

**TOWN OF HORIZON CITY
REINVESTMENT ZONE NUMBER ONE
FIRST AMENDMENT TO BYLAWS**

WHEREAS, on January 25, 2021, the Board of Directors of the Town of Horizon City Reinvestment Zone Number One (TIRZ No.1) approved Bylaws to set forth the way the Board of Directors will conduct the affairs of TIRZ No. 1 in accordance with Town of Horizon City Ordinance No. 0264 and applicable State laws;

WHEREAS, the City Council of the Town of Horizon City approved the Bylaws on February 9, 2021;

WHEREAS, the Board of Directors of TIRZ No. 1 desires to amend the bylaws to comply with the terms of the El Paso County Agreement Regarding Participation, Cost Allocation, and Reimbursement for Reinvestment Zone Number One Town of Horizon City approved by the Town of Horizon City Board of Directors on August 9, 2022; and

WHEREAS, Article IV, Section 2 of the Bylaws requires that any amendment to the bylaws must be approved by a majority of the Board of Directors and approved by the Town of Horizon City Council.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF TIRZ NO. 1 AS FOLLOWS:

Amendment. Article II. Board of Directors, Section 1 is deleted in its entirety and replaced with the following:

Section 1. Powers, Number, and Term of Office. The property and affairs of the Zone shall be managed and controlled by the City Council based on the recommendations of the Board of Directors of the Zone (“Board of Directors” or “Board”), subject to the restrictions imposed by law, the ordinance creating the Zone, and these Bylaws. It is the intention of the City Council that the Board of Directors shall function only in an advisory or study capacity with respect to the Zone and shall exercise only those powers, advisory in nature, which are either granted to the Board pursuant to the Act or delegated to the Board by the City Council. The Board will comply with the policies and procedures of the City, including, but not limited to, matters regarding ethics conflicts of interest, and the Open Meetings Act.

All members of the board shall meet the eligibility requirements set forth in the Act. Board membership shall consist of the following:

- a. The members of the City Council for the Town of Horizon City. The terms of the board members who are members of City Council will serve terms concurrent with their terms on City Council. All other Board members will serve 2-year terms and may serve no more than three consecutive terms.

- b. The Mayor shall serve as Chairperson, and the Board shall elect from its members a vice chairman and other officers as it sees fit.
- c. El Paso County is entitled to three appointments to the TIRZ Board to include (1) the County Judge, (2) the County Commissioner who represents a majority of the total area of the TIRZ, and (3) an El Paso County elected official who represents a majority of the total area of the TIRZ (including elected officials that are elected county- or district-wide) and is selected at the sole discretion of the Court.
- d. The terms of County appointees shall be by virtue of, dependent on, and concurrent with their terms on the Commissioners Court. If a County appointee leaves his or her county elected position for any reason, the County appointee shall be deemed to have resigned his or her TIRZ position automatically. Additionally, the County appointments shall not be subject to term limits.
- e. Should a County appointee to the TIRZ Board be removed as outlined below in Section 3, the County may appoint an alternate member (1) of the Court to replace the County Judge or County Commissioner or (2) an El Paso County elected official who represents a majority of the total area of TIRZ to the TIRZ Board. If the TIRZ Board votes to replace either the County Judge or County Commissioner, the term of the alternate appointment shall be concurrent with the term of the original and removed member of the Court.
- f. Unless otherwise indicated herein, one member shall be appointed by the governing body of each of the taxing entities that enter into a Participation Agreement and contribute to the Zone.
- g. Only TIRZ Board, and not the City Council, shall have the authority to remove TIRZ Board Members, including the County appointees. Any TIRZ Board Member may only be removed for "cause and in the interest of the public," which shall be defined as:
 - 1. Any violation of Texas State Laws regarding ethics, conflict of interests, or crimes of moral turpitude;
 - 2. for County appointees any violation of the El Paso County Code of Ethics;
 - 3. any violation of the Horizon City Ordinance Regulating Ethical Conduct; or
 - 4. two cumulative absences within a single fiscal year, beginning on October 1st and ending on September 30th, if the TIRZ Board meets fewer than six times within the fiscal year, or three cumulative absences within a single fiscal year, beginning on October 1st and ending on September 30th, if the TIRZ Board meets more than six times within a single fiscal year.

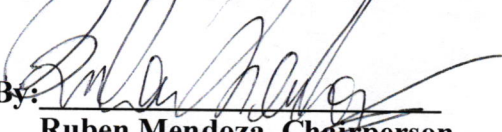
Ratification. Except as expressly modified herein in writing, all other terms and conditions of the Bylaws as previously approved by the TIRZ Board and City Council shall remain in full force and effect.

Effective Date. These Bylaws shall become effective only upon the occurrence of the following events: (1) The adoption of these Bylaws by the Board of Directors, and (2) The approval of these Bylaws by the City Council.

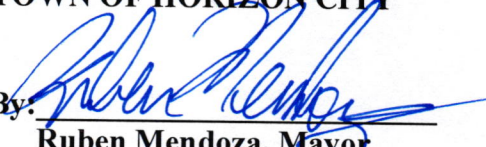
Approved by the Board of Directors of the **Town of Horizon City Reinvestment Zone Number One** on the 11th day of October 2022.

Approved by the **City Council of the Town of Horizon City** on the 11th day of October, 2022.

**REINVESTMENT ZONE NUMBER ONE
TOWN OF HORIZON CITY**

By: 
Ruben Mendoza, Chairperson

TOWN OF HORIZON CITY

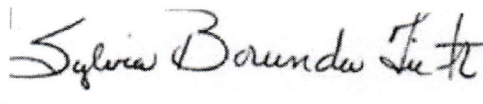
By: 
Ruben Mendoza, Mayor

ATTEST:

By: 
Elvia Schuller, City Clerk and
TIRZ Board Secretary



APPROVED AS TO FORM:


By: _____
Sylvia Borunda Firth
Assistant City Attorney