executive Director*

The Comptroller will employ the executive director of the Council and other personnel as necessary to administer the duties of the Council and carry out the functions of the Council. The executive director must have at least 10 years of experience in government or public administration and is classified as a Director V/B30 under the State Auditor's State Classification. The Comptroller will pay the salaries of the Council employees from the

one (1) percent of the settlement funds set aside for the administration of the Council. The Comptroller will request funds from the Texas Abatement Fund Point of Contact.

2. Travel Reimbursement

A person appointed to the Council is entitled to reimbursement for the travel expenses incurred in attending Council duties. A member of the Council may be reimbursed for actual expenses for meals, lodging, transportation, and incidental expenses in accordance with travel rates set by the federal General Services Administration.

II. Duties/Roles

It is the duty of the Council to determine and approve the opioid abatement strategies and funding awards.

A. Approved Abatement Strategies

The Council will develop the approved Texas list of abatement strategies based on but not limited to the existing national list of opioid abatement strategies (see attached Appendix A) for implementing the Texas Abatement Fund.

1. The Council shall only approve strategies which are evidence-informed strategies.
2. The Texas list of abatement strategies must be approved by majority vote. The majority vote must include a majority from both sides of the statewide members and regional members in order to be approved, e.g., at least four (4) of six (6) members on each side.

B. Texas Abatement Fund Point of Contact

The Council will determine a single point of contact called the Abatement Fund Point of Contact (POC) to be established as the sole entity authorized to receive requests for funds and approve expenditures in Texas and order the release of funds from the Texas Abatement Fund by the independent administrator. The POC may be an independent third party selected by the Council with expertise in banking or financial management. The POC will manage the Opioid Council Bank Account (Account). Upon a vote, the Council will direct the POC to contact the independent administrator to release funds to the Account. The Account is outside the State Treasury and not managed by any state or local officials. The POC is responsible for payments to the qualified entities selected by the Council for abatement fund awards. The POC will submit a monthly financial statement on the Account to the Council.

C. Auditor

An independent auditor appointed by the Council will perform an audit on the Account on an annual basis and report its findings, if any, to the Council.

D. Funding Allocation

The Council is the sole decision-maker on the funding allocation process of the abatement funds. The Council will develop the application and award process based on the parameters outlined below. An entity seeking funds from the Council must apply for funds; no funds will be awarded without an application. The executive director and personnel may assist the Council in gathering and compiling the applications for consideration; however, the Council members are the sole decision-makers of awards and funding determination. The Council will use the following processes to award funds:

1. *Statewide Funds.* The Council will consider, adopt and approve the allocation methodology attached as Exhibit C, based upon population health data and prevalence of opioid incidences, at the Council's initial meeting. Adoption of such methodology will allow each Region to customize the approved abatement strategies to fit its communities' needs. The statewide regional funds will account for seventy-five (75) percent of the total overall funds, less the one (1) percent administrative expense described herein.
2. *Targeted Funds.* Each Region shall reserve twenty-five (25) percent of the overall funds, for targeted interventions in the specific Region as identified by opioid incidence data. The Council must approve on an annual basis the uses for the targeted abatement strategies and applications available to every Region, including education and outreach programs. Each Region without approved uses for the targeted funds from the Council, based upon a greater percentage of opioid incidents compared to its population, is subject to transfer of all or a portion of the targeted funds for that Region for uses based upon all Regions' targeted funding needs as approved by the Council on an annual basis.
3. *Annual Allocation.* Statewide regional funds and targeted funds will be allocated on an annual basis. If a Region lapses its funds, the funds will be reallocated based on all Regions' funding needs.

E. Appeal Process

The Council will establish an appeal process to permit the applicants for funding (state or subdivisions) to challenge decisions by the Council-designated point of contact on requests for funds or expenditures.

1. To challenge a decision by the designated point of contact, the State or a subdivision must file an appeal with the Council within thirty (30) days of the decision. The Council then has thirty (30) days to consider and rule on the appeal.
2. If the Council denies the appeal, the party may file an appeal with the state district court of record where the final opioid judgment or Master Settlement Agreement is filed. The Texas Rules of Civil Procedure and Rules of Evidence will govern these proceedings. The Council may request representation from the Attorney General in these proceedings.

In making its determination, the state district court shall apply the same clear error standards contained herein that the Council must follow when rendering its decision.

3. The state district court will make the final decision and the decision is not appealable.
4. Challenges will be limited and subject to penalty if abused.
5. Attorneys' fees and costs are not recoverable in these appeals.

F. Education

The Council may determine that a percentage of the funds in the Abatement Fund from the targeted funds be used to develop an education and outreach program to provide materials on the consequences of opioid drug use, prevention and interventions. Any material developed will include online resources and toolkits for communities.

EXHIBIT B

Exhibit B: Municipal Area Allocations: 15% of Total (\$150 million)

(County numbers refer to distribution to the county governments after payment to cities within county borders has been made. Minimum distribution to each county is \$1000.)

Municipal Area	Allocation	Municipal Area	Allocation
Abbott	\$688	Lakeport	\$463
Abernathy	\$110	Lakeside	\$4,474
Abilene	\$563,818	Lakeside City	\$222
Ackerly	\$21	Lakeview	\$427
Addison	\$58,094	Lakeway	\$31,657
Adrian	\$181	Lakewood Village	\$557
Agua Dulce	\$43	Lamar County	\$141,598
Alamo	\$22,121	Lamb County	\$50,681
Alamo Heights	\$28,198	Lamesa	\$29,656
Alba	\$3,196	Lampasas	\$28,211
Albany	\$180	Lampasas County	\$42,818
Aledo	\$331	Lancaster	\$90,653
Alice	\$71,291	Laredo	\$763,174
Allen	\$315,081	Latexo	\$124
Alma	\$1,107	Lavaca County	\$45,973
Alpine	\$29,686	Lavon	\$7,435
Alto	\$3,767	Lawn	\$58
Alton	\$11,540	League City	\$302,418
Alvarado	\$29,029	Leakey	\$256
Alvin	\$113,962	Leander	\$88,641
Alvord	\$358	Leary	\$797
Amarillo	\$987,661	Lee County	\$30,457
Ames	\$5,571	Lefors	\$159
Amherst	\$22	Leon County	\$67,393
Anahuac	\$542	Leon Valley	\$23,258
Anderson	\$19	Leona	\$883
Anderson County	\$268,763	Leonard	\$8,505
Andrews	\$18,983	Leroy	\$176
Andrews County	\$37,606	Levelland	\$46,848
Angelina County	\$229,956	Lewisville	\$382,094
Angleton	\$62,791	Lexington	\$2,318
Angus	\$331	Liberty	\$72,343
Anna	\$9,075	Liberty County	\$531,212
Annetta	\$5,956	Liberty Hill	\$2,780
Annetta North	\$34	Limestone County	\$135,684

(Table continues on multiple pages below)

