



City of Presidio

REGULAR
CITY COUNCIL
MEETING

FEBRUARY 9, 2026



**City Council
Regular Council Meeting,
February 9, 2026**

Notice is hereby given that the City Council of the City of Presidio, Texas will hold a Regular City Council meeting, at **5:30 p.m. on Monday, February 9, 2026 at the Presidio Activity Center, (PAC) 1200 East O'Reilly St, in the City of Presidio, Texas** for the purpose of considering the attached agenda. This notice is posted pursuant to the Texas Open Meetings Act. (Section 551.043, Texas Government Code).

To join the video meeting,

<https://meet.google.com/rpu-ftcx-gfo>

Otherwise, to join by phone, dial +1 929-266-1668 and enter this PIN: 989 728 643#

1. Call meeting to order
2. Quorum Check
3. Pledge of Allegiance
4. Public Comments *(Comments are limited only to matters that are not included in any item that has been posted on the agenda. Speakers are limited to a maximum of five minutes per speaker. Before addressing the City Council each speaker will state their name and address clearly before making comments).*
5. Discussion / action to approve prior minutes for:
 - a. Regular meeting, January 12, 2026
 - b. Regular meeting, January 23, 2026
6. City of Presidio Business (New/Old)
 - a. Discussion / action / update on the TxCDBG Grant CDV23-0300 (Water and Drainage Improvements) Small Purchase: Electrical quote and Agreement, project status and other grant matters. – Mrs. Becky Brewster, Grant Administrator
 - b. Discussion / action / update on the TxCDBG Rural Economic Development (RED) Grant CRC23-0523 project status and other grant matters. – Mrs. Becky Brewster, Grant Administrator
 - c. Discussion / action / update on the TxCDBG Grant CDV25-0138 project status. – Mrs. Becky Brewster, Grant Administrator
 1. Other grant matters.
 - d. Discussion / action / update on the TDEM TX 5161-4 (ARPA Funds). – Mrs. Becky Brewster, Grant Administrator
 2. Project status
 3. Other grant matters.
 - e. Discussion / action to consider appointing Mr. Mason Danielle to the City of Presidio Planning & Zoning Commission Board. – Mayor Ferguson
 - f. Discussion / action to consider appointing Mr. Jesus Zubia, and/or Mr. Jiovannie Escontrias to the vacant Presidio Municipal Development District Board seat and to take into consideration the Interim board seats. – City Secretary – Councilman Montoya
 - g. Discussion / action / consideration to approve Resolution 2026-01R Stone Garden Grant #3708509 Fiscal Year 2026-2027. – Chief of Police Covos

- h. Discussion / action to review and to consider the approval of the Presidio Municipal Development District amended By-Laws. – Mr. John Kennedy, PMDD Executive Director – Councilman Montoya
- i. Discussion / action to consider appointing Mr. Crisitan Montoya as a Full-Time Presidio Municipal Development District board member. – Councilman Montoya
- j. Discussion / action to consider and determine the continuation of the City of Presidio EMS Community Paramedic Program in-house. – Mr. Troy Sparks, EMS Director
- k. Discussion / action to consider amending the City of Presidio Ordinance 2024-8 Fireworks regulation.

7. Adjourn

I certify that the above notice of regular city council meeting was posted in the display case near the front entrance of City Hall on or before three working days February 3, 2026 and at the display case near the door of the Presidio Activity Center located at 1200 E. O'Reilly St, Presidio, Texas on or before three working days February 3, 2026. I further certify that this agenda was also posted in the City of Presidio website www.presidiotx.us – Council Meeting & Updates – Agenda & Meetings on or before three working days February 3, 2026.



Brenda Lee Ornelas-Acuña
City Secretary

All items on the agenda are for discussion and or action by the Presidio City Council. The Presidio City Council 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 the Texas Government Code including, but not limited to, 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), 551.087 (Economic Development) and 418.183 (Deliberations about Homeland Security Issues) Council will make a tape recording of the proceedings of a closed meeting to deliberate this information. This facility is wheelchair accessible and parking spaces are available. Request for accommodations must be made 48 hours prior to this meeting. Please contact City Hall at 432 229-3517, FAX 432 229-3505, or email bornelas@presidiotx.us for further information.

LINE ITEM 5

5. Discussion / action to approve prior minutes for:
 - a. Regular meeting, January 12, 2026
 - b. Regular meeting January 23, 2026

Regular Meeting Minutes, January 12, 2026

**Regular Council Meeting Minutes,
January 12, 2026**

1. **Call meeting to order:** Mayor Ferguson called the Regular City Council meeting for January 12, 2026 at the Presidio Activity Center into order at 4:09 p.m.
2. **Quorum Check:** City Secretary verified quorum.

Attendee Name	Title	Status	Departed
John Ferguson	Mayor	Present	
Cristian Montoya	Mayor Pro Tem	Present	
Bianca Martinez-Bailon	Council member	Present	
Silverio Escontrias	Council member	Present	
Fernando Juarez	Council member	Present	
Juan R. Saenz	Council member	Present	8:00 pm
Pablo Rodriguez	City Administrator	Present	
Brenda Acuña	City Secretary	Present	
Glorissel Muñiz	Deputy City Secretary	Present	

3. **Pledge of Allegiance:** Councilman Juarez led pledge of allegiance.
4. **Recognize and Welcome Visitors – 5 minutes**

Public Comment is reserved for members of the public who would like to address the City Council regarding agenda and non-agenda items. Please be aware that, under Texas Law, the Council may not deliberate or take any action during Citizen's comments for items not on the agenda. In some situations, City Staff may be able to respond to the public comments with a factual statement or clarification. The City Council may have the item placed on a future agenda for action or refer the item to Management and Staff for study or conclusion.

Mayor Ferguson welcomed public and City of Presidio staff to the regular meeting on January 12, 2026 at the Presidio Activity Center and opened floor for any visitor to address the City Council for five minutes. No comments at present time.

5. **Department Reports –** Councilman Escontrias asked about some the ordinances being enforced by the Police Department. Chief Covos stated they were enforcing the ordinances with the junk vehicles.
6. **Discussion / action to approve Prior Minutes for Regular City Council Meeting, December 8, 2025.**

DISCUSSION: Approved as presented by the City Council.

ACTION: Councilman Escontrias moved to approve the prior minutes for the Regular City Council meeting, December 8, 2025 as presented.
Councilman Saenz seconded the motion.
Motion Carried Unanimously 5-0

7. **New Business**

- a. **Discussion / action / update on the TxCDBG Grant CDV23-0300 (Water and Drainage Improvements) project status and other grant matters.**

DISCUSSION:

ACTION: Councilman Juarez moved to take no action for line items 7a, 7b, 7c, and 7d.
Councilman Montoya seconded the motion.
Motion Carried Unanimously 5-0

- b. Discussion / action / update on the TxCDBG Rural Economic Development (RED) Grant CRC23-0523 project status and other grant matters.**

DISCUSSION:

ACTION: Councilman Juarez moved to take no action for line items 7a, 7b, 7c, and 7d.
Councilman Montoya seconded the motion.
Motion Carried Unanimously 5-0

- c. Discussion / action Discussion / action / update on the TxCDBG Grant CDV25-0138 project status.**
1. Other grant matters.

