

## LINE ITEM 6

6. Discussion / action to approve prior minutes for:
  - a. Regular meeting, May 11, 2026
  - b. Special-Called meeting May 18, 2026

City Council Regular Meeting Minutes  
May 11, 2026



**Regular Council Meeting Minutes,  
May 11, 2026**

1. **Call meeting to order:** Mayor Ferguson called the Regular City Council meeting for May 11, 2026 at the Presidio Activity Center into order at 5:34 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	
Itzmira Bustamante	Council member	Present	
Silverio Escontrias	Council member	Present	
Vacant Seat	Council member		
Pablo Rodriguez	City Administrator	Present	
Brenda Acuña	City Secretary	Present	
Glorissel Muñiz	Deputy City Secretary	Present	

3. **Pledge of Allegiance:** Mayor Ferguson led pledge of allegiance.
4. **Discussion / action to review submitted Letters of Interest to the two City Council Unexpired (one-year term) seats, appoint the two candidates, and conduct Oath of Office and Officer Statements to the two appointed candidates. – City Secretary, acting as the Canvass Board Item**

**DISCUSSION:** Ms. Isela Nuñez, Mr. Matt Stephens, Ms. Itzmira Bustamante, and Mr. Angel Campos gave their verbal interest to the City Council and public. Ms. Itzmira Bustamante was given the Oath of Office and Officer Statement by Judge Cataño.

**ACTION:** Councilwoman Martinez-Balon moved to appoint Ms. Itzmira Bustamante to one of the City Council seats Unexpired Term.

Councilman Montoya seconded the motion.

Motion Carried 2-1 Opposed

Councilman Escontrias Opposed

Councilman Montoya moved to table the seconded vacated City Council seat and to call out for Letters of Interest.

Councilwoman Martinez-Bailon seconded the motion.

Motion Carried 2-1 Opposed

Councilman Escontrias Opposed

5. **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 May 11, 2026 at the Presidio Activity Center and opened floor for any visitor to address the City Council for five minutes. Mr. Jovannie Escontrias thanked Mayor Ferguson for clarifying and helping his family with a misunderstanding concerning the border wall. Ms. Isela Nuñez commented on the border wall and that it needs to be addressed further with the State officials. Councilman Montoya commented that the City of Presidio and PMDD are opposing the construction of the border wall.

**6. Department on Department Reports for April 2026**

- a. Public Works Director Update: on the City of Presidio Emergency Sirens, battery acquisition both sites, power supply to siren at the city yard, base radio status.**

**DISCUSSION:** Mr. Cesar Leyva, Public Works Director updated everyone with the city's emergency sirens, batter acquisitions for both sites, the power supply to the sirens, and the where the purchase of base radios are at. The second set of siren batteries are being purchased by the Presidio County from the Emergency Operations and they will be received by the end May. There will be a purchase of two radios for \$2950 after the budget adjustments.

**7. Discussion / action to approve prior minutes for regular meeting on April 13, 2026.**

**DISCUSSION:** No discussion at this time.

**ACTION:** Councilman Montoya moved to approve prior minutes for regular meeting on April 13, 2026 as presented.

Councilwoman Martinez-Bailon seconded the motion.

Motion Carried 3-0 1 Abstained

Councilwoman Bustamante Abstained

**8. New Business**

- a. Discussion / action to accept the FY 2025 Audit Report presented by Preston Singleton, CPA & Managing Shareholder for Singleton, Clark & Co, PC. – Mr. Preston Singleton, CPA, Auditor**

**DISCUSSION:** Mr. Preston Singleton, CPA presented the FY 2025 audit for the City of Presidio. Mr. Singleton informed the City Council and Mayor of the revenues, expenditures, fund balances, and were the main sources of revenues for the city. Mr. Singleton recommended that the city needed to have a reserve fund in case of any emergencies the city might face. Mr. Singleton based on the city audit recommended an unmodified opinion for the Fiscal Year 2025.