Annetta South	\$602	Lincoln Park	\$677
Annona	\$738	Lindale	\$24,202
Anson	\$5,134	Linden	\$3,661
Anthony	\$4,514	Lindsay	\$1,228
Anton	\$444	Lipan	\$44
Appleby	\$1,551	Lipscomb County	\$10,132
Aquilla	\$208	Little Elm	\$69,326
Aransas County	\$266,512	Little River-Academy	\$798
Aransas Pass	\$57,813	Littlefield	\$7,678
Archer City	\$10,554	Live Oak	\$32,740
Archer County	\$45,534	Live Oak County	\$39,716
Arcola	\$7,290	Liverpool	\$1,435
Argyle	\$11,406	Livingston	\$73,165
Arlington	\$735,803	Llano	\$23,121
Armstrong County	\$974	Llano County	\$115,647
Arp	\$2,009	Lockhart	\$49,050
Asherton	\$112	Lockney	\$3,301
Aspermont	\$9	Log Cabin	\$1,960
Atascosa County	\$176,903	Lometa	\$1,176
Athens	\$105,942	Lone Oak	\$1,705
Atlanta	\$30,995	Lone Star	\$8,283
Aubrey	\$15,141	Longview	\$482,254
Aurora	\$1,849	Lorraine	\$188
Austin County	\$76,030	Lorena	\$3,390
Austin	\$4,877,716	Lorenzo	\$11,358
Austwell	\$109	Los Fresnos	\$11,185
Avery	\$138	Los Indios	\$159
Avinger	\$1,115	Los Ybanez	\$0
Azle	\$32,213	Lott	\$1,516
Bailey	\$950	Lovelady	\$249
Bailey County	\$15,377	Loving County	\$1,000
Bailey's Prairie	\$5,604	Lowry Crossing	\$783
Baird	\$2,802	Lubbock	\$319,867
Balch Springs	\$27,358	Lubbock County	\$1,379,719
Balcones Heights	\$23,811	Lucas	\$5,266
Ballinger	\$9,172	Lueders	\$508
Balmorhea	\$63	Lufkin	\$281,592
Bandera	\$2,893	Luling	\$29,421
Bandera County	\$86,815	Lumberton	\$36,609
Bangs	\$3,050	Lyford	\$3,071

Bardwell	\$362	Lynn County	\$6,275
Barry	\$200	Lytle	\$7,223
Barstow	\$61	Mabank	\$19,443
Bartlett	\$3,374	Madison County	\$49,492
Bartonville	\$8,887	Madisonville	\$11,458
Bastrop	\$46,320	Magnolia	\$26,031
Bastrop County	\$343,960	Malakoff	\$12,614
Bay City	\$57,912	Malone	\$439
Baylor County	\$29,832	Manor	\$12,499
Bayou Vista	\$6,240	Mansfield	\$150,788
Bayside	\$242	Manvel	\$12,305
Baytown	\$216,066	Marble Falls	\$37,039
Bayview	\$41	Marfa	\$65
Beach City	\$12,505	Marietta	\$338
Bear Creek	\$906	Marion	\$275
Beasley	\$130	Marion County	\$54,728
Beaumont	\$683,010	Marlin	\$21,634
Beckville	\$1,247	Marquez	\$1,322
Bedford	\$94,314	Marshall	\$108,371
Bedias	\$3,475	Mart	\$928
Bee Cave	\$12,863	Martin County	\$10,862
Bee County	\$97,844	Martindale	\$2,437
Beeville	\$24,027	Mason	\$777
Bell County	\$650,748	Mason County	\$3,134
Bellaire	\$41,264	Matador	\$1,203
Bellevue	\$56	Matagorda County	\$135,239
Bellmead	\$14,487	Mathis	\$15,720
Bells	\$1,891	Maud	\$423
Bellville	\$7,488	Maverick County	\$115,919
Belton	\$72,680	Maypearl	\$986
Benavides	\$152	McAllen	\$364,424
Benbrook	\$43,919	McCamey	\$542
Benjamin	\$951	McGregor	\$9,155
Berryville	\$14,379	McKinney	\$450,383
Bertram	\$182	McLean	\$14
Beverly Hills	\$4,336	McLendon-Chisholm	\$411
Bevil Oaks	\$549	Mcculloch County	\$20,021
Bexar County	\$7,007,152	Mclennan County	\$529,641
Big Lake	\$547	Mcmullen County	\$1,000
Big Sandy	\$4,579	Meadow	\$1,121

Big Spring	\$189,928	Meadowlakes	\$905
Big Wells	\$236	Meadows Place	\$18,148
Bishop	\$8,213	Medina County	\$48,355
Bishop Hills	\$323	Megargel	\$611
Blackwell	\$31	Melissa	\$15,381
Blanco	\$6,191	Melvin	\$345
Blanco County	\$49,223	Memphis	\$7,203
Blanket	\$147	Menard	\$991
Bloomburg	\$1,010	Menard County	\$14,717
Blooming Grove	\$352	Mercedes	\$21,441
Blossom	\$198	Meridian	\$3,546
Blue Mound	\$2,888	Merkel	\$10,117
Blue Ridge	\$1,345	Mertens	\$239
Blum	\$1,622	Mertzon	\$29
Boerne	\$45,576	Mesquite	\$310,709
Bogata	\$3,649	Mexia	\$21,096
Bonham	\$100,909	Miami	\$455
Bonney	\$2,510	Midland County	\$279,927
Booker	\$1,036	Midland	\$521,849
Borden County	\$1,000	Midlothian	\$95,799
Borger	\$69,680	Midway	\$78
Bosque County	\$71,073	Milam County	\$97,386
Bovina	\$173	Milano	\$904
Bowie	\$83,620	Mildred	\$286
Bowie County	\$233,190	Miles	\$93
Boyd	\$6,953	Milford	\$6,177
Brackettville	\$8	Miller's Cove	\$97
Brady	\$27,480	Millican	\$417
Brazoria	\$11,537	Mills County	\$19,931
Brazoria County	\$1,021,090	Millsap	\$34
Brazos Bend	\$462	Mineola	\$48,719
Brazos Country	\$902	Mineral Wells	\$92,061
Brazos County	\$342,087	Mingus	\$189
Breckenridge	\$23,976	Mission	\$124,768
Bremond	\$5,554	Missouri City	\$209,633
Brenham	\$54,750	Mitchell County	\$20,850
Brewster County	\$60,087	Mobeetie	\$52
Briarcliff	\$572	Mobile City	\$2,034
Briaroaks	\$57	Monahans	\$5,849
Bridge City	\$80,756	Mont Belvieu	\$19,669

Bridgeport	\$33,301	Montague County	\$94,796
Briscoe County	\$977	Montgomery	\$1,884
Broadus	\$31	Montgomery County	\$2,700,911
Bronte	\$99	Moody	\$828
Brooks County	\$20,710	Moore County	\$40,627
Brookshire	\$6,406	Moore Station	\$772
Brookside Village	\$1,110	Moran	\$50
Brown County	\$193,417	Morgan	\$605
Browndell	\$152	Morgan's Point	\$3,105
Brownfield	\$14,452	Morgan's Point Resort	\$8,024
Brownsboro	\$3,176	Morris County	\$53,328
Brownsville	\$425,057	Morton	\$167
Brownwood	\$166,572	Motley County	\$3,344
Bruceville-Eddy	\$1,692	Moulton	\$999
Bryan	\$246,897	Mount Calm	\$605
Bryson	\$1,228	Mount Enterprise	\$1,832
Buckholts	\$1,113	Mount Pleasant	\$65,684
Buda	\$10,784	Mount Vernon	\$6,049
Buffalo	\$11,866	Mountain City	\$1,548
Buffalo Gap	\$88	Muenster	\$4,656
Buffalo Springs	\$188	Muleshoe	\$4,910
Bullard	\$7,487	Mullin	\$384
Bulverde	\$14,436	Munday	\$2,047
Bunker Hill Village	\$472	Murchison	\$2,302
Burkburnett	\$37,844	Murphy	\$51,893
Burke	\$1,114	Mustang	\$7
Burleson County	\$70,244	Mustang Ridge	\$2,462
Burleson	\$151,779	Nacogdoches	\$205,992
Burnet	\$33,345	Nacogdoches County	\$198,583
Burnet County	\$189,829	Naples	\$4,224
Burton	\$937	Nash	\$7,999
Byers	\$77	Nassau Bay	\$11,247
Bynum	\$380	Natalia	\$625
Cactus	\$4,779	Navarro	\$334
Caddo Mills	\$43	Navarro County	\$103,513
Caldwell	\$18,245	Navasota	\$37,676
Caldwell County	\$86,413	Nazareth	\$124
Calhoun County	\$127,926	Nederland	\$44,585
Callahan County	\$12,894	Needville	\$10,341
Callisburg	\$101	Nevada	\$237