DISCUSSION:

ACTION: Councilman Juarez moved to take no action for line items 7a, 7b, 7c, and 7d.
Councilman Montoya seconded the motion.
Motion Carried Unanimously 5-0

- d. Discussion / action Discussion / action / update on the TDEM TX 5161-4 (ARPA Funds). – Mrs. Becky Brewster**
1. Project status
2. Other grant matters.

DISCUSSION:

ACTION: Councilman Juarez moved to take no action for line items 7a, 7b, 7c, and 7d.
Councilman Montoya seconded the motion.
Motion Carried Unanimously 5-0

- e. Discussion / action to approve the City of Presidio EMS proposed mandatory On-Call Coverage proposal.**

DISCUSSION: Mr. Troy Sparks, EMS Director, approached the City Council and Mayor Ferguson with the proposal of mandatory On-Call Coverage for all EMS employees. This is for employees to be on-call as mandatory coverage for the city. Mr. Sparks recommended integrating the On-Call through February as a trial basis. In addition, he would need to have this proposal be mandatory for all EMS classifications.

ACTION: Councilwoman Martinez-Bailon moved to approve the City of Presidio EMS proposed mandatory On-Call Coverage proposal.
Councilman Montoya seconded the motion.
Motion Carried Unanimously 5-0

- f. Discussion / action on the City of Presidio salaried employees' expectations.**

DISCUSSION: Councilman Montoya stated this was not an action item, more of a discussion item. This is to hold the supervisors accountable for their time during work hours. Councilman Montoya requested to have the supervisors available for the citizens and other city necessities.

ACTION: No action.

g. Discussion / action on the accountability for the City of Presidio supervisors.

DISCUSSION: Councilman Montoya stated that this as supervisors they must be accountable for their employees. Supervisors need to be available for the employees and their needs. Implementing a structure and chain of command is very important for the employees.

ACTION: No action

h. Discussion / action on the communication between the City of Presidio and the Community

DISCUSSION: Councilman Montoya requested to have a better line of communication between the City of Presidio and the community. Councilman Montoya stated that the city needs to update the community, weekly, daily, or monthly, through social media and the city's website. Reverse 911 may also be used to give imperative reports to the community.

ACTION: No action

i. Discussion / action on the complaints during the Lighting of the Christmas Tree.

DISCUSSION: Councilman Montoya expressed the complaints from the community during the Christmas event and decorations. Community felt the Christmas event was not festive enough and need more decorations. Ms. Glorissel Muñiz, Finance Director stated that the Christmas event had a budget and it did not go over budget. City Administrator Rodriguez stated that these complaints would be taken into consideration for the next Christmas event.

For the record, Councilman Saenz left the meeting at 8:00 pm.

ACTION: No action

j. Discussion / action on the 2026 major projects per the City of Presidio departments.

DISCUSSION: Councilman Montoya asked to have the department heads available to discussion major projects for their department. Public works reported on their projects. City Administrators gave reports on the projects for the city for this year.

ACTION: No action

k. Update on the agreement on the "Type 3 Brush Truck to be available for disaster deployment under TIFMAS and for the Presidio County Volunteer Support"

DISCUSSION: City Administrator, Pablo Rodriguez reported that the City of Presidio went into contract with D&J Wildland Services for the type 3 brush truck only. Presidio Fire Chief Saul Pardo stated that the truck would only be for deployment only. Chief Pardo said that this contract would serve for two major purposes. First, it would make some revenue for the fire department at a 25% and the D&J would profit 75% due to them having ownership of the brush truck. Second purpose would be for that any of the deployed firefighters be compensated during their deployment.

i. Discussion / action to reconsider the submission of the Certificate of Obligation for the City of Presidio.

DISCUSSION: City Administrator approached the council with the consideration of reapplying for the Certificate of Obligation for the city. The certificate would be used for only essential needs for the City of Presidio. Mr. Rodriguez pointed out the needs for the city as in payments for the initial assessment of \$44,000 expense for the landfill, the Quality report for groundwater \$46,000, trash trucks, dump truck, backhoe, jetter truck, vehicles for Public Works, and possible purchase of the old TxDOT property and the property behind City Hall. Town Hall meeting will be conducted to give the public more information the possibility of a Certificate of Obligation for the city.

ACTION: Councilwoman Martinez-Bailon moved to approve the reconsideration of the submission of the Certificate of Obligation for the City of Presidio.
Councilman Escontrias seconded the motion.
Motion Carried Unanimously 4-0

m. Discussion / action to consider issuing the payment of outstanding invoices of \$84,460.25 from the Texas Department of Transportation sidewalk project.

DISCUSSION: City Administrator informed the City Council that back in December the city received three outstanding invoices from TxDOT estimated around \$70,000. Then in January, there was another invoice for \$84,460. These invoices are from the sidewalk project back in 2019.

ACTION: Councilman Juarez moved to table line item 7m pending more investigation.
Councilman Montoya seconded the motion.
Motion Carried Unanimously 4-0

n. Discussion / action on modifying the City of Presidio lighting ordinance to prioritize the safety of residents and travelers.

DISCUSSION: Councilman Juarez addressed the issue of why the modifying the City of Presidio dark sky ordinance for the safety people inside the city. Mayor Ferguson stated that it was overdue for the City of Presidio to have newly installed lighting, which has not happened in over thirty years. The public commented the same sentiment of needing more street lighting inside the city. Councilman Juarez recommends 2700 kelvins as indicated in the Dark Sky Ordinance. Councilman Juarez recommended modifying as follows on page one Section two definitions, under "Adaptive Controls" removing the second part to the first sentence. Page three under "Lumens per Net Acre" to remove "Undeveloped, non-illuminated portions of the property may not be included in the net acreage calculation." Page four, under section three, second paragraph, to remove "Any owner who further fails to comply after 30 days from the issuance of such warning notice shall be subject to a fine of \$25.00 for each day of noncompliance." Page 4, under section four, "Light Trespass" add the word unreasonable to the second sentence, "No luminaire, except governmental streetlights, shall create "unreasonable" conditions of light trespass. Page seven, third paragraph, first sentence remove "provided the source of the light is not visible from any other property". Page nine, to remove (c) "Nothing in this article shall be construed as limiting the right of any person or entity to pursue legal action against any other person or entity under any applicable law, including the doctrine of light trespass. Page eight, under 5-b to remove all organizations from the paragraph. Page eight, under Section seven, Exemptions, amendments, and variances, add (6) that temporary display are exempt when a governmental agenda determines it is necessary for public safety."