**ACTION:** Councilman Escontrias moved to approve the FY 2025 audit report presented by Mr. Preston Singleton, CPA & Managing Shareholder for Singleton, Clark & Co., PC.

Councilman Montoya seconded the motion.

Motion Carried Unanimously 4-0

- b. Discussion / Update / Presentation from Wilson & Company, LLC regarding the Downtown Revitalization Project (RED Grant). – Mr. Ivan Rodriguez, Wilson & Company, LLC Engineer**

**DISCUSSION:** Mr. Ivan Rodriguez, Wilson & Company, LLC engineer presented the proposed plaza of the Downtown Revitalization project. Mr. Rodriguez informed the City Council and Mayor of the proposed phase one details and scopes for the plaza near city hall.

- c. Discussion / action to authorize the City Administrator to submit a Technical Assistance Grant Application to the North American Development Bank (NAD Bank) to obtain financial assistance for the planning and implementation of a new landfill facility. – Mr. Pablo Rodriguez, City Administrator**

**DISCUSSION:** Mr. Rodriguez stated that the Rio Council of Governments and Judge Portillo would assist with the submission of this application. Ms. Marissa Quintanilla commented that this application submission to the North American Development Bank in the amount of \$250,000 for the planning and implementation of a new landfill facility.

**ACTION:** Councilman Escontrias moved to authorize the City Administrator to submit a Technical Assistance Grant Application to the North American Development Bank (NAD Bank) to obtain financial assistance for the planning and implementation of a new landfill facility.

Councilman Montoya seconded the motion.

Motion Carried Unanimously 4-0

- d. **Discussion / action to assign the deed for the 1<sup>st</sup> Presidio Bank building and property to Big Bend Regional Hospital District for renovation into a Community Wellness Center as part of the Rural Innovation Grant application. – Ms. Lynette Brehm, Big Bend Regional Hospital District Executive Director**

**DISCUSSION:** Ms. Brehm, Big Bend Regional Hospital District Executive Director, presented key factors that would benefit the City of Presidio having a Community Wellness Center. Ms. Brehm stated that this would be an application as part of the Rural Innovation Grant. She was requesting for the City to deed the old 1<sup>st</sup> Presidio Bank building and property to the Big Bend Regional Hospital District for the required renovations for the wellness center. This item will be tabled until the City Attorney is able to review the request.

**ACTION:** Councilman Escontrias moved to table line item 8d.

Councilman Montoya seconded the motion.

Motion Carried Unanimously 4-0

- e. **Discussion / action to assign the deed for the City of Presidio Fire & EMS Station to the Big Bend Regional Hospital District for renovation into living quarters and office space for the City of Presidio EMS. – Ms. Lynette Brehm, Big Bend Regional Hospital District Executive Director**

**DISCUSSION:** Ms. Brehm asked the City of Presidio to assign the deed to the Fire & EMS Station to the Big Bend Regional Hospital District as part of a grant application in order to renovate into living quarters and office space for the EMS. This item will be tabled until the City Attorney is able to review the request.

**ACTION:** Councilman Montoya moved to table line item 8e.

Councilwoman Bustamante seconded the motion.

Motion Carried Unanimously 4-0

- f. **Discussion / action to review the submitted applications to the Presidio Convention & Visitor's Bureau board, appoint three applicants to the two Full-Term seats and one Unexpired-Term seat, and any further action for the CVB Board. – City Secretary**

**DISCUSSION:** City Secretary provided the application from Ms. Elvira Herмосillo to the Presidio Convention & Visitor's Bureau boards Full-Term seat.

**ACTION:** Councilwoman Martinez-Bailon moved to appoint Ms. Elvira Herмосillo to the Presidio Convention & Visitor's Bureau boards Full-Term seat.

Councilman Escontrias seconded the motion.