Calvert	\$772	New Berlin	\$4
Cameron	\$11,091	New Boston	\$6,953
Cameron County	\$537,026	New Braunfels	\$307,313
Camp County	\$28,851	New Chapel Hill	\$288
Camp Wood	\$422	New Deal	\$338
Campbell	\$1,116	New Fairview	\$2,334
Canadian	\$1,090	New Home	\$9
Caney City	\$2,005	New Hope	\$1,024
Canton	\$56,734	New London	\$4,129
Canyon	\$26,251	New Summerfield	\$442
Carbon	\$620	New Waverly	\$2,562
Carl's Corner	\$48	Newark	\$520
Carmine	\$385	Newcastle	\$914
Carrizo Springs	\$1,671	Newton	\$6,102
Carrollton	\$310,255	Newton County	\$158,006
Carson County	\$29,493	Neylandville	\$163
Carthage	\$18,927	Niederwald	\$16
Cashion Community	\$322	Nixon	\$2,283
Cass County	\$93,155	Nocona	\$16,536
Castle Hills	\$12,780	Nolan County	\$50,262
Castro County	\$4,420	Nolanville	\$4,247
Castroville	\$4,525	Nome	\$391
Cedar Hill	\$70,127	Noonday	\$226
Cedar Park	\$185,567	Nordheim	\$697
Celeste	\$1,280	Normangee	\$6,192
Celina	\$18,283	North Cleveland	\$105
Center	\$58,838	North Richland Hills	\$146,419
Centerville	\$385	Northlake	\$8,905
Chambers County	\$153,188	Novice	\$76
Chandler	\$17,364	Nueces County	\$1,367,932
Channing	\$2	O'Brien	\$76
Charlotte	\$4,257	O'Donnell	\$27
Cherokee County	\$156,612	Oak Grove	\$2,769
Chester	\$1,174	Oak Leaf	\$612
Chico	\$2,928	Oak Point	\$9,011
Childress	\$37,916	Oak Ridge	\$358
Childress County	\$50,582	Oak Ridge North	\$33,512
Chillicothe	\$172	Oak Valley	\$7
China	\$522	Oakwood	\$148
China Grove	\$598	Ochiltree County	\$15,476

Chireno	\$1,568	Odem	\$7,420
Christine	\$354	Odessa	\$559,163
Cibolo	\$13,690	Oglesby	\$29
Cisco	\$7,218	Old River-Winfree	\$21,653
Clarendon	\$114	Oldham County	\$10,318
Clarksville	\$20,891	Olmos Park	\$9,801
Clarksville City	\$54	Olney	\$6,088
Claude	\$26	Olton	\$1,197
Clay County	\$72,050	Omaha	\$4,185
Clear Lake Shores	\$6,682	Onalaska	\$31,654
Cleburne	\$228,184	Opdyke West	\$479
Cleveland	\$96,897	Orange	\$311,339
Clifton	\$9,939	Orange County	\$689,818
Clint	\$375	Orange Grove	\$1,677
Clute	\$51,350	Orchard	\$867
Clyde	\$17,287	Ore City	\$6,806
Coahoma	\$2,291	Overton	\$7,900
Cochran County	\$3,389	Ovilla	\$13,391
Cockrell Hill	\$512	Oyster Creek	\$9,633
Coffee City	\$1,087	Paducah	\$125
Coke County	\$5,522	Paint Rock	\$141
Coldspring	\$447	Palacios	\$14,036
Coleman	\$5,442	Palestine	\$178,009
Coleman County	\$4,164	Palisades	\$240
College Station	\$258,147	Palm Valley	\$1,918
Colleyville	\$46,049	Palmer	\$12,666
Collin County	\$1,266,721	Palmhurst	\$4,660
Collingsworth County	\$19,234	Palmview	\$7,577
Collinsville	\$1,831	Palo Pinto County	\$124,621
Colmesneil	\$2,211	Pampa	\$67,227
Colorado City	\$8,405	Panhandle	\$9,536
Colorado County	\$49,084	Panola County	\$80,699
Columbus	\$6,867	Panorama Village	\$1,292
Comal County	\$396,142	Pantego	\$12,898
Comanche	\$16,503	Paradise	\$52
Comanche County	\$50,964	Paris	\$201,180
Combes	\$1,710	Parker	\$10,307
Combine	\$1,892	Parker County	\$476,254
Commerce	\$33,869	Parmer County	\$15,866
Como	\$415	Pasadena	\$356,536

Concho County	\$3,859	Pattison	\$1,148
Conroe	\$466,671	Patton Village	\$9,268
Converse	\$27,693	Payne Springs	\$1,770
Cooke County	\$200,451	Pearland	\$333,752
Cool	\$731	Pearsall	\$11,570
Coolidge	\$243	Pecan Gap	\$719
Cooper	\$362	Pecan Hill	\$229
Coppell	\$86,593	Pecos	\$7,622
Copper Canyon	\$489	Pecos County	\$46,997
Copperas Cove	\$133,492	Pelican Bay	\$1,199
Corinth	\$75,298	Penelope	\$415
Corpus Christi	\$1,812,707	Penitas	\$312
Corral City	\$143	Perryton	\$23,364
Corrigan	\$21,318	Petersburg	\$1,691
Corsicana	\$87,310	Petrolia	\$17
Coryell County	\$123,659	Petronila	\$5
Cottle County	\$875	Pflugerville	\$86,408
Cottonwood	\$289	Pharr	\$144,721
Cottonwood Shores	\$1,203	Pilot Point	\$11,613
Cotulla	\$1,251	Pine Forest	\$3,894
Coupland	\$266	Pine Island	\$3,141
Cove	\$387	Pinehurst	\$32,671
Covington	\$519	Pineland	\$4,138
Coyote Flats	\$1,472	Piney Point Village	\$15,738
Crandall	\$12,094	Pittsburg	\$20,526
Crane	\$10,599	Plains	\$129
Crane County	\$26,146	Plainview	\$60,298
Cranfills Gap	\$128	Plano	\$1,151,608
Crawford	\$383	Pleak	\$270
Creedmoor	\$16	Pleasant Valley	\$308
Cresson	\$1,086	Pleasanton	\$29,011
Crockett	\$23,403	Plum Grove	\$258
Crockett County	\$18,210	Point	\$1,519
Crosby County	\$18,388	Point Blank	\$355
Crosbyton	\$1,498	Point Comfort	\$447
Cross Plains	\$4,877	Point Venture	\$588
Cross Roads	\$244	Polk County	\$370,831
Cross Timber	\$542	Ponder	\$1,282
Crowell	\$6,335	Port Aransas	\$31,022
Crowley	\$22,345	Port Arthur	\$367,945