ACTION: Councilwoman Martinez-Bailon moved to approve modifications as follows, on page one Section two definitions, under “Adaptive Controls” removing the second part to the first sentence. Page three under “Lumens per Net Acre” to remove “Undeveloped, non-illuminated portions of the property may not be included in the net acreage calculation.” Page four, under section three, second paragraph, to remove “Any owner who further fails to comply after 30 days from the issuance of such warning notice shall be subject to a fine of \$25.00 for each day of noncompliance.” Page 4, under section four, “Light Trespass” add the word unreasonable to the second sentence, “No luminaire, except governmental streetlights, shall create “unreasonable” conditions of light trespass. Page seven, third paragraph, first sentence remove “provided the source of the light is not visible from any other property”. Page eight, under 5-b to remove all organizations from the paragraph. Page eight, under Section seven, Exemptions, amendments, and variances, add (6) that temporary display are exempt when a governmental agenda determines it is necessary for public safety.”

Councilman Saenz seconded the motion.

Motion Carried Unanimously 5-0

o. Discussion / action to change the regular City Council meeting times from 4:00 pm to 5:30 pm.

DISCUSSION: Councilwoman Martinez-Bailon requested this agenda item. She stated that the time change would help with the Councilmembers and public that have an 8-5 employment. This would benefit the public that work to be able to attend the meetings.

ACTION: Councilman Juarez moved to approve the change of the regular City Council meeting times from 4:00 pm to 5:30 pm effective February 2026.

Councilman Montoya seconded the motion.

Motion Carried Unanimously 4-0

p. Update on the rural ambulance grant meeting with EMS Director Troy Sparks, Commission Hisler, and Mr. Ramon Rodriguez with Lone Star Strategy, the EMS Director from Marfa, and the Marfa City Council members.

DISCUSSION: Councilwoman Martinez-Bailon updated the public with the rural ambulance grant meeting. Presidio County entities, including the city’s EMS will be applying for the rural ambulance grant. Mr. Ramon Rodriguez stated that the state is awarding grants to rural communities for ambulances. Presidio County qualifies for \$500,000 in grant monies. Mr. Troy Sparks, EMS Director stated that this is a onetime grant for counties only. The City of Marfa is requesting half of the funds from the grant.

q. Discussion / action to separate the current roles of the City Secretary and Human Resources with the City of Presidio Attorney guidance. – Councilwoman Martinez-Bailon

- 1. Adjourn into executive session as Authorized by the Texas Government Code including, but not limited to section 551.074 (Personnel Matters), & 551.071 (Consultation with Attorney) regarding agenda item 7q.**
- 2. Reconvene into open session and take such action as appropriate.**

ACTION: Mayor Ferguson adjourned into executive session at 4:13 pm. Mayor Ferguson reconvened into open session at 4:52 pm.

DISCUSSION: No discussion. Mayor Ferguson entertained a motion.

ACTION: Councilman Escontrias moved to table line item 7q.

Councilman Juarez seconded the motion.

Motion Carried Unanimously 5-0

r. Discussion / action Mr. Teodoro Escontrias is interested in purchasing the Hendrix & Miles property owned by the City of Presidio. – City Administrator

1. **Adjourn into executive session as Authorized by the Texas Government Code including, but not limited to section 551.072 (Deliberations about Real Property), regarding agenda item 7r.**
2. **Reconvene into open session and take such action as appropriate.**

ACTION: Mayor Ferguson adjourned into executive session at 4:13 pm. Mayor Ferguson reconvened into open session at 4:52 pm.

DISCUSSION: Mayor Ferguson entertained a motion.

ACTION: Councilman Juarez moved to take no action.
Councilman Saenz seconded the motion.
Motion Carried Unanimously 5-0

8. Adjourn

DISCUSSION: There being no further business for the City Council Mayor Ferguson adjourned the regular City of Presidio meeting for January 12, 2026 at 9:00 p.m.

ACTION: Councilman Montoya moved to adjourn the regular City of Presidio meeting for January 12, 2026 at 9:00 p.m.
Councilwoman Martinez-Bailon seconded the motion.
Motion Carried Unanimously 4-0

CITY OF PRESIDIO, TEXAS

John Ferguson
City of Presidio Mayor

ATTEST:

Brenda Lee Acuña
City Secretary

Regular Meeting Minutes, January 26, 2026



Regular Council Meeting Minutes,
January 26, 2026

- 1. **Call meeting to order:** Mayor Ferguson called the Regular City Council meeting for January 26, 2026 at the Presidio Activity Center into order at 4:03 p.m.
- 2. **Quorum Check:** City Secretary verified quorum.

Attendee Name	Title	Status	Arrived
John Ferguson	Mayor	Present	
Cristian Montoya	Mayor Pro Tem	Present	
Bianca Martinez-Bailon	Council member	Present	
Silverio Escontrias	Council member	Present	
Fernando Juarez	Council member	Present	
Juan R. Saenz	Council member	Not Present	
Pablo Rodriguez	City Administrator	Present	
Brenda Acuña	City Secretary	Present	
Glorissel Muñiz	Deputy City Secretary	Present	

- 3. **Pledge of Allegiance:** Councilman Juarez led pledge of allegiance.
- 4. **Recognize and Welcome Visitors – 5 minutes**

Public Comment is reserved for members of the public who would like to address the City Council regarding agenda and non-agenda items. Please be aware that, under Texas Law, the Council may not deliberate or take any action during Citizen's comments for items not on the agenda. In some situations, City Staff may be able to respond to the public comments with a factual statement or clarification. The City Council may have the item placed on a future agenda for action or refer the item to Management and Staff for study or conclusion.

Mayor Ferguson welcomed public and City of Presidio staff to the regular meeting on January 26, 2026 at the Presidio Activity Center and opened floor for any visitor to address the City Council for five minutes. Mr. John Kennedy, PMDD Executive Director, commented on their board amending the PMDD By-Laws. Mr. Osvaldo Acosta, Mr. Jaime Acosta, and Mr. Osvaldo Acosta Jr., approached the City Council with their concern for the city's firework ordinance that is risking the kids that ride their bikes to the outside city limits and risking their lives to purchase fireworks. They requested to have it on the agenda at the next regular meeting. Mr. Steven Hummel, from the McDonald Observatory, invited the Mayor and City Council to visit the observatory during the night for stargazing and tour the facilities. The invitation is to frame the Dark Sky conversation. Ms. Lynnette Brehm, Hospital District Director, informed that they will hosting a town hall next month, to talk about the funding coming to Texas rural areas from the Big Beautiful Bill for the rural hospital districts. The town hall is to ask the public on their feedback on how the funding should be spent.

- 5. **Department Reports - For review only.**
- 6. **New Business**

- a. **Discussion / action / update on the TxCDBG Grant CDV23-0300 (Water and Drainage Improvements) project status and other grant matters. – Mrs. Becky Brewster**

DISCUSSION: Mrs. Becky Brewster, Grant Administrator, stated that TDA approved the amendment request that moved the monies from the drainage improvement project to the water project. They also did the change order to remove the electrical from Skinner Drilling due to them not bidding on its entirety. This caused the project to be extended until September 30, 2026. Mrs. Brewster informed the City Council and Mayor that the quote for this electrical work that was removed from Skinners bid. She will need to request a clearance through the system of award management before the contract may be awarded. If the City Council accepts the quote, make sure they accept pending the system award management review in order to award the contract.