Motion Carried Unanimously 3-1 Opposed

Councilman Montoya Opposed

- g. **Discussion / action to review the submitted applications to the Presidio Planning & Zoning board and appoint three applicants to the three Full-Term seats. – City Secretary**

**DISCUSSION:** City Secretary provided the submitted application to the Planning & Zoning Commission Board from Mrs. Alma Martin, Mr. Michael Darnielle, and Ms. Alondra Flores for the three Full-Term seats.

**ACTION:** Councilman Montoya moved to appoint Mrs. Alma Martin to the Presidio Planning & Zoning boards Full-Term seat from the submitted applications.

Councilwoman Martinez-Bailon seconded the motion. Motion Carried Unanimously 4-0

Councilman Escontrias moved to appoint Ms. Alondra Flores to the Presidio Planning & Zoning boards Full-Term seat from the submitted applications.

Councilwoman Bustamante seconded the motion. Motion Carried Unanimously 4-0

Councilwoman Martinez-Bailon moved to appoint Mr. Michael Darnielle to the Presidio Planning & Zoning boards Full-Term seat from the submitted applications.

Councilman Montoya seconded the motion. Motion Carried Unanimously 4-0

**h. Discussion / action to review the submitted applications to the Presidio Municipal Development District board and appoint one applicant to the Full-Term seat. – City Secretary**

**DISCUSSION:** City Secretary provided the submitted application from Ms. Norma Arroyo to the Presidio Municipal Development District boards Full-Term seat.

**ACTION:** Councilwoman Martinez-Bailon moved to appoint Ms. Norma Arroyo to the Presidio Municipal Development District boards Full-Term seat from the submitted applications.

Councilman Escontrias seconded the motion.

Motion Carried Unanimously 4-0

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

**DISCUSSION:** Mrs. Brewster updated on the Water and Drainage Improvements project status for the water wells # 8 and #6. This project needs to be completed by the end of September 2026.

**ACTION:** No action.

**j. Discussion / action / update on the TxCDBG Rural Economic Development (RED) Grant CRC23-0523 engineering Update – Preliminary Design / Final Design, project status and other grant matters. – Mrs. Becky Brewster, Grant Administrator**

**DISCUSSION:** Mrs. Brewster commented on the preliminary design that Wilson & Company presented and that it will need to be approved at the next City Council meeting and submitted to TDA as the final design.

**ACTION:** No action.

**k. Discussion / action/ update on the TxCDBG Grant CDV25-0138 project to approve the Resolution affirming Community Policies, project status and other grant matters. – Mrs. Becky Brewster, Grant Administrator**

**DISCUSSION:** Mrs. Brewster stated that the state needs the city to reaffirm the policies every two years. This resolution is affirming Community Policies on Civil Rights.

**ACTION:** Councilwoman Martinez-Bailon moved to approve the Resolution 2026-05R affirming Community Policies Civil Rights.

Councilman Escontrias seconded the motion.

Motion Carried Unanimously 4-0

- l. Discussion / action / update on the TDEM TX 5161-4 (ARPA Funds) project status and other grant matters. – Mrs. Becky Brewster, Grant Administrator**

**DISCUSSION:** Mrs. Brewster updated the City Council and Mayor on the TDEM project. This project is for lift station #3. The project must be completed and final payment submitted by the end of this year.

**ACTION:** No action.

- m. Discussion / action to approve the City of Presidio 4<sup>th</sup> of July event and the fireworks amount. – Mr. Pablo Rodriguez, City Administrator**

**DISCUSSION:** City Administrator stated that the city will go out for donation for the fireworks and needed more time to present to City Council for consideration.

**ACTION:** Councilman Montoya moved to table line item 8m.  
Councilman Escontrias seconded the motion.  
Motion Carried Unanimously 4-0

- n. Discussion / action to review, approve, and adopt Ordinance 2026-7 an ordinance on budget amendments for the March & April months of the Fiscal Year 2025-2026. – Ms. Glorissel Muñiz, Finance Director**

**DISCUSSION:** Ms. Muñiz provided the budget amendments for March and April FY 2025-2026 for the review, approval and adoption of the ordinance.