Crystal City	\$19,412	Port Isabel	\$9,802
Cuero	\$24,689	Port Lavaca	\$11,752
Culberson County	\$789	Port Neches	\$38,849
Cumby	\$5,320	Portland	\$76,517
Cuney	\$606	Post	\$2,332
Cushing	\$1,120	Post Oak Bend City	\$1,034
Cut and Shoot	\$2,141	Poteet	\$6,767
DISH	\$19	Poth	\$3,974
Daingerfield	\$12,476	Potter County	\$371,701
Daisetta	\$5,370	Pottsboro	\$12,302
Dalhart	\$11,609	Powell	\$110
Dallam County	\$21,686	Poynor	\$1,180
Dallas County	\$8,538,291	Prairie View	\$7,600
Dallas	\$2,999,902	Premont	\$3,321
Dalworthington Gardens	\$6,060	Presidio	\$148
Danbury	\$4,231	Presidio County	\$787
Darrouzett	\$101	Primera	\$2,958
Dawson	\$600	Princeton	\$19,245
Dawson County	\$46,911	Progreso	\$8,072
Dayton	\$47,122	Progreso Lakes	\$39
Dayton Lakes	\$38	Prosper	\$22,770
De Kalb	\$1,035	Providence Village	\$508
De Leon	\$8,218	Putnam	\$14
De Witt County	\$68,895	Pyote	\$22
DeCordova	\$13,778	Quanah	\$207
DeSoto	\$72,400	Queen City	\$4,837
Deaf Smith County	\$34,532	Quinlan	\$7,304
Dean	\$141	Quintana	\$492
Decatur	\$56,669	Quitaque	\$8
Deer Park	\$49,388	Quitman	\$15,619
Del Rio	\$59,056	Rains County	\$53,190
Dell City	\$15	Ralls	\$3,967
Delta County	\$30,584	Rancho Viejo	\$3,836
Denison	\$210,426	Randall County	\$278,126
Denton	\$458,334	Ranger	\$12,186
Denton County	\$1,132,298	Rankin	\$1,613
Denver City	\$2,104	Ransom Canyon	\$930
Deport	\$42	Ravenna	\$685
Detroit	\$965	Raymondville	\$7,466
Devers	\$191	Reagan County	\$25,215

Devine	\$4,354	Real County	\$5,073
Diboll	\$25,533	Red Lick	\$23
Dickens	\$71	Red Oak	\$26,843
Dickens County	\$1,873	Red River County	\$29,306
Dickinson	\$83,683	Redwater	\$1,058
Dilley	\$2,633	Reeves County	\$103,350
Dimmit County	\$33,294	Refugio	\$8,839
Dimmitt	\$1,012	Refugio County	\$46,216
Dodd City	\$1,211	Reklaw	\$1,136
Dodson	\$447	Reno	\$3,791
Domino	\$196	Reno	\$11,164
Donley County	\$22,370	Retreat	\$52
Donna	\$13,798	Rhome	\$12,285
Dorchester	\$231	Rice	\$1,972
Double Oak	\$4,765	Richardson	\$260,315
Douglassville	\$574	Richland	\$210
Dripping Springs	\$811	Richland Hills	\$24,438
Driscoll	\$39	Richland Springs	\$2,234
Dublin	\$14,478	Richmond	\$77,606
Dumas	\$26,229	Richwood	\$12,112
Duncanville	\$58,328	Riesel	\$1,118
Duval County	\$49,109	Rio Bravo	\$8,548
Eagle Lake	\$4,882	Rio Grande City	\$25,947
Eagle Pass	\$56,005	Rio Hondo	\$3,550
Early	\$14,838	Rio Vista	\$4,419
Earth	\$242	Rising Star	\$1,933
East Bernard	\$5,554	River Oaks	\$11,917
East Mountain	\$2,494	Riverside	\$858
East Tawakoni	\$2,723	Roanoke	\$275
Eastland	\$15,896	Roaring Springs	\$461
Eastland County	\$52,275	Robert Lee	\$85
Easton	\$329	Roberts County	\$547
Ector	\$1,108	Robertson County	\$44,642
Ector County	\$480,000	Robinson	\$18,002
Edcouch	\$4,101	Robstown	\$40,154
Eden	\$497	Roby	\$428
Edgecliff Village	\$2,232	Rochester	\$674
Edgewood	\$13,154	Rockdale	\$20,973
Edinburg	\$120,884	Rockport	\$54,253
Edmonson	\$136	Rocksprings	\$25

Edna	\$18,194	Rockwall	\$114,308
Edom	\$2,149	Rockwall County	\$168,820
Edwards County	\$975	Rocky Mound	\$280
El Campo	\$31,700	Rogers	\$3,818
El Cenizo	\$621	Rollingwood	\$4,754
El Lago	\$5,604	Roma	\$16,629
El Paso	\$1,224,371	Roman Forest	\$8,610
El Paso County	\$2,592,121	Ropesville	\$2,122
Eldorado	\$50	Roscoe	\$778
Electra	\$15,716	Rose City	\$4,012
Elgin	\$26,284	Rose Hill Acres	\$2,311
Elkhart	\$301	Rosebud	\$1,489
Ellis County	\$315,372	Rosenberg	\$126,593
Elmendorf	\$746	Ross	\$147
Elsa	\$7,720	Rosser	\$549
Emhouse	\$83	Rotan	\$1,493
Emory	\$3,878	Round Mountain	\$454
Enchanted Oaks	\$1,299	Round Rock	\$475,992
Encinal	\$1,515	Round Top	\$140
Ennis	\$81,839	Rowlett	\$99,963
Erath County	\$102,616	Roxton	\$47
Escobares	\$40	Royse City	\$23,494
Estelline	\$909	Rule	\$800
Eules	\$92,824	Runaway Bay	\$6,931
Eureka	\$334	Runge	\$255
Eustace	\$2,089	Runnels County	\$33,831
Evant	\$2,068	Rusk	\$17,991
Everman	\$7,692	Rusk County	\$151,390
Fair Oaks Ranch	\$8,077	Sabinal	\$1,811
Fairchilds	\$81	Sabine County	\$46,479
Fairfield	\$1,245	Sachse	\$23,400
Fairview	\$32,245	Sadler	\$925
Falfurrias	\$2,221	Saginaw	\$31,973
Falls City	\$41	Salado	\$3,210
Falls County	\$34,522	San Angelo	\$536,509
Fannin County	\$131,653	San Antonio	\$4,365,416
Farmers Branch	\$94,532	San Augustine	\$25,182
Farmersville	\$10,532	San Augustine County	\$37,854
Farwell	\$343	San Benito	\$40,015
Fate	\$3,473	San Diego	\$11,771

Fayette County	\$92,440	San Elizario	\$7,831
Fayetteville	\$391	San Felipe	\$1,498
Ferris	\$13,873	San Jacinto County	\$197,398
Fisher County	\$5,518	San Juan	\$28,845
Flatonia	\$5,661	San Leanna	\$36
Florence	\$3,949	San Marcos	\$325,688
Floresville	\$21,699	San Patricio	\$4,213
Flower Mound	\$215,256	San Patricio County	\$271,916
Floyd County	\$9,049	San Perlita	\$2,219
Floydada	\$6,357	San Saba	\$10,057
Foard County	\$5,764	San Saba County	\$17,562
Follett	\$212	Sanctuary	\$17
Forest Hill	\$26,132	Sandy Oaks	\$9,863
Forney	\$80,112	Sandy Point	\$1,637
Forsan	\$576	Sanford	\$308
Fort Bend County	\$1,506,719	Sanger	\$22,237
Fort Stockton	\$4,411	Sansom Park	\$223
Fort Worth	\$2,120,790	Santa Anna	\$329
Franklin	\$3,931	Santa Clara	\$87
Franklin County	\$25,783	Santa Fe	\$33,272
Frankston	\$274	Santa Rosa	\$2,138
Fredericksburg	\$56,486	Savoy	\$2,349
Freeport	\$72,973	Schertz	\$60,110
Freer	\$3,271	Schleicher County	\$5,695
Freestone County	\$50,495	Schulenburg	\$2,560
Friendswood	\$140,330	Scotland	\$148
Frio County	\$19,954	Scottsville	\$708
Friona	\$2,848	Scurry	\$1,110
Frisco	\$405,309	Scurry County	\$73,116
Fritch	\$4,548	Seabrook	\$30,270
Frost	\$321	Seadrift	\$991
Fruitvale	\$2,344	Seagoville	\$17,106
Fulshear	\$5,272	Seagraves	\$7,531
Fulton	\$1,602	Sealy	\$20,637
Gaines County	\$54,347	Seguin	\$376,538
Gainesville	\$153,980	Selma	\$22,429
Galena Park	\$13,093	Seminole	\$16,092
Gallatin	\$1,253	Seven Oaks	\$3,917
Galveston	\$488,187	Seven Points	\$7,452
Galveston County	\$1,124,093	Seymour	\$14,218