ACTION: No action.

b. Discussion / action / update on the TxCDBG Rural Economic Development (RED) Grant CRC23-0523 project status and other grant matters. – Mrs. Becky Brewster

DISCUSSION: Mrs. Becky Brewster stated that next Monday they would be meeting with engineers to present conceptual designs to the project team to narrow it down and decide exactly where to go with the project.

ACTION: No action.

c. Discussion / action / update on the TxCDBG Grant CDV25-0138 project status. – Mrs. Becky Brewster
1. Other grant matters.

DISCUSSION: Mrs. Brewster informed the City Council that this grant is the one to replace water valves and the pressure-reducing valve into the city. The start date for the project will be February 1st and they are in the process of the grant agreement.

ACTION: No action.

d. Discussion / action/ update on the TDEM TX 5161-4 (ARPA Funds). – Mrs. Becky Brewster
1. Project status
2. Other grant matters.

DISCUSSION: No update from Mrs. Brewster at this time.

ACTION: No action.

e. Discussion / Presentation of architectural plans for the new Big Bend Hospital District Presidio Health Center.

DISCUSSION: Ms. Lynette Brehm, Big Bend Hospital District, presented the architectural plans for the new Big Bend Hospital District health center to be constructed in Presidio, next to the Presidio Activity Center.

f. Discussion / action to approve an Interlocal Agreement between the City of Presidio EMS Services with Presidio County. Presenter Deidre Hisler-Presidio County Commissioner: Precinct 1.

DISCUSSION: Ms. Deidre Hisler, Presidio County Commissioner, stated that the county has been working on a rural ambulance grant with the State Comptroller's office. In order to submit the grant application they need an Interlocal agreement between Presidio County, City of Presidio, and City of Marfa to submit to the Comptroller's office along with the grant application. The agreement was drafted by the Presidio County Attorney and needs to be submitted no later than January 30, 2026.

ACTION: Councilman Juarez moved to approve an Interlocal Agreement between the City of Presidio EMS Services with Presidio County pending the corrections and modification of the interlocal agreement language and authorize City Administrator Pablo Rodriguez to work with the Presidio County Attorney.
Councilwoman Martinez-Bailon seconded the motion.
Motion Carried Unanimously 4-0

g. Discussion / action to approve Ordinance 2026-1 Order of General Election and Notice of General Election for the City of Presidio.

DISCUSSION: Mayor Ferguson stated that this is was the ordinance to Order Election for the City of Presidio.

ACTION: Councilman Montoya moved to approve Ordinance 2026-1 Order of General Election and Notice of General Election for the City of Presidio.
Councilwoman Martinez-Bailon seconded the motion.
Motion Carried Unanimously 4-0

h. Discussion / action to approve Ordinance 2026-2 Change the Time Change for City Council meeting.

DISCUSSION: Mayor Ferguson stated this ordinance is to change the City Council meetings from 4:00 pm to 5:30 pm to begin February.

ACTION: Councilwoman Martinez-Bailon moved to approve Ordinance 2026-2 Change the Time Change for City Council meeting.
Councilman Escontrias seconded the motion.
Motion Carried Unanimously 4-0

i. Discussion / action on second and final reading of Ordinance 2026-3 on amended Dark Sky ordinance.

DISCUSSION: Mayor Ferguson stated that we had come into agreement and all that is needed to approve the second reading to be adopted into law.

ACTION: Councilwoman Martinez-Bailon moved to approve and adopt the second and final reading of Ordinance 2026-3 on amended Dark Sky ordinance.
Councilman Montoya seconded the motion.
Motion Carried Unanimously 4-0

j. Discussion / action to consider appointment of Mr. Jiovannie Escontrias to the Presidio Municipal Development District Board open seat.

DISCUSSION: Mr. Jiovannie Escontrias approached the Mayor and City Council with his request to being considered to the Presidio Municipal Development District Board's open seat. Councilman Montoya stated that there were other applicants to the open seat. City Council requested to have all applicants on the next regular meeting agenda for consideration.

ACTION: Councilman Juarez moved to table line item 6j to have all other applicants on the next regular meeting agenda for considerations.
Councilman Escontrias seconded the motion.
Motion Carried Unanimously 2-0 2 Abstain
Councilwoman Martinez-Bailon and Councilman Montoya Abstained

k. Discussion / action regarding the Game Room Ordinance for the City of Presidio.

DISCUSSION: Mayor Ferguson started by commenting a few items. Back in 2023, the city was considering a game room ordinance. Mayor Ferguson presented a packet with information to the City Council for consideration and opened the floor for discussion. Discussions and comments from the City Council and staff. Mr. Matt Stevens asked to have the Planning & Zoning Board for further research.

ACTION: Councilman Escontrias moved to send this consideration of Game Room Ordinance to the Presidio Planning & Zoning Commission.
Councilwoman Martinez-Bailon seconded the motion.
Motion Carried Unanimously 4-0

i. Discussion / action regarding filming requests on the City of Presidio property from Ms. Sarah Eckenroth, MXR Films.

DISCUSSION: Ms. Sarah Echenroth requested that she be granted permission to film on the City of Presidio old wastewater plant on HWY 190 on February 20 and 21st. She will be producing a short film named The Affidavit.

ACTION: Councilman Juarez moved to approve the request to use the City of Presidio's old wastewater treatment plant on HWY 190 and excluding the City of Presidio from any liability during the filming process.

Councilman Montoya seconded the motion.

Motion Carried Unanimously 4-0

m. Discussion / action to consider approval of quote for Electrical Work for Water Well #8 on the TXCDBG Project No. CDB23-0300.

DISCUSSION: Mrs. Brewster informed that she would need to request a clearance through the system of award management before the contract to be awarded. Mr. Ramon Carrasco, Kleinman Engineer, recommended to award the quote for Electrical Work for Water Well #8 on the TXCDBG Project No. CDB23-0300 to Poor Boy Electric for \$45,000.

ACTION: Councilman Juarez moved to approve quote from Poor Boy Electric for \$45,000 for the Electrical Work for Water Well #8 on the TxCDBG Project no. CDB23-0300.

Councilman Escontrias seconded the motion.

Motion Carried Unanimously 4-0

n. Discussion / action to consider approval of Change order No. 1 for Water Well #8 on the TxCDBG Project No. CDB23-0300.

DISCUSSION: Mrs. Brewster requested that the City Council consider approving Change order no. 1 for the Water Well #8 on the TxCDBG project no. CDB23-0300.

ACTION: Councilman Montoya moved to approve Change order no. 1 for the Water Well #8 on the TxCDBG project no. CDB23-0300.

Councilman Escontrias seconded the motion.

Motion Carried Unanimously 4-0

o. Update on the Presidio, Texas Geothermal ongoing and upcoming projects for the 1st quarter of calendar year 2026.

UPDATE / DISCUSSION: Mr. John Kennedy and Ms. Glorissel Muñiz gave updates on the Geothermal. They informed the Mayor and City Council on what they are working on presently and where the project is going for the 2026 year.

p. Discussion / action to separate the current roles of the City Secretary and Human Resources.

1. Adjourn into executive session as Authorized by the Texas Government Code including, but not limited to section 551.074 (Personnel Matters) 6p.