**ACTION:** Councilman Escontrias moved to approve and adopt Ordinance 2026-7 an ordinance on budget amendments for the March & April months of the Fiscal Year 2025-2026.  
Councilman Montoya seconded the motion.  
Motion Carried Unanimously 4-0  
City Council individual oral motion was taken.

**9. Administrative Updates (NO ACTION)**

- a. City Administrator Update: Custom Border Patrol will be inspecting 3 acres of City of Presidio property for feasibility of the CBP station site.**

**DISCUSSION/UPDATE:** City Administrator Mr. Pablo Rodriguez updated the Mayor and City Council on the Custom Border Patrol that will inspect 3 acres of the city's property for a feasibility of the CBP station site.

**10. Adjourn**

**DISCUSSION:** There being no further business for the City Council Mayor Ferguson adjourned the City of Presidio regular meeting for May 11, 2026 at 8:15 p.m.

**ACTION:** Councilman Montoya moved to adjourn the City of Presidio regular meeting for May 11, 2026 at 8:15 p.m.  
Councilman Escontrias seconded the motion.  
Motion Carried Unanimously 4-0

**CITY OF PRESIDIO, TEXAS**

**ATTEST:**

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**Brenda Ornelas-Acuña**  
City Secretary

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**John Ferguson**  
City of Presidio Mayor

City Council Special-Called Meeting Minutes  
May 18, 2026



**City of Presidio**  
**Special-Called Council Meeting Minutes,**  
**May 18, 2026**

1. **Call meeting to order:** Mayor Ferguson called the Special-Called City Council meeting for May 18, 2026 at the Presidio Activity Center into order at 5:30 p.m.
2. **Quorum Check:** City Secretary verified super quorum.

Attendee Name	Title	Status	Arrived
John Ferguson	Mayor	Present	
Cristian Montoya	Mayor Pro-Tem	Present	
Itzmira Bustamante	Councilwoman	Present	
Bianca Martinez-Bailon	Councilwoman	Present	
Silverio Escontrias	Councilman	Present	
Vacant	Council Member		
Pablo Rodriguez	City Administrator	Present	
Brenda Acuña	City Secretary	Present	
Glorissel Muñiz	Deputy City Secretary	Not Present	

3. **Pledge of Allegiance:** Mayor Ferguson 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 special-called meeting on May 18, 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. New Business**

- a. **Discussion / action to assign the deed for the 1<sup>st</sup> Presidio Bank building and property to Big Bend Regional Hospital District for renovation into a Community Wellness Center as part of the Rural Innovation Grant application. – Ms. Lynette Brehm, Big Bend Regional Hospital District Executive Director**
  1. **Adjourn into executive session as Authorized by the Texas Government Code including, but not limited to Sections 551.071 (Consultation with Attorney) and section 551.072 (Deliberations about Real Property), regarding agenda item 5a.**
  2. **Reconvene into open session and take such action as appropriate.**

**ACTION:** Mayor Ferguson adjourned into executive session at 5:45 pm. Mayor Ferguson reconvened into open session at 6:12 pm and take action as necessary.

**DISCUSSION:** Ms. Brehm, Big Bend Regional Hospital District Executive Director, commented on the updates for the Rural Innovation Grant application and the stipulations for the grant. She stated the updates for the City Council consideration.

**ACTION:** Councilman Montoya stated that the City of Presidio will not deed the 1<sup>st</sup> Presidio Bank building and property to Big Bend Regional Hospital District.  
 Councilman Escontrias seconded the motion.  
 Motion Carried Unanimously 4-0

- b. **Discussion / action Discussion / action to assign the deed for the City of Presidio Fire & EMS Station to the Big Bend Regional Hospital District for renovation into living quarters and office space for the City of Presidio EMS. – Ms. Lynette Brehm, Big Bend Regional Hospital District Executive Director**

1. **Adjourn into executive session as Authorized by the Texas Government Code including, but not limited to Sections 551.071 (Consultation with Attorney) and section 551.072 (Deliberations about Real Property), regarding agenda item 5b.**
2. **Reconvene into open session and take such action as appropriate.**

**ACTION:** Mayor Ferguson adjourned into executive session at 5:45 pm. Mayor Ferguson reconvened into open session at 6:12 pm and take action as necessary.