Ganado	\$5,510	Shackelford County	\$1,288
Garden Ridge	\$11,351	Shady Shores	\$594
Garland	\$420,244	Shallowater	\$1,907
Garrett	\$2,510	Shamrock	\$4,328
Garrison	\$3,555	Shavano Park	\$3,178
Gary City	\$450	Shelby County	\$109,925
Garza County	\$8,944	Shenandoah	\$47,122
Gatesville	\$26,994	Shepherd	\$147
George West	\$6,207	Sherman	\$330,585
Georgetown	\$225,896	Sherman County	\$7,930
Gholson	\$1,505	Shiner	\$4,042
Giddings	\$12,674	Shoreacres	\$958
Gillespie County	\$63,191	Silsbee	\$66,442
Gilmer	\$33,951	Silverton	\$14
Gladewater	\$24,638	Simonton	\$1,906
Glasscock County	\$1,000	Sinton	\$23,658
Glen Rose	\$540	Skellytown	\$400
Glenn Heights	\$16,593	Slaton	\$154
Godley	\$3,115	Smiley	\$655
Goldsmith	\$677	Smith County	\$758,961
Goldthwaite	\$1,225	Smithville	\$17,009
Goliad	\$3,563	Smyer	\$300
Goliad County	\$34,660	Snook	\$1,422
Golinda	\$100	Snyder	\$9,018
Gonzales	\$14,882	Socorro	\$11,125
Gonzales County	\$33,230	Somerset	\$1,527
Goodlow	\$221	Somervell County	\$57,076
Goodrich	\$9,643	Somerville	\$3,806
Gordon	\$365	Sonora	\$7,337
Goree	\$749	Sour Lake	\$17,856
Gorman	\$3,107	South Houston	\$25,620
Graford	\$23	South Mountain	\$154
Graham	\$235,428	South Padre Island	\$30,629
Granbury	\$71,735	Southlake	\$70,846
Grand Prairie	\$445,439	Southmayd	\$7,096
Grand Saline	\$36,413	Southside Place	\$885
Grandfalls	\$65	Spearman	\$14,000
Grandview	\$6,600	Splendora	\$7,756
Granger	\$2,741	Spofford	\$7
Granite Shoals	\$11,834	Spring Valley Village	\$16,404

Granjeno	\$43	Springlake	\$3
Grapeland	\$7,287	Springtown	\$14,244
Grapevine	\$129,195	Spur	\$427
Gray County	\$65,884	St. Hedwig	\$111
Grays Prairie	\$17	St. Jo	\$7,360
Grayson County	\$539,083	St. Paul	\$21
Greenville	\$203,112	Stafford	\$75,145
Gregg County	\$243,744	Stagecoach	\$3,036
Gregory	\$4,697	Stamford	\$398
Grey Forest	\$474	Stanton	\$3,838
Grimes County	\$94,878	Staples	\$19
Groesbeck	\$5,745	Star Harbor	\$151
Groom	\$965	Starr County	\$99,896
Groves	\$40,752	Stephens County	\$35,244
Groveton	\$8,827	Stephenville	\$83,472
Gruver	\$1,166	Sterling City	\$62
Guadalupe County	\$146,824	Sterling County	\$939
Gun Barrel City	\$36,302	Stinnett	\$4,097
Gunter	\$4,609	Stockdale	\$741
Gustine	\$34	Stonewall County	\$1,822
Hackberry	\$94	Stratford	\$8,378
Hale Center	\$6,042	Strawn	\$987
Hale County	\$79,150	Streetman	\$5
Hall County	\$8,933	Sudan	\$32
Hallettsville	\$6,895	Sugar Land	\$321,561
Hallsburg	\$272	Sullivan City	\$6,121
Hallsville	\$10,239	Sulphur Springs	\$124,603
Haltom City	\$71,800	Sun Valley	\$4
Hamilton	\$3,581	Sundown	\$2,592
Hamilton County	\$66,357	Sunnyvale	\$3,248
Hamlin	\$4,656	Sunray	\$2,571
Hansford County	\$16,416	Sunrise Beach Village	\$2,083
Happy	\$327	Sunset Valley	\$9,425
Hardeman County	\$15,219	Surfside Beach	\$6,530
Hardin	\$100	Sutton County	\$6,541
Hardin County	\$379,800	Sweeny	\$4,503
Harker Heights	\$113,681	Sweetwater	\$68,248
Harlingen	\$165,429	Swisher County	\$7,251
Harris County	\$14,966,202	Taft	\$5,861
Harrison County	\$185,910	Tahoka	\$430

Hart	\$86	Talco	\$372
Hartley County	\$786	Talty	\$9,124
Haskell	\$10,829	Tarrant County	\$6,171,159
Haskell County	\$22,011	Tatum	\$972
Haslet	\$1,908	Taylor	\$57,945
Hawk Cove	\$674	Taylor County	\$351,078
Hawkins	\$7,932	Taylor Lake Village	\$412
Hawley	\$931	Taylor Landing	\$153
Hays	\$506	Teague	\$1,714
Hays County	\$529,489	Tehuacana	\$12
Hearne	\$16,824	Temple	\$280,747
Heath	\$28,751	Tenaha	\$4,718
Hebron	\$687	Terrell	\$148,706
Hedley	\$70	Terrell County	\$5,737
Hedwig Village	\$13,067	Terrell Hills	\$9,858
Helotes	\$15,790	Terry County	\$25,423
Hemphill	\$8,035	Texarkana	\$192,094
Hemphill County	\$14,394	Texas City	\$298,702
Hempstead	\$21,240	Texhoma	\$156
Henderson	\$59,966	Texline	\$865
Henderson County	\$327,965	The Colony	\$114,297
Henrietta	\$2,720	The Hills	\$1,004
Hereford	\$20,423	Thompsons	\$1,897
Hewitt	\$19,776	Thorndale	\$1,595
Hickory Creek	\$16,510	Thornton	\$270
Hico	\$5,534	Thorntonville	\$87
Hidalgo	\$26,621	Thrall	\$825
Hidalgo County	\$1,253,103	Three Rivers	\$4,669
Hideaway	\$922	Throckmorton	\$29
Higgins	\$43	Throckmorton County	\$5,695
Highland Haven	\$320	Tiki Island	\$2,178
Highland Park	\$43,383	Timbercreek Canyon	\$369
Highland Village	\$50,315	Timpson	\$12,642
Hill Country Village	\$6,485	Tioga	\$2,390
Hill County	\$127,477	Tira	\$185
Hillcrest	\$5,345	Titus County	\$70,611
Hillsboro	\$46,609	Toco	\$4
Hilshire Village	\$859	Todd Mission	\$1,680
Hitchcock	\$28,796	Tolar	\$2,369
Hockley County	\$46,407	Tom Bean	\$2,293