2. Reconvene into open session and take such action as appropriate.

ACTION: Mayor Ferguson adjourned into executive session at 5:40 pm. Mayor Ferguson reconvened into open session at 6:37 pm.

DISCUSSION: Mayor Ferguson informed the public that the City Administrator will move forward with this action.

ACTION: No action.

7. Adjourn

DISCUSSION: There being no further business for the City Council Mayor Ferguson adjourned the regular City of Presidio meeting for January 26, 2026 at 6:39 p.m.

ACTION: Councilman Escontrias moved to adjourn the regular City of Presidio meeting for January 26, 2026 at 6:39 p.m.

Councilman Montoya seconded the motion.

Motion Carried Unanimously 4-0

CITY OF PRESIDIO, TEXAS

John Ferguson
City of Presidio Mayor

ATTEST:

Brenda Lee Acuña
City Secretary

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- a. Discussion / action / update on the TxCDBG Grant CDV23-0300 (Water and Drainage Improvements) Small Purchase: Electrical quote and Agreement, project status and other grant matters. – Mrs. Becky Brewster, Grant Administrator

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- b. Discussion / action / update on the TxCDBG Rural Economic Development (RED) Grant CRC23-0523 project status and other grant matters. – Mrs. Becky Brewster, Grant Administrator

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- c. Discussion / action / update on the TxCDBG Grant CDV25-0138 project status. – Mrs. Becky Brewster, Grant Administrator
 - 1. Other grant matters.

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- d. Discussion / action / update on the TDEM TX 5161-4 (ARPA Funds). – Mrs. Becky Brewster, Grant Administrator
 - 1. Project status
 - 2. Other grant matters.

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- e. Discussion / action to consider appointing Mr. Mason Darnielle to the City of Presidio Planning & Zoning Commission Board. – Mayor Ferguson

Mr. Mason Darnielle

CITY OF PRESIDIO CITIZEN APPLICATION
FOR CIVIC SERVICE POSITIONS

What Board are you interested in serving on? Zoning Board

Name: Mason Darnielle

Address: 105 Ralph England St. Presidio TX 79845 Apt#4

Home Phone #: _____ Cell 260-433-9825

Email Address: tatt@s.md3@gmail.com

Do you live inside the City limits of Presidio? yes

Place of Employment: Frontier Trucking STOP

Address: 99220 US-67, Presidio, TX 79845

Work Phone #: 432-229-2777 Can you be called at work? yes

Occupation: Cashier

Briefly explain why you wish to be a member of this particular council, board, or commission?

Make a difference in my community

Signature: Mason Darnielle Date: 1-27-26

Submit your application by to the City Secretary, Presidio City Hall.
Appointments to be considered at the City Council Meeting.
Box 1899
Presidio, Texas 79845
Or in Person at City Hall at
507 W O'Rielly Street

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- f. Discussion / action to consider appointing Mr. Jesus Zubia, and/or Mr. Jiovannie Escontrias to the vacant Presidio Municipal Development District Board seat and to take into consideration the Interim board seats. – City Secretary – Councilman Montoya

Mr. Jesus Zubia

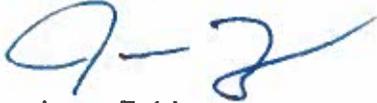
To whom it may concern,

I am interested in the open board seat for PMDD. As a teacher in Presidio ISD, my goal is to contribute to the improvement of our community. With the support of my students and colleagues, we can work towards this mission together. I aim to strengthen the connection between the community and Presidio ISD.

By collaborating, we can enhance our community's parks and attractions, allowing residents to enjoy family activities without needing to travel far. I want my students to take pride in the community they belong to and help shape. My primary ambition is to attract people to Presidio through CTE competitions and community events.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J-Z', with a stylized flourish extending from the end.

Jesus Zubia



Presidio Municipal Development District

P. O. Box 3229 Presidio, Texas 79845

Fiscal Year 2024-2025 PMDD Supplementary Board Application Questionnaire

Have you ever managed or owned a business:

*Yes I manage my own Autosal Business.
Doc also owned a Security business.*

Have you ever purchased or sold real estate:

No Doc haven't

Do you have any experience with Governmental Regulations-State Code, EPA, DOE, etc:

I have little experience

Do you have any ideas on improving Presidio as a whole and economically:

*I do I am the cycling teacher and I
like to make competition for the region and
hopefully attract attention to presidio*

Have you ever worked with International Trade in any capacity:

No Doc haven't but sound interesting



**PRESIDIO MUNICIPAL DEVELOPMENT DISTRICT BOARD
CIVIC SERVICE APPLICATION**

Name: Jesus Zulia
Address: 203 W Caswell st
Primary Phone #: 432 295 1676
Email Address: jacinto Edoia Jesus 6 @ gmail . com
Place of Employment: Presidio ISD
Occupation: Teacher
Employment Address: 701 E Market St.
Employment Phone #: 432 229 1101
Can you be called at your place of employment? Yes

Signature: [Handwritten Signature] Date: 10/21/25

Submit your application to the City Secretary, Presidio City Hall.

Mail Application: P.O. Box 1899

In Person: 507 W. O'Reilly Street

Presidio, Texas 79845

Email Application: bornelas@presidiotx.us

Appointments to be considered at the City Council Meeting.

Mr. Jiovannie Escontrias

Date 01/14/26

City of Presidio
507 W. O' Reilly Street
Presidio, Texas 79845

Dear Council Members and City officials,

I am a Jiovannie Escontrias, a citizen who has lived here most of his life. Over the years, I have come and gone, for university studies, job opportunities, and business ventures elsewhere. I currently find myself moving back to the City of Presidio, TX and plan on staying here for a long time, if not permanently.

While being here, I would like to become more involved with the city government because I would like to give back to the town that gave me so much while growing up. I just recently had a son named Ezio. I would like for him to live in a better Presidio than I did. My time in Presidio growing up was great, but it can always be better.

I would like to be a part of the PMDD because I believe that the position best suits my experience and skill sets. I also have plenty of ideas on how to improve the city as a whole economically. The first is by attracting more tourists, through festivals, businesses and attractions. This can be done by searching for federal and state grants and finding sponsors in the private sector for various city funds. With this money we can help our citizens improve or create new businesses that complement each other. Presidio cannot grow only on money generated by the taxpayers. Outside sources of revenue is a must.

Another idea is to attract businesses to the industrial zone. I believe that the industrial zone is very attractive for big corporations. I believe one of the reasons they haven't arrived is because they don't know Presidio exists and the benefits to building a facility here. If a big corporation were to land here, a significant amount of revenue would be generated through property taxes, sales taxes, and job creation.

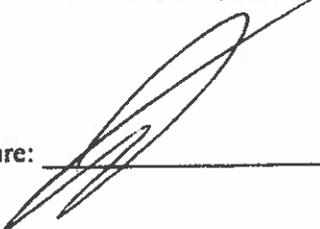
I look forward to hearing from you on what would be the next steps considering my application. If granted the opportunity, this would be my introduction to city government and will help me gain experience to better serve the community now and in the future. Thank you for your time and consideration.