**DISCUSSION:** Ms. Brehm, Big Bend Regional Hospital District Executive Director, informed the City Council that the facility would be utilized to provide free or low cost educational classes like Zumba. There will be a kitchen for educational cooking classes. The vaults inside the old bank building will potentially be used as cold storage for the food banks. She also stated there is space to provide physical therapy for anyone that needs it. Ms. Brehm stated that the building would be used to provide services to the public that they have been requesting. She also informed the City Council that the potential cost to the renovations according to their engineers would be almost a million dollars.

**ACTION:** Councilman Escontrias moved to decline to assign the deed for the City of Presidio Fire & EMS Station to the Big Bend Regional Hospital District.  
Councilwoman Martinez seconded the motion.  
Motion Carried Unanimously 4-0

- c. **Discussion / action to approve the City of Presidio 4<sup>th</sup> of July event and the fireworks amount. – Mr. Pablo Rodriguez, City Administrator**

**DISCUSSION:** Mayor Ferguson informed the City Council that he received free proposal from Aquario 90 and Javier Venegas for the 4<sup>th</sup> of July entertainment. City Administrator Rodriguez stated that the city has received \$800 in donations. Mayor Ferguson stated he would be donating \$500 to the event. The sound equipment will have to be paid for.

**ACTION:** Councilman Montoya moved to approve the 4<sup>th</sup> of July event to be held on Saturday, fireworks amount of \$4000, free entertainment from Aquario 90 and Javier Venegas, and there will be a \$50 vendor fee for a spot at the event and Mrs. Bianca Bailon volunteered to organize the event.  
Councilman Escontrias seconded the motion.  
Motion Carried Unanimously 4-0

## 6. Adjourn

**DISCUSSION:** There being no further business for the City Council Mayor Ferguson adjourned the City of Presidio Special-Called meeting for May 18, 2026 at 6:30 p.m.

**ACTION:** Councilman Escontrias moved to adjourn the City of Presidio Special-Called meeting for May 18, 2026 at 6:30 p.m.  
Councilman Montoya seconded the motion.  
Motion Carried Unanimously 4-0

**CITY OF PRESIDIO, TEXAS**

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**John Ferguson**  
**City of Presidio Mayor**

**ATTEST:**

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**Brenda Lee Acuña**  
**City Secretary**

## LINE ITEM 7

### CITY OF PRESIDIO BUSINESS (NEW/OLD)

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

## LINE ITEM 7

### 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 7

### 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 7

### 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 7

### CITY OF PRESIDIO BUSINESS (NEW/OLD)

- e. Discussion / Update on progress for Big Bend Conservation Alliance's EPA Project "Everything's Connected in Presidio" in partnership with the City of Presidio. – Mr. Ramon Rodriguez, Big Bend Conservation Alliance.

## LINE ITEM 7

### CITY OF PRESIDIO BUSINESS (NEW/OLD)

- f. Discussion / action to approve the Memorandum of Understanding between the Texas Division of Emergency Management and Texas Emergency Management Assistance Teams Participating Jurisdiction and the City of Presidio. – Mrs. Cinderella Guevara, Texas Division of Emergency Management

**Memorandum of Understanding  
Between  
Texas Division of Emergency Management  
and Texas Emergency Management Assistance Teams Participating  
Jurisdiction/Employer**

This memorandum of understanding (“TEMAT MOU”) becomes effective as of the date of final signature, by and between the Texas Division of Emergency Management (“TDEM”), a member of The Texas A&M University System (“A&M System”) and an agency of the State of Texas, and the Texas Emergency Management Assistance Teams (“TEMAT”) participating jurisdiction/employer City of Presidio (“Jurisdiction”).

