



**HORIZON CITY**

**Incorporated 1988**

**AGENDA  
PUBLIC MEETING  
ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS MEETING  
THE TOWN OF HORIZON CITY, TEXAS  
Wednesday, November 20, 2024, 6:00 PM**

Notice is hereby given that a ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS MEETING of the Town of Horizon City, Texas will be held on **Wednesday, November 20, 2024 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:

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

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

- 1. **Call to order; Establishment of Quorum**
- 2. **Open Forum:**
- 3. **Approval of Minutes from:** October 16, 2024 Regular Board Meeting. **3**
- 4. **Discussion and Action:** **5**

Presenter: EDC Executive Director

To approve the First Amendment to the Right of First Offer signed on January 9, 2024, between Horizon Oxbow Development LLC and Town of Horizon City Economic Development Corporation Type 4B to authorize the Board President to commit approximately \$73,136.00 for the construction of new EDC offices.

**5. Executive Session**

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

A. .

Presenter: EDC Executive Director

On real estate discussions for the TOD/Town Center (551.072 and 551.087).

**6. Open Session:**

**7. Adjournment:**

Adjournment:

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

Dated this Friday, November 15, 2024

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

I, the undersigned authority, hereby certify that the above notice of the ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS MEETING of the Town of Horizon City, Texas is a correct copy of this notice, and that I posted this notice at least seventy-two (72) hours preceding the scheduled meeting at the City Hall Bulletin Boards of the Town of Horizon City, Texas on this Friday, November 15, 2024 by 5:00 p.m.

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

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



**MINUTES  
PUBLIC MEETING  
ANNUAL ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS MEETING  
THE TOWN OF HORIZON CITY, TEXAS  
Wednesday, October 16, 2024, 6:00 PM**

Notice is hereby given that a ANNUAL ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS MEETING of the Town of Horizon City, Texas was held on **Wednesday, October 16, 2024 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:

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

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

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

Meeting called to order at: 6:27 PM . Quorum established.

Board Members Present: Walter Miller, Aurelio Sillas, Taniesha Chalmers, Dean Hulsey

Members Absent: Jerry Garcia, Ruby Maldonado, James Montoya

Staff: Eduardo Garcia, EDC Executive Director, Rafael Arellano, EDC Assistant Director; Lily Gaytan, Finance Director, Veronica Rojas, Board Secretary

**2. Open Forum: No Audience**

**3. Approval of Minutes from:** August 21, 2024 Regular Board Meeting

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

**4. Discussion:**

On recent activities by the Horizon City Economic Development Corporation.

Presenter: EDC Executive Director

The EDC Assistant Director, Rafael Arellano spoke on this item.

**5. Discussion and Action:**

On election of officers for the Horizon City Economic Development Corporation Board of Directors.

A. President – Walter Miller (Motion by Dean Hulsey, Seconded by Taniesha Chalmers)

B. Vice President – Aurelio Sillas (Motion by Dean Hulsey, Seconded by Taniesha Chalmers)

C. Board Secretary – Veronica Rojas (Motion by Aurelio Sillas, Seconded by Taniesha Chalmers)

D. Board Treasurer – Lili Gaytan (Motion by Taniesha Chalmers, Seconded by Aurelio Sillas)

Presenter: EDC Executive Director

**6. Executive Session**

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

**7. Adjournment:**

**ADJOURNMENT**

A motion was made by Board Member, Aurelio Sillas and seconded by Board Member, Dean Hulsey to adjourn at 6:55 PM.

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

**Attest:**

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

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

**FIRST AMENDMENT TO  
RIGHT OF FIRST OFFER AGREEMENT**

**THE STATE OF TEXAS  
COUNTY OF EL PASO**

This First Amendment to the Right of First Offer Agreement ("**Agreement**") is entered into by and between the **HORIZON OXBOW DEVELOPMENT LLC**, a Texas limited liability company ("**Grantor**") and the **TOWN OF HORIZON CITY ECONOMIC DEVELOPMENT CORPORATION**, a home rule city of the State of Texas, ("**Grantee**").

Date: \_\_\_\_\_

Grantor: HORIZON OXBOW DEVELOPMENT LLC.

Grantor's Address: HORIZON OXBOW DEVELOPMENT LLC.  
Attn: 320 Texas Ave Fl 2 El Paso TX 79901

Grantee: Town of Horizon City Economic Development Corporation

Grantee's Address: Town of Horizon City Economic Development Corporation  
Attn: Walter W. Miller, EDC Board President  
14999 Darrington Road  
Horizon City, Texas 79928

Property: An approximately 2,500/square feet fee simple interest, together with all improvements thereon, being a part of the property commonly known at 1560 Pawling, Horizon City, Texas 79928, that is situated in the Town of Horizon City, El Paso County, Texas, which is described in **Exhibit "A"**, which is attached hereto and incorporated herein for any and all purposes.