Holiday Lakes	\$1,795	Tom Green County	\$282,427
Holland	\$77	Tomball	\$34,620
Holliday	\$5,910	Tool	\$14,787
Hollywood Park	\$9,424	Toyah	\$40
Hondo	\$115,288	Travis County	\$4,703,473
Honey Grove	\$7,196	Trent	\$63
Hood County	\$292,105	Trenton	\$3,089
Hooks	\$2,702	Trinidad	\$5,859
Hopkins County	\$149,518	Trinity	\$23,652
Horizon City	\$7,520	Trinity County	\$105,766
Horseshoe Bay	\$48,173	Trophy Club	\$29,370
Houston County	\$78,648	Troup	\$7,918
Houston	\$7,021,793	Troy	\$5,320
Howard County	\$89,330	Tulia	\$8,911
Howardwick	\$84	Turkey	\$737
Howe	\$9,177	Tuscola	\$138
Hubbard	\$3,635	Tye	\$1,766
Hudson	\$6,840	Tyler	\$723,829
Hudson Oaks	\$15,637	Tyler County	\$131,743
Hudspeth County	\$985	Uhland	\$1,545
Hughes Springs	\$4,442	Uncertain	\$185
Humble	\$73,952	Union Grove	\$994
Hunt County	\$309,851	Union Valley	\$666
Hunters Creek Village	\$14,708	Universal City	\$28,428
Huntington	\$8,792	University Park	\$50,833
Huntsville	\$80,373	Upshur County	\$128,300
Hurst	\$99,187	Upton County	\$8,499
Hutchins	\$9,551	Uvalde	\$18,439
Hutchinson County	\$74,630	Uvalde County	\$36,244
Hutto	\$38,346	Val Verde County	\$117,815
Huxley	\$738	Valentine	\$207
Idalou	\$1,999	Valley Mills	\$2,228
Impact	\$8	Valley View	\$1,824
Indian Lake	\$473	Van	\$6,206
Industry	\$604	Van Alstyne	\$43,749
Ingleside on the Bay	\$142	Van Horn	\$211
Ingleside	\$40,487	Van Zandt County	\$248,747
Ingram	\$5,243	Vega	\$974
Iola	\$3,164	Venus	\$9,792
Iowa Colony	\$4,090	Vernon	\$81,337

Iowa Park	\$23,487	Victoria	\$84,598
Iraan	\$56	Victoria County	\$520,886
Iredell	\$216	Vidor	\$95,620
Irion County	\$9,105	Vinton	\$622
Irving	\$427,818	Volente	\$333
Italy	\$5,349	Von Ormy	\$513
Itasca	\$8,694	Waco	\$512,007
Ivanhoe	\$26	Waelder	\$3,427
Jacinto City	\$14,141	Wake Village	\$174
Jack County	\$14,799	Walker County	\$184,624
Jacksboro	\$23,254	Waller County	\$126,206
Jackson County	\$37,984	Waller	\$11,295
Jacksonville	\$80,179	Wallis	\$2,698
Jamaica Beach	\$4,913	Walnut Springs	\$183
Jarrell	\$2,423	Ward County	\$67,920
Jasper	\$78,422	Warren City	\$66
Jasper County	\$248,855	Washington County	\$83,727
Jayton	\$63	Waskom	\$5,346
Jeff Davis County	\$8,500	Watauga	\$33,216
Jefferson	\$11,194	Waxahachie	\$152,094
Jefferson County	\$756,614	Weatherford	\$207,872
Jersey Village	\$36,347	Webb County	\$505,304
Jewett	\$9,338	Webberville	\$1,280
Jim Hogg County	\$12,718	Webster	\$53,202
Jim Wells County	\$166,539	Weimar	\$5,830
Joaquin	\$810	Weinert	\$234
Johnson City	\$3,581	Weir	\$443
Johnson County	\$408,692	Wellington	\$9,111
Jolly	\$26	Wellman	\$383
Jones County	\$22,001	Wells	\$1,357
Jones Creek	\$5,078	Weslaco	\$73,949
Jonestown	\$6,419	West	\$3,522
Josephine	\$881	West Columbia	\$17,958
Joshua	\$20,619	West Lake Hills	\$17,056
Jourdanton	\$9,600	West Orange	\$42,452
Junction	\$4,825	West Tawakoni	\$6,995
Justin	\$8,575	West University Place	\$34,672
Karnes City	\$11,632	Westbrook	\$43
Karnes County	\$35,249	Westlake	\$41,540
Katy	\$52,467	Weston	\$266

Kaufman	\$27,607	Weston Lakes	\$189
Kaufman County	\$353,047	Westover Hills	\$4,509
Keene	\$38,296	Westworth Village	\$7,842
Keller	\$79,189	Wharton	\$31,700
Kemah	\$28,325	Wharton County	\$72,887
Kemp	\$6,419	Wheeler	\$447
Kempner	\$330	Wheeler County	\$26,273
Kendall County	\$100,643	White Deer	\$1,273
Kendleton	\$13	White Oak	\$15,305
Kenedy	\$676	White Settlement	\$23,304
Kenedy County	\$1,000	Whiteface	\$155
Kenefick	\$416	Whitehouse	\$29,017
Kennard	\$132	Whitesboro	\$18,932
Kennedale	\$21,024	Whitewright	\$7,098
Kent County	\$939	Whitney	\$73
Kerens	\$1,924	Wichita County	\$552,371
Kermit	\$5,652	Wichita Falls	\$832,574
Kerr County	\$218,452	Wickett	\$87
Kerrville	\$190,357	Wilbarger County	\$55,124
Kilgore	\$105,583	Willacy County	\$24,581
Killeen	\$535,650	Williamson County	\$1,195,987
Kimble County	\$20,480	Willis	\$24,384
King County	\$1,000	Willow Park	\$26,737
Kingsville	\$20,083	Wills Point	\$43,765
Kinney County	\$2,142	Wilmer	\$426
Kirby	\$8,752	Wilson	\$12
Kirbyville	\$10,690	Wilson County	\$121,034
Kirvin	\$2	Wimberley	\$724
Kleberg County	\$124,109	Winderest	\$12,908
Knollwood	\$1,160	Windom	\$1,087
Knox City	\$1,962	Windthorst	\$3,385
Knox County	\$11,730	Winfield	\$290
Kosse	\$2,468	Wink	\$120
Kountze	\$19,716	Winkler County	\$61,163
Kress	\$186	Winnnsboro	\$28,791
Krugerville	\$1,508	Winona	\$319
Krum	\$9,661	Winters	\$6,229
Kurten	\$686	Wise County	\$289,074
Kyle	\$51,835	Wixon Valley	\$441
La Feria	\$10,381	Wolfe City	\$5,466