**I. PURPOSE**

In accordance with Texas Government Code Chapter 418, Subchapter E-1 Texas Statewide Mutual Aid System, and the State of Texas Emergency Management Plan, this TEMAT MOU delineates responsibilities and procedures for TEMAT activities. TDEM’s authority is provided through the State of Texas to activate state resources for the purposes of TEMAT Programs.

TEMAT Programs include and are administered by the state agencies listed below:

<b>TEMAT Program</b>	<b>State Agency Program Administrator</b>	<b>Program Summary</b>
Incident Support Task Force (ISTF)	Texas Division of Emergency Management (TDEM)	Provides support through multiple areas of expertise throughout response and recovery initiatives
Public Works Response Team (PWRT)	Texas A&M Engineering Extension Service (TEEX)	Provides support for critical infrastructure systems
Texas A&M Task Force 1 (TX-TF1)	Texas A&M Engineering Extension Service (TEEX)	Provides search and rescue support through Texas A&M Task Force 1, Texas Task Force 2, and Texas A&M Task Force 3
State of Texas Incident Management Team (IMT)	Texas Division of Emergency Management (TDEM)	Provides position specific personnel to assist in emergency operations
Texas Intrastate Fire Mutual Aid System (TIFMAS)	Texas A&M Forest Service (TFS)	Provides wildland and fire department support

## II. SCOPE

The provisions of this memorandum of understanding apply to TEMAT activities performed at the request of TDEM at the option of the participating Jurisdiction. These activities may be in conjunction with, or in preparation of, a local, state or federal declaration of disaster. The scope of this TEMAT MOU also includes training activities sponsored by the state, TDEM, the Jurisdiction, and the Program Administrators to maintain TEMAT operational readiness.

## III. PERIOD OF PERFORMANCE

This TEMAT MOU commences on the date of the last signature and continues for a period of five (5) years unless terminated earlier in accordance with the terms of this TEMAT MOU.

## IV. DEFINITIONS

- A. Affiliated Member: A TEMAT Member that is associated with a Jurisdiction or participating agency for purposes of this agreement.
- B. Backfill: The assignment of personnel by a participating Jurisdiction to meet their minimum level of staffing to replace a deployed TEMAT Member.
- C. Incident Support Task Force: The division of TDEM is responsible for maintaining all TEMAT program information to include but not limited to this TEMAT MOU and the ISTF Program Guide.
- D. Jurisdiction: A TEMAT Member's employer, which, by the execution of this TEMAT MOU, has provided official approval of their employee's membership involvement with TEMAT.
- E. Member: An employee of a Jurisdiction who has been formally accepted into a TEMAT Program and is in compliance with all program requirements (for both TEMAT overall and specific requirements for the program(s) for which they are a Member). For clarification, the lower-case use of "member" within this agreement, refers to a A&M System member.
- F. PIV-I: Personal Identification Verification Interoperability card should be issued to all first responders.
- G. Program: One of the TEMAT Programs listed in the above table and administered by a Texas state agency to provide assistance during an emergency event or disaster.
- H. Program Administrator: Designated State agency representative participating in the program or administering the program on behalf of the state.

- I. Red Card: A National Wildfire Coordinating Group (NWCG) "Red Card" is a credential issued to wildland firefighters that verifies their qualifications and training for specific wildland fire positions.
- J. State Mutual Aid Reimbursement Guide: A living document explaining how TDEM will reimburse local responding entities, state agencies, and other entities for accepting and responding to state-assigned mutual aid missions.
- K. TEMAT: Any response team administered by a state Jurisdiction of Texas to provide response assistance to local Jurisdictions or the state of Texas.
- L. TEMAT Training and Exercises – Jurisdiction Sponsored: Training and/or exercises performed at the direction, control, expense, and funding of a participating Jurisdiction in order to develop and maintain capabilities of the Member and TEMAT.
- M. TEMAT Training and Exercises – State or Administrator Sponsored: Training and/or exercises performed at the direction, control, expense, and funding of the state or Program Administrator.
- N. Unaffiliated Member: An approved Member of the Incident Support Task Force that is not currently employed by a government entity.