All the best,
Jiovannie Escontrias



**PRESIDIO MUNICIPAL DEVELOPMENT DISTRICT BOARD
CIVIC SERVICE APPLICATION**

Name: Jiovannie Escontrias
Address: 206 N Grand St, Presidio TX, 79845
Primary Phone # : 512-590-0736
Email Address: jiovannie@discountbookstax.com
Place of Employment: Escontrias Brokerage Inc, Self Employed
Occupation: Accountant
Employment Address: 99011 US Hwy 67, Presidio TX, 79845
Employment Phone #: 432-229-4306
Can you be called at your place of employment? Yes

Signature:  Date: 01/14/26

Submit your application to the City Secretary, Presidio City Hall.

Mail Application: P.O. Box 1899

In Person: 507 W. O'Reilly Street

Presidio, Texas 79845

Email Application: bornelas@presidiotx.us

Appointments to be considered at the City Council Meeting.



Presidio Municipal Development District

P. O. Box 3229 Presidio, Texas 79845

Fiscal Year 2025-2026 PMDD Supplementary Board Application Questionnaire

Have you ever managed or owned a business:

Yes, I currently own a tax firm named Discount Books & Tax LLC and a trucking company named Advanced Lift Carrier LLC.

Have you ever purchased or sold real estate:

Not for myself, I have been through the process with some of my tax clients.

Do you have any experience with Governmental Regulations-State Code, EPA, DOE, etc:

Yes, I have experience with TXDOT regulations and FMCSA regarding compliance needed for to maintain good status for my trucking company. Also, familiar with Texas State Comptroller regarding LLC creation, sales tax, franchise tax compliance, etc.

Do you have any ideas on improving Presidio as a whole and economically:

Yes, many things can be done for the city to improve as a whole economically. The city of Presidio needs to bring in more tourism, by creating businesses and attractions to bring people in. This can be done by searching for federal and state grants to help our fellow citizens create or improve their businesses. The city also needs to attract industry, in order to create jobs, and property tax revenue to the city. With that we can provide better services and quality of life to its citizens.

Have you ever worked with International Trade in any capacity:

Yes, I work in international business on the daily. At Escontrias Brokerage Inc, we create documentation to CBP so that international business can happen through imports or exports.

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- g. Discussion / action / consideration to approve Resolution 2026-01R Stone Garden Grant #3708509 Fiscal Year 2026-2027. – Chief of Police Covos

RESOLUTION NO. 2026-01R

A RESOLUTION FROM THE CITY COUNCIL OF THE CITY OF PRESIDIO, TX FOR ACCEPTANCE OF OPERATION STONE GARDEN GRANT #3708509 FY 2026-2027

WHEREAS, The City of Presidio, finds it in the best interest of the citizens of Presidio, TX., that the Operation Stone Garden Grant be operated for the FY 2026-2027; and

WHEREAS, The City of Presidio, agrees to provide applicable matching funds for the said project as required by the Operation Stone Garden grant application; and

WHEREAS, The City of Presidio, agrees that in the event of loss or misuse of the Office of the Governor funds The City of Presidio, assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Presidio, designates City of Presidio City Mayor the grantees authorize official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Presidio approve submission of the grant application for the Operation Stone Garden Grant #3708509 to the Office of the Governor, Homeland Security Grants Division.

Grant Number: 3708509

EFFECTIVE DATE: This resolution shall become effective immediately upon passage.

Passed and approved this 9th day of February 2026.

City of Presidio, Texas

John Ferguson, Mayor City of Presidio,
Texas

ATTEST:

Brenda Ornelas-Acuña, City Secretary

City of Presidio, Texas

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- h. Discussion / action to review and to consider the approval of the Presidio Municipal Development District amended By-Laws. – Mr. John Kennedy, PMDD Executive Director – Councilman Montoya

CITY OF PRESIDIO MUNICIPAL DEVELOPMENT DISTRICT BYLAWS

As Amended _____, 2026

ARTICLE I

OFFICE, AGENT, PURPOSE, POWERS

SECTION 1. REGISTERED OFFICE AND REGISTERED AGENT

The City of Presidio Municipal Development District (the "District") shall have and continuously maintain in the City of Presidio ("the City") a registered office, which registered office shall be the depository for all records of the District, and a registered agent whose office is identical with such registered office. The Registered Agent for the District shall be the Executive Director of the City of Presidio Municipal Development District. The registered physical office of the District is 608 West O'Reilly Street, Suite D, Presidio, Texas 79845. The registered mailing address is P.O. Box 3248, Presidio, Texas 79845.

SECTION 2. PURPOSE

The District is a political subdivision of the State of Texas and the City of Presidio for the purposes set forth in these Bylaws, the same to be accomplished on behalf of the City of Presidio as its duly constituted authority and instrumentality in accordance with Chapter 377 of the Texas Local Government Code (the "Act"), Section 505 of the Texas Local Government Code, and other applicable laws. The District was established for the purpose of promoting the general economic development of the City of Presidio, supporting the local business community, and supplementing the City's capacity for planning and development activities, including but not limited to land development, infrastructure improvements, enhancement of city services, and related public purposes. The District may undertake any project or activity authorized under the Act, Section 505 of the Texas Local Government Code, or other applicable law.

SECTION 3. POWERS

In the fulfillment of its purpose, the District shall be governed by the Act, and shall have all of the powers set forth and conferred in the Act, and in other applicable laws, subject to the limitations prescribed therein and herein and to the provisions thereof and hereof.

ARTICLE II
BOARD OF DIRECTORS

SECTION 1. NUMBER AND TERM OF OFFICE

A. The property and affairs of the District shall be managed and controlled by the Board and subject to the restrictions imposed by law and these Bylaws. The Board shall exercise all of the powers of the District.

B. The Board shall consist of four (4) Directors, each of whom shall be appointed by the City Council, City of Presidio. Each of the Directors shall be a resident of the Extraterritorial Jurisdiction (ETJ) or City Limits of the City of Presidio.

C. In initially establishing the Board, two (2) Directors shall be appointed to serve a period of two (2) years and two (2) Directors shall be appointed to serve a period of one (1) year. Thereafter, all Directors shall serve two-year terms. Directors shall be appointed annually, as needed, during the month of January.

D. Any Director may be removed from office by the City Council without cause, as provided in Section 377.501(c) of the Texas Local Government Code.

E. Should a Director not attend three (3) regularly scheduled consecutive meetings without a written, excused absence presented to the Board at the next regularly scheduled meeting after his/her absence, the President of the Board shall report these unexcused absences to the City Council and request that the Director be removed and replaced by another appointment.

SECTION 2. VACANCIES AND RESIGNATIONS

A vacancy in any position of Director which occurs by reason of death, resignation, disqualification, removal or otherwise shall be filled by the City Council for the remainder of the term in the same manner as the original Director. The City Council shall consult with current members of the Board of Directors prior to making an appointment to fill such vacancy on the Board of Directors.