Term: This Agreement takes effect immediately upon conveyance of the Property to Grantor by Grantee under a separate Purchase and Sale Agreement and Special Warranty Deed and expires on \_\_\_\_\_.

Consideration: Grantee agrees to pay the sum of **Six Hundred Eighteen Thousand Six Hundred and Forty Dollars and no cents (\$618,640.00)** to purchase the Property. The Grantee also agrees to pay the sum of **Seventy-Three Thousand One Hundred and Thirty-Six Dollars and no cents (\$73,136.00)** for internal office space improvements as described in Exhibit "B", attached below.

## **A. Grant of Right of First Offer**

A. 1. Grantor grants to Grantee a right of first offer to acquire the Property described in Exhibit "A" on which Grantor shall construct an office building of approximately 2,500 square feet and related improvements.

A. 2. During the Term, if Grantor wishes to sell the Property or any portion thereof or interest therein for any form of consideration, Grantor must give written notice to Grantee stating the complete terms of the proposed transfer, including the consideration, which must be stated as a cash purchase price.

A.3. Grantee will have the right to purchase the Property on the terms set forth in Grantor's notice by giving written notice to Grantor within thirty (30) days following the receipt of Grantor's notice. If Grantee affirmatively exercises that right, the Property will be transferred to Grantee, and Grantee will pay to Grantor the consideration on the terms set forth in the notice from Grantor.

A.4. If Grantee does not affirmatively exercise its right within the thirty (30) day period, Grantor may transfer the Property to another party on the terms described in Grantor's notice to Grantee within the 120-day period following the expiration of the thirty (30) day period. If a transfer is not consummated within the 120-day period, Grantor may not transfer the Property without again complying with the provisions of this Agreement. If Grantor wishes to effect a transfer on terms that are less favorable to Grantor than those described in Grantor's notice, Grantor must repeat the process set forth in this Agreement by giving a new notice to Grantee setting forth the new terms. If Grantor timely consummates a transfer, this Agreement will automatically terminate when the Property is conveyed to another party.

A.5. The rights granted in this Agreement expire at the end of the Term.

## **B. Transfers by Gift, Devise, Descent, or Otherwise without Consideration**

If the Property is transferred by gift, devise, descent, or another transaction that does not involve the payment of consideration in any form, the provisions of this Agreement will be fully binding on the person acquiring title to the Property in that transaction.

## **C. Recordation**

Grantee may record this Agreement or a memorandum of this Agreement in the real property records of El Paso County, Texas. Grantee will, on request, execute and record a release of this Agreement following its expiration or termination.

## **D. Assignment**

This Agreement is binding upon the heirs, executors, administrators, personal representatives, successors and assigns of the Grantor and the Grantee.

Grantor may only assign its rights and obligations under this Agreement with the written consent of Grantee, and Grantor must submit a written request for such consent to the Grantee at least ninety (90) days in advance of any proposed assignment. No such assignment will release Grantor of its obligations under this Agreement, and Grantor and the assignee will be jointly and severally liable for the performance of such obligations after any such assignment.


**E. Notices**

Any notice required or permitted under this Agreement must be in writing. Any notice required by this Agreement will be deemed to be given (whether received or not) the earlier of receipt or three business days after being deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address shown in this Agreement, Notice may be also given by regular mail, personal delivery, courier delivery, or e-mail and will be effective when received. Any address for notice may be changed by written notice given as provided herein.

THE GRANTEE IS SET FORTH THE FULL AGREEMENT OF THE GRANTOR AND IN THE FOREGOING TEXT OF THIS INSTRUMENT, AND NO OTHER REPRESENTATIONS OR OBLIGATIONS OTHER THAN THOSE SET FORTH HEREIN WILL BE RECOGNIZED.

**GRANTOR:**

**Horizon Oxbow Development LLC.**

  
\_\_\_\_\_  
By: George M. Dipp, Manager

Date: November 15, 2024

**GRANTEE:**

**Horizon City Economic  
Development Corporation**

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

Date: \_\_\_\_\_

## **Exhibit B**

### Internal Office Space Improvements

- 4 – 10 x 12 office spaces
- 1 – 10 x 16 office space
- 1 – 15 x 20 conference room space
- 1 - Janitors' closet
- 1 - Sink and cabinet for coffee bar