## V. RESPONSIBILITIES

- A. TDEM shall be responsible for the following:
  1. Provide and maintain administrative and personnel management guidelines and procedures related to TEMAT and this TEMAT MOU.
  2. Maintain, in coordination with Program Administrators, programmatic guidance to provide standard operating procedures that are current and readily available to Program Administrators, Jurisdictions, and Members.
  3. Provide training to Members. Training shall be consistent with the objectives of the TEMAT Program overall to include but not limited to State Operations Center functions, financial reimbursement, and other training.
  4. Work with Program Administrators to ensure all administrative, fiscal, and personnel management guidelines are consistent across all TEMAT Programs.
  5. Provide coordination between Program Administrators, other relevant governmental and private entities, Jurisdiction, and Member.
  6. Maintain overall TEMAT contact list for all Jurisdictions and Members.

- B. The TDEM shall ensure that the Program Administrator(s) will do the following:
1. Recruit and manage Members for their specific program according to guidelines outlined in the program-specific guidance manual.
  2. Produce related portion of the program-specific guidance manual to provide standard operating procedures that are current and readily available to Members.
  3. Provide and maintain qualifications, training, and operational guidelines and procedures related to the TEMAT Program they administer.
  4. Provide upon approval of membership and then collect upon separation from the program equipment, uniforms, and identification issued on behalf of TEMAT.
  5. Provide training for Members. Training must be consistent with the objectives of developing, increasing, and maintaining individual skills necessary to maintain operational readiness related to emergency management response.
  6. Develop, implement, and exercise an internal notification and call-out system for Members.
  7. Provide coordination between the state, other governmental and private entities, participating agency/employer, and Member, notify Jurisdictions or program Members of the need for activation.
  8. Maintain and submit, annually, a primary contact list for their respective program, for all Jurisdictions and Members, to the state.
  9. Maintain personnel files on all Members of administered programs for the purpose of documenting training records, qualifications, emergency notification, and other documentation as required by the state and Program Administrators.
  10. Ensure the issuance of PIV-I to each Member through coordination with TDEM. If removed from team, then the PIV-I should be retrieved and revoked immediately. Program Administrator(s) should retrieve the PIV-I and notify TDEM for immediate revocation.
  11. Program Administrator, TEEX, will reimburse Jurisdiction for Urban Search and Rescue (US&R), Public Works Response and sponsored training activities related to this TEMAT MOU under the authority of the State of Texas Emergency Management Plan, the Robert T. Stafford Disaster Relief and Emergency Act, Public law 93-288, as amended 42 U.S.C. 5121, et seq., and Title 44 CFR Part 208 – National Urban Search and Rescue Response System.

12. All reimbursement requests pursuant to this section shall follow program specific guidelines included in the TEEX Deployment Reimbursement Manual and the State Mutual Aid Reimbursement Guide.

C. The Jurisdiction shall:

1. Determine which TEMAT Programs the Jurisdiction will support by providing Members and being able to respond as requested by TDEM and Program Administrators.
2. Upon signature, the Jurisdiction will submit a roster within fourteen (14) calendar days of final signature to TDEM and Program Administrators. Maintain a roster of all its personnel participating in TEMAT activities and submit an update annually. The roster shall include all current Red Card qualifications for each Member when applicable.
3. Provide a primary point of contact to TDEM and Program Administrators for the purpose of notification of TEMAT activities and for administrative activities.
4. Provide administrative support to employee Members of TEMAT, e.g., time off when fiscally reasonable to do so for TEMAT activities such as training, meetings, and actual deployments.
5. Ensure all reimbursement claims meet the requirements of the State Mutual Aid Reimbursement Guide.
6. Upon notification by TDEM, the Jurisdiction will determine which Members within Jurisdiction are qualified and available for deployment. Jurisdiction determines which qualified Members deploy.