A Director may resign at any time. Such resignation shall be made in writing, addressed to the Mayor, President of the MDD, and City Secretary with a copy to the Board and Executive Director, and shall take effect at the time specified therein, or if no time is specified, at the time of its receipt by the City Secretary.

SECTION 3. MEETINGS OF DIRECTORS

The Board will meet on the first Wednesday of each month at 5:00 p.m. at such location as designated in the posted meeting notice. The President or Vice-President may call special meetings of the Board of Directors at such times as may be required.

Notice of all meetings of the Board of Directors, or of a committee, shall be provided in accordance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, including the requirement that notice be posted at least three (3) business days before the scheduled meeting date. With the consent of Board leadership, the Executive Director shall post meeting notices and prepare meeting agendas.

Meetings may be conducted by videoconference in accordance with Section 551.127 of the Texas Government Code. Board members may participate in meetings remotely via videoconference, and such participation shall constitute attendance at the meeting. The District shall provide for public access to meetings, shall make and retain recordings of meetings conducted by videoconference, and shall make such recordings available as required by law.

Any member of the Board of Directors of the District may have an item placed on the Agenda of a meeting by delivery, in writing, of the proposed Agenda item to the President, Vice-President, or Executive Director of the District not less than five (5) business days prior to the date of the proposed meeting.

SECTION 4. QUORUM AND VOTING

A quorum shall consist of a majority of the Board which shall be present for the conduct of the official business of the District. The act of majority of the Directors at a meeting at which a quorum is in attendance shall constitute an action of the Board and of the District. In the event of a tie vote, the motion shall fail.

SECTION 5. COMPENSATION OF DIRECTORS

The Directors, including the President, Vice-President, Secretary and Treasurer shall not receive any salary or compensation for their services; however, Directors may, with prior approval of the Board, be reimbursed for their actual expenses incurred in the performance of their duties hereunder, including but not limited to the cost of travel, lodging and incidental expenses reasonably related to the duties of the Board. Travel expenses incurred by Directors for both regular and special meetings are not eligible for reimbursement.

ARTICLE III

OFFICERS

SECTION 1. TITLES AND TERMS OF OFFICE

The Board of Directors shall choose from its members a President and a Vice-President. The Board of Directors shall also choose a Secretary and a Treasurer who shall be members of the Board of Directors. The President or Vice-President may hold one additional officer position (Secretary or Treasurer); provided, however, that the offices of President and Vice-President shall not be held by the same person. Officers shall serve for terms of one (1) year, or until their successors are elected.

SECTION 2. POWERS AND DUTIES OF THE PRESIDENT

The President shall preside at all meetings of the Board and, subject to the authority of the Board, shall sign and execute all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages and notes in the name of the District unless otherwise authorized by the Board. The Board may authorize the Executive Director to execute contracts, agreements, and other instruments on behalf of the District. In addition, the President shall:

- A. Call both regular and special meetings of the Board and establish the agenda for such, which may be coordinated with the Executive Director;
- B. Have the right to vote on all matters coming before the Board;
- C. Have the authority to appoint standing or study committees to aid and assist the Board in its business undertaking or other matters incidental to the operation and functions of the Board;

D. Perform all duties incident to the office, and such other duties as shall be prescribed from time to time by the Board;

E. Appear before the City Council, or be represented by the Executive Director or other designee, periodically to give a report on the status of the activities of the District; and

F. Appear before the City Council, or be represented by the Executive Director or other designee, regarding any item being considered by the City Council concerning the District.

SECTION 3. VICE-PRESIDENT

The Vice-President shall exercise the powers of the President during that officer's absence or inability to act. The Vice-President shall also perform other duties as from time to time may be assigned by the President of the Board.

SECTION 4. SECRETARY

The Secretary shall insure that the minutes of the Board and its committees are recorded and retained as records of the District, all notices are posted and served as required by law, the books, records and all documents and instruments are open to public inspection upon application at the office of the District during business hours. The Secretary or Executive Director shall attest the signature of the President or any other officer of the District.

SECTION 5. TREASURER

The Treasurer shall have the responsibility to insure the proper handling, custody and security of all funds and securities of the District. The Treasurer may be required, at the expense of the District, to give such bond for the faithful discharge of the duties in such form and amount as the Board may require by resolution. The Treasurer shall assure that a monthly financial report is provided to the Board concerning activities of the District.

SECTION 6. EXECUTIVE DIRECTOR

The Board may employ an Executive Director to carry out any duties it deems in the interest of the District. The Executive Director does not have to be a member of the Board. The Executive Director shall serve as the Registered Agent of the District and shall be responsible for day-to-day administration,

operations, and management of the District. The Executive Director supports and assists the Board and its officers in carrying out their responsibilities. The Board may authorize the Executive Director to execute contracts, make disbursements, sign checks, and take other actions on behalf of the District as specified by Board resolution or policy. The Executive Director may also be designated by the Board to serve as the Public Information Officer for purposes of the Texas Public Information Act (Chapter 552, Government Code), the Records Management Officer for purposes of the Local Government Records Act (Chapter 203, Local Government Code), and/or the Investment Officer for purposes of the Public Funds Investment Act (Chapter 2256, Government Code).

SECTION 7. CONFLICT OF INTEREST

The members of the Board of Directors shall be considered local public officials, but not City officials, within the meaning of Chapter 171 of the Texas Local Government Code.

SECTION 8. IMPLIED DUTIES

The District is authorized to take such actions as it may deem reasonable or necessary to accomplish any of the purposes or duties set out in these Bylaws in accordance with the Act and any other applicable law.

ARTICLE IV

FUNCTIONAL DUTIES AND RESPONSIBILITIES

SECTION 1. ECONOMIC DEVELOPMENT PLAN

The District shall adopt and maintain a comprehensive Economic Development Plan for the City of Presidio. The Plan shall include both short-term and long-term goals for economic development, strategies for business attraction and retention, and proposed implementation methods and costs. The Plan shall address key economic sectors including but not limited to renewable energy, trade and logistics, agricultural production and processing, manufacturing, tourism, and retail development. The Plan shall include strategies for job creation, elimination of unemployment and under-employment, infrastructure development, and workforce development through a comprehensive, coordinated approach to economic growth. The Plan shall be reviewed and updated annually prior to budget preparation.

SECTION 2. ANNUAL BUDGET

On or before June 30th of each year the Treasurer shall prepare and present an actual budget of expected revenues and proposed expenditures for the next ensuing fiscal year to the Board. The fiscal year of the District shall commence on October 1st of each year and end on September 30th. The District shall consult and coordinate with the City regarding budget priorities as appropriate to ensure alignment with community planning and development objectives.

SECTION 3. FINANCIAL, BOOKS, RECORDS, AUDITS

The Treasurer shall keep and properly maintain, in accordance with generally accepted accounting principles, complete financial books, records, accounts and financial statements pertaining to its funds, activities and affairs.

Checks and disbursements on behalf of the District shall be signed by authorized signatories as designated by the Board. The Board may authorize the Executive Director to sign checks and make disbursements within limits established by Board resolution or policy.

The District's financial books, records, accounts, and financial statements shall be audited at least once each fiscal year by an outside, independent auditing and accounting firm selected by the District. Such audit shall be at the expense of the District.