La Grange	\$9,623	Wolfforth	\$4,022
La Grulla	\$1,708	Wood County	\$267,048
La Joya	\$8,457	Woodbranch	\$9,617
La Marque	\$98,930	Woodcreek	\$358
La Porte	\$91,532	Woodloch	\$1,012
La Salle County	\$14,975	Woodsboro	\$1,130
La Vernia	\$3,217	Woodson	\$122
La Villa	\$572	Woodville	\$20,340
La Ward	\$321	Woodway	\$25,713
LaCoste	\$159	Wortham	\$376
Lacy-Lakeview	\$11,599	Wylie	\$114,708
Ladonia	\$2,011	Yantis	\$2,072
Lago Vista	\$13,768	Yoakum County	\$34,924
Laguna Vista	\$3,689	Yoakum	\$20,210
Lake Bridgeport	\$232	Yorktown	\$5,447
Lake City	\$2,918	Young County	\$44,120
Lake Dallas	\$25,314	Zapata County	\$56,480
Lake Jackson	\$75,781	Zavala County	\$38,147
Lake Tanglewood	\$613	Zavalla	\$1,088
Lake Worth	\$20,051		

EXHIBIT C

Exhibit C: TX Opioid Council & Health Care Region Allocations plus Administrative Costs
70% of Total (\$700 million)

Health Care Region Allocation*: \$693 million; Administrative Costs: \$7 million		
Region	Counties in Health Care Region	Allocation
1	Anderson, Bowie, Camp, Cass, Cherokee, Delta, Fannin, Franklin, Freestone, Gregg, Harrison, Henderson, Hopkins, Houston, Hunt, Lamar, Marion, Morris, Panola, Rains, Red, River, Rusk, Smith, Titus, Trinity, Upshur, Van, Zandt, Wood	\$38,223,336
2	Angelina, Brazoria, Galveston, Hardin, Jasper, Jefferson, Liberty, Nacogdoches, Newton, Orange, Polk, Sabine, San Augustine, San Jacinto, Shelby, Tyler	\$54,149,215
3	Austin, Calhoun, Chambers, Colorado, Fort Bend, Harris, Matagorda, Waller, Wharton	\$120,965,680
4	Aransas, Bee, Brooks, De Witt, Duval, Goliad, Gonzales, Jackson, Jim Wells, Karnes, Kenedy, Kleberg, Lavaca, Live Oak, Nueces, Refugio, San Patricio, Victoria	\$27,047,477
5	Cameron, Hidalgo, Starr, Willacy	\$17,619,875
6	Atascosa, Bandera, Bexar, Comal, Dimmit, Edwards, Frio, Gillespie, Guadalupe, Kendall, Kerr, Kinney, La Salle, McMullen, Medina, Real, Uvalde, Val Verde, Wilson, Zavala	\$68,228,047
7	Bastrop, Caldwell, Fayette, Hays, Lee, Travis	\$50,489,691
8	Bell, Blanco, Burnet, Lampasas, Llano, Milam, Mills, San Saba, Williamson	\$24,220,521
9	Dallas, Kaufman	\$66,492,094
10	Ellis, Erath, Hood, Johnson, Navarro, Parker, Somervell, Tarrant, Wise	\$65,538,414
11	Brown, Callahan, Comanche, Eastland, Fisher, Haskell, Jones, Knox, Mitchell, Nolan, Palo Pinto, Shackelford, Stephens, Stonewall, Taylor	\$9,509,818
12	Armstrong, Bailey, Borden, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Cottle, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Floyd, Gaines, Garza, Gray, Hale, Hall, Hansford, Hartley, Hemphill, Hockley, Hutchinson, Kent, King, Lamb, Lipscomb, Lubbock, Lynn, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Scurry, Sherman, Swisher, Terry, Wheeler, Yoakum	\$23,498,027
13	Coke, Coleman, Concho, Crockett, Irion, Kimble, Mason, McCulloch, Menard, Pecos, Reagan, Runnels, Schleicher, Sterling, Sutton, Terrell, Tom Green	\$5,195,605
14	Andrews, Brewster, Crane, Culberson, Ector, Glasscock, Howard, Jeff Davis, Loving, Martin, Midland, Presidio, Reeves, Upton, Ward, Winkler	\$12,124,354
15	El Paso, Hudspeth	\$17,994,285
16	Bosque, Coryell, Falls, Hamilton, Hill, Limestone, McLennan	\$9,452,018
17	Brazos, Burleson, Grimes, Leon, Madison, Montgomery, Robertson, Walker, Washington	\$23,042,947
18	Collin, Denton, Grayson, Rockwall	\$39,787,684
19	Archer, Baylor, Clay, Cooke, Foard, Hardeman, Jack, Montague, Throckmorton, Wichita, Wilbarger, Young	\$12,665,268
20	Jim Hogg, Maverick, Webb, Zapata	\$6,755,656
	Administrative Costs	\$7,000,000

* Each Region shall reserve 25% of its allocation for Targeted Funds under the guidelines of Exhibit A.



SUMMARY OF PROPOSED OPIOID SETTLEMENTS

BACKGROUND

Texas, along with a broad coalition of states and subdivisions, has reached final agreements with four companies to resolve legal claims against for their role in the opioid crisis. One agreement is with opioid manufacturer Johnson & Johnson. The other is three major pharmaceutical distributors: AmerisourceBergen, Cardinal Health, and McKesson.

FINANCIAL TERMS

The two agreements provide for \$26 billion in payments over 18 years, with \$23.9 billion available for opioid abatement and significant amounts front loaded. Funding will be distributed to states according to the allocation agreement reached among the Attorneys General. Subdivisions can only participate in the agreement if their state participates. Texas' combined share is almost \$1.5 billion: \$1.17 billion from the distributors and \$268 million from J&J. Distribution within Texas is handled through an intrastate agreement between the state and litigating subdivisions. The funding must be used to support any of a wide variety of strategies to fight the opioid crisis. Separate provisions exist to compensate attorneys who have pursued opioid litigation on behalf of states and local governments.

Once the state agrees to participate, then the more subdivisions that join, the more money everyone in Texas will receive. Future opioid litigation may result in suspension and reduction of

payments. Even without full resolution of claims, states and subdivisions can still receive substantial payments by resolving a significant portion of current and future claims.

INJUNCTIVE TERMS

Both agreements both contain industry-changing injunctive terms. The distributors will be subject to more oversight and accountability, including an independent monitor, to prevent deliveries of opioids to pharmacies where diversion and misuse occur. They will be required to establish and fund an independent clearinghouse to track opioid distribution nationwide and flag suspicious orders. J&J will be prohibited from selling or promoting opioids.

HOW TO JOIN

To adopt the settlement and allocation schedule, you need to:

1. sign the Subdivision Settlement Participation Form;
2. adopt the Texas Term Sheet and its intrastate allocation schedule;
3. return both to opioids@oag.texas.gov.

The deadline for states to sign on is August 21, 2021. Subdivisions in participating states then have through January 2, 2022, to join.

FOR MORE INFORMATION, PLEASE VISIT:
www.texasattorneygeneral.gov/globalopioidsettlement



KEN PAXTON
ATTORNEY GENERAL *of* TEXAS

Global Opioids Settlement

What it means for Texas

This presentation is for informational purposes and does not constitute legal advice.

Opioids Crisis Update

- In 2020, drug overdose deaths **rose nearly 30%** in the United States to a **record high** of 93,000.
- Opioid overdose deaths hit a **record 69,000** in the United States.
- In Texas, **drug overdose deaths also increased by 31.9%**, driven primarily by opioid overdose deaths.
- The opioid overdose death increase was driven by fentanyl and other synthetic opioids.
- Attorney General Paxton's [website](#) ¹²⁰ has information to protect Texans from the nation's opioid crisis by educating them about the dangers of misusing prescription opioids.