ARTICLE V

MISCELLANEOUS PROVISIONS

SECTION 1. INDEMNIFICATION OF DIRECTORS, OFFICERS AND EMPLOYEES

As provided in the Act, the District is for the purpose of the Texas Tort Claims Act (Subchapter A, Chapter 101, Texas Civil Practices and Remedies Code), a governmental unit, and its actions are governmental functions. The District shall indemnify each and every member of the Board, its officers and its employees, and each member of the City Council and each employee of the City of Presidio, to the fullest extent permitted by law against any and all liability or expense, including attorney fees, incurred by any of such person by reason of any actions or omissions that may arise out of the functions and

activities of the District. The indemnity shall apply even if one or more of those to be indemnified was negligent or caused or contributed to cause any loss, claim, action or suit. Specifically, it is the intent of these Bylaws and the District to require the District to indemnify those named for indemnifies that person against liability for any of those acts.

SECTION 2. GIFTS

The Board or Executive Director may accept on behalf of the District any contribution, gift, bequest, or device for the general purpose and benefit of the District. No contribution, gift, bequest, or device shall be accepted by any Director or Executive Director or employee in their capacity as Director or Executive Director or employee of the District for their personal or individual benefit.

SECTION 3. AMENDMENTS TO THE BYLAWS

These Bylaws may be amended or repealed and new Bylaws may be adopted by any affirmative vote of three (3) of the four (4) authorized Directors serving on the Board.

SECTION 4. EFFECTIVE DATE

These Bylaws and any subsequent amendments hereto, shall be effective as of and from the date on which approval has been given by the Board of Directors of the City of Presidio Municipal Development District and acknowledged by signature of the Mayor and City Secretary of the City of Presidio.

CERTIFICATE OF ADOPTION AND APPROVAL

The below signatures of the Board of Directors of the City of Presidio Municipal Development District hereby adopt and approve the Bylaws of the District.

Signed this ____ day of _____, 2026.

Board Member

Board Member

Board Member

Board Member

ACKNOWLEDGED BY CITY OF PRESIDIO:

Mayor, City of Presidio

ATTEST:

City Secretary

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- i. Discussion / action to consider appointing Mr. Crisitan Montoya as a Full-Time Presidio Municipal Development District board member. – Councilman Montoya

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- j. Discussion / action to consider and determine the continuation of the City of Presidio EMS Community Paramedic Program in-house. – Mr. Troy Sparks, EMS Director

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- k. Discussion / action to consider amending the City of Presidio Ordinance 2024-8 Fireworks regulation.

**CITY OF PRESIDIO
ORDINANCE 2024-8
FIREWORKS REGULATION**

AN ORDINANCE FOR THE CITY OF PRESIDIO REGULATING THE SALE, POSSESSION, AND USE OF FIREWORKS INSIDE THE CITY LIMITS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING THAT THIS ORDINANCE REPEALS ALL PREVIOUS ORDINANCES RELATED TO FIREWORKS; PROVIDING A PENALTY OF NOT MORE THAN \$2,000.00 FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Presidio, Texas is a type A General Law municipality created and operating under the laws of the State of Texas; and

WHEREAS, the City Council of the City of Presidio ("City") is authorized by Texas Government Code, Section 51.001, to adopt an ordinance that is for the good government, peace, and order of the City; and

WHEREAS, pursuant to Texas Local Government Code, Sections 342.003 and 217.003, and Texas Occupations Code, Section 2154.00, the City Council is authorized to regulate or prohibit the discharge of fireworks within the City; and

WHEREAS, the City Council finds that the use and discharge of fireworks pose a fire hazard and threat and risk of substantial harm to people and property; and

WHEREAS, the City Council finds that the adoption of regulations related to fireworks is in the best interest of the health, safety, and welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRESIDIO, TEXAS:

Section 1: Definitions.

Fireworks: means any device or combustible or explosive composition, or any substance or combination of substances, or article or device prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation. The term includes items commonly known as "firecrackers," "Roman candles," and "bottle rockets."

Person: means any individual, corporation, organization, business, partnership, or other legal entity.

Section 2. Restrictions on the Sale, Use, and Discharge of Fireworks.

A. Subject to the exceptions provided in Section 3 below:

1. No person may sell fireworks within the Presidio city limits.
2. No person may use or discharge fireworks within the Presidio city limits.

Section 3. Exceptions.

- A. The restrictions in this Ordinance on the use or discharge of fireworks do not apply to the use or discharge of fireworks as part of a City-approved event.
- B. The restrictions on the use or discharge of fireworks in this Ordinance do not apply to:
 - 1. a toy pistol, toy cane, toy gun, or other device that uses paper or plastic caps in sheets, strips, rolls, or individual caps that contain no more than an average of twenty-five (25) hundredths of a grain of explosive composition per cap and that is packed and shipped under Title 49 Code of Federal Regulation, Part 173, as amended.
 - 2. Signal flares for police or military uses.

Section 4: Permits for Public Displays.

- A. Public fireworks display may be conducted only with a valid permit issued by the Presidio Fire Department.
- B. Permit applications must be submitted at least 30 days prior to the event and must include:
 - 1. A detailed site plan.
 - 2. Proof of insurance.
 - 3. Certification of a licensed pyrotechnic operator.
 - 4. Any other information reasonably necessary for the evaluation of the permit application.
- C. The Presidio Fire Department may impose conditions on the permit to ensure public safety.

Section 5: Enforcement and Penalties.

- A. A person commits an offense if the person sells, uses, or discharges fireworks within the Presidio city limits.
- B. A violation of this Ordinance is a Class C Misdemeanor offense punishable by a fine of not more than \$2,000.00 per offense.
- C. The Presidio Police Department is authorized to confiscate and dispose of opened packages, boxes, or containers of fireworks. However pursuant to Texas Local Government Code 342.003 the Department will not confiscate packaged, unopened fireworks.

Section 6: Enforcement.

The Presidio Police Department and Fire Department are authorized to enforce this Ordinance.

Section 7: Incorporation of Recitals.

The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 11: Severability.

If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 12: Repeal.

Any previous ordinance related to the sale, use, or discharge of fireworks in the city limits is hereby repealed in its entirety. The regulations set forth in this Ordinance supersede and prevail over any ordinance adopted prior to December 17, 2024, which is the adoption date of this Ordinance.

Section 13. Open Meeting.

It is officially found, determined, and declared that the meeting at which this Ordinance was adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 14. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval by the City Council of the City of Presidio, Texas, and any publication requirements.

SECOND & FINAL READING PASSED & APPROVED this, the 17th of December, 2024 by the City Council of Presidio, Texas.

INTRODUCTION AND FIRST READING

November 4th, 2024

SECOND AND FINAL READING

December 17th, 2024

CITY OF PRESIDIO, TEXAS

By: _____

John Ferguson, Mayor

ATTEST:

By: _____

Brenda Lee Acuña, City Secretary

APPROVED TO AS FORM:

By: _____

Alan Bojorquez, City Attorney
Cynthia Trevino, Assistant City Attorney