Sources:

"Provisional Drug Overdose Death Counts." Centers for Disease Control: National Center for Health Statistics (last accessed July 23, 2021),

<https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>

"U.S. Drug-Overdose Deaths Soared Nearly 30% in 2020, Driven by Synthetic Opioids." Betsy McKay, Wall Street Journal (July 14, 2021),

<https://www.wsj.com/articles/u-s-drug-overdose-deaths-soared-nearly-30-in-2020-11626271200>

Opioids Settlements

- On **July 23, 2021**, Attorney General Paxton announced global settlements had been reached with the three major opioid distributors **McKesson, Cardinal Health, and Amerisource Bergen (ABDC)**, and opioid manufacturer **Johnson & Johnson (J&J)**.
 - Both settlements are a combined historic **\$26 billion**.
 - The distributors' settlement is for **\$21 billion**.
 - J&J's settlement is for **\$5 billion**.
 - The settlements include injunctive relief that changes the industry.

Opioids Settlements

- Texas could receive as much as **\$1.17 billion from the distributors** and **\$268 million from J&J** for **almost \$1.5 billion**, most of which is targeted for opioid abatement.

- The actual amount Texas receives will depend upon the participation of cities, counties, and other political subdivisions in the state. ¹²²

- Texas has joined both settlements.

- Now in subdivision sign on period, which ends January 2, 2022.

Opioids Settlements

- Injunctive Relief in the Settlements:
 - J&J is enjoined from manufacturing, selling, and promoting opioids for 10 years.
 - Distributors must establish a centralized clearinghouse jointly overseen by states and distributors.
 - Distributors will be required to take certain measures to detect suspicious orders.

Opioids Settlements

- Mechanics of the Monetary Settlement:
 - Texas's overall allocation is 6.29% of the Global Amount – potentially almost **\$1.5 billion** over 18 years from:
 - Distributors - **\$1.17 billion** over 18 years.
 - J&J - over **\$268 million** over 9 years.
 - Annual payments are split into base and incentive payments as follows:
 - Distributors - 55% base, 45% incentive
 - J&J - 45% base, 55% incentive
 - All incentive payments deal with preventing future litigation by subdivisions and incentivizing subdivision sign on.

Offsets and Suspension of Payments

- If a subdivision who hasn't sued decides to sue later, there is a suspension of payments and a potential offset of those payments.
- Size of the suspension and a potential offset depend on several factors, but the distributors' deal applies a maximum offset in the amount of 67% against the suspension and/or future payments.
- If that lawsuit is resolved, suspended payments resume. If the lawsuit requires payment, the amounts held are used to offset the amount paid.

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Goal: Bring the Most Money to Texas

- There are a combination of approaches that Texas could take to maximize funds with the participation of litigating subdivisions and nonlitigating subdivisions.
- This can be obtained by getting releases for past and future claims from all litigating subdivisions and special districts, all general-purpose subdivisions over 10,000 population, and covered special districts.
- Texas has 128 litigating subdivisions:
 - 110 Counties.
 - 5 Cities.
 - 10 Hospital Districts.
 - 3 School Districts.
- Texas has 406 general purpose subdivisions with a population of over 10,000 (309 nonlitigating and 97 litigating).
- Currently, the best option for Texas to maximize incentive funds is through a partnership with political subdivisions, where a large percentage agree to release claims.

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How Settlement Dollars Flow into Texas

- By signing on to the Settlement and executing a release, you increase the funds coming into Texas and will be entitled to a portion of the funds that Texas receives.
 - Texas and Participating Subdivisions alike get direct payments under the settlement.
 - Cities and Counties will also get funding for abatement programs from the Opioid Council
- Question: If my county signs up and executes a release, how do I get dollars to my county?
- Answer: SB 1827 (87R) and the Texas Term Sheet

Texas Term Sheet and SB 1827

- Goal of the Texas Term Sheet: Provide Texans in **all 254 counties** with the opportunity for funding for education, prevention, and treatment of opioid abuse.
- SB 1827 (87R) codifies the Texas Term Sheet and establishes the **Texas Opioid Council (Council)** to ensure that the funds recovered by Texas are allocated fairly and spent to remediate the opioid crisis in Texas, using efficient and cost-effective methods that are directed to the hardest hit regions in Texas while also ensuring that all Texans benefit from prevention and recovery efforts.
- 85% of the funds under the Settlement will be deposited into the Opioids Abatement Trust Fund:
 - 15% to directly to subdivisions.
 - 70% share to abatement programs.

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Example Opioid Fund Allocations

These amounts are estimates only based on maximum recoveries

- Assuming (1) your subdivision executes a release and signs on to the Texas Term Sheet, and (2) Texas receives maximum funds from the distributors and J&J, what kind of funding does that mean for my subdivision?

- Example 1 – direct payments to cities and counties:

Subdivision	Distributors	J&J	Total
Horizon City	\$7,463.58	\$1,715.49	\$9,179.08

Example Opioid Fund Allocations

These amounts are estimates only based on maximum recoveries

- Assuming (1) your subdivision executes a release and signs on to the Texas Term Sheet, and (2) Texas receives maximum funds from the distributors and J&J, what kind of funding does that mean for my subdivision?

- Example 2 – Abatement allocations by Regions for Treatment Programs

Region	Distributors	J&J	Total
Region 15 (El Paso, Hudspeth)	\$18,039,679.50	\$4,146,396.35	\$22,186,075.85

Opioid Lawsuits Timeline (1 of 3)

- In **September 2017**, Attorney General Paxton and a **bipartisan coalition of 40 other states** served investigative subpoenas and additional requests on eight companies that manufacture or distribute highly addictive opioids to evaluate whether manufacturers and distributors engaged in unlawful practices in the marketing, sale, and distribution of opioids.
- **May 15, 2018**, Texas filed a **lawsuit against Purdue Pharma** for violating state laws against⁴³¹ deceptive trade practices and misrepresenting the risk of addiction to patients and doctors.
- On **September 4, 2019**, Attorney General Paxton announced that a **civil Medicaid fraud lawsuit** had been filed against pharmaceutical manufacturer **Johnson & Johnson** for misrepresentations made to the Texas Medicaid program about their dangerous opioid drug, Duragesic.
- Purdue Pharma files for Chapter 11 Bankruptcy in **September 2019**.

Opioid Lawsuits Timeline (2 of 3)

- In **February 2020**, Attorney General Paxton announced a global settlement framework between state attorneys general, local subdivisions, and Mallinckrodt (MKN). MKN is currently the largest generic opioid manufacturer in the United States. In the agreement, MKN agreed to pay **\$1.6 billion in cash** to a trust that will cover the costs of opioid addiction treatment and related efforts, with the potential for increased payment to the trust.
- On **May 13, 2020**, Attorney General Paxton reached a bipartisan agreement with Texas Counties and Cities in preparation for settlement with opioid defendants: **McKesson, Cardinal Health, ABDC, and Johnson & Johnson**. Texas is one of the lead states currently negotiating financial settlements with the nation's largest companies in the opioid supply chain.

Opioid Lawsuits Timeline (3 of 3)

- In **February 2021**, Attorney General Paxton and 46 states entered into a settlement with McKinsey, a consulting firm that assisted Purdue and others with their marketing of prescription opioids, for **\$583 million and injunctive relief**. The funds are earmarked to remediate the harms caused by the opioid epidemic and to recover the costs incurred in investigating and pursuing these claims.
- On **July 23, 2021**, Attorney General Paxton announced the global settlement had been reached with opioid defendants **McKesson, Cardinal Health, ABDC, and Johnson & Johnson**.

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Next Steps

- To join the Settlement, Subdivisions need to:
 - Sign on the to settlement and execute releases; and
 - Execute the Texas Term Sheet.
- The deadline to sign on is approximately 120 days after the state sign-on period, estimated January 2, 2022.



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For more information, visit

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