D. The Jurisdiction shall ensure the Member(s):

1. Perform duties, as required by their membership in a TEMAT program, when requested and deployed by TEMAT.
2. Maintain knowledge, skills, and abilities necessary to operate safely and effectively in the assigned position and conduct themselves in accordance with the program-specific guidance manual.
3. Advise the Program Administrator of any change in the notification process, i.e., address, change of employment, or phone number changes.
4. Update their membership profile through their Program Administrator or their online portal with any updated qualifications, rate of pay change, or position change as they occur and verify accuracy annually.

5. Maintain, for deployment, all equipment issued by the TEMAT program and advise Program Administrator of any lost, stolen, or damaged items assigned to Member.
6. Keep the Jurisdiction advised of TEMAT activities that may require time off from work.
7. Be prepared to operate in a disaster environment, which may include living and working in austere conditions.
8. During any period in which TEMAT is activated by TDEM or during any TEMAT sponsored or sanctioned training, Member shall be acting as a representative of the State of Texas.
9. Ensure that staff approved for membership by Jurisdiction meet the program requirements and experience level with his/her position on each TEMAT program in accordance with the program-specific guidance manual.

## **VI. QUALIFICATIONS, TRAINING, AND EXERCISES**

### **A. TEMAT Training and Exercises – Jurisdiction Sponsored:**

Periodically, Members will be requested and/or invited to attend local TEMAT-sponsored training or exercises. Local Jurisdiction-sponsored training or exercises shall be performed at the direction, control, expense, and funding of the local Jurisdiction in order to develop the technical skills of Members.

### **TEMAT Training and Exercises – State or Program Administrator Sponsored:**

Periodically, Members will be invited to attend state TEMAT training and/or exercises, and when these training and/or exercises are required, Jurisdiction shall ensure Member attends such. These trainings and exercises shall be performed at the direction, control, expense, and funding of the state which may include being administered through a Program Administrator in order to develop and maintain the incident support capabilities of the TEMAT. For state or Program Administrator sponsored training or exercises, the Jurisdiction shall coordinate with TDEM and/or Program Administrators, prior to the event, to receive written authorization prior to such an event.

### **B. Minimum Qualification and Training Requirements**

Jurisdiction should allow Members appropriate time to maintain the qualifications required for each position Member fills in the TEMAT Program.

Jurisdiction should ensure Members can attend available TEMAT training and exercise opportunities provided for the assigned TEMAT position to ensure the maintenance of position qualifications. Jurisdiction understands that failure for

Jurisdiction to ensure Members attend or maintain qualifications may result in dismissal from the TEMAT Program when qualifications are no longer valid.

## **VII. ADMINISTRATIVE, FINANCIAL, AND PERSONNEL MANAGEMENT**

### **A. Reimbursement of Administrators/Jurisdiction**

1. All guidelines and procedures for requesting reimbursement shall be pursuant to the State Mutual Aid Reimbursement Guide.
2. All financial commitments herein are made subject to the availability of funds from the State of Texas.

## **VIII. Liability and Workers' Compensation for State Activation/And Training**

- A. During any period in which a program under TEMAT is activated by the State of Texas, or during any TEMAT sanctioned training, Members who are not employees of A&M System or another agency of the State of Texas will be considered to be in the course and scope of the Member's (employee's) regular employment with the Jurisdiction (employer) and the Member shall be entitled to full benefits, including workers' compensation and liability coverage, as an employee of their employer.
- B. For a Member who becomes injured during any period in which a program under TEMAT is activated by the State of Texas, or during any TEMAT sanctioned training, the Jurisdiction shall immediately notify the Program Administrator and TDEM of the injury in writing, and TDEM shall reimburse the Jurisdiction the costs and expenses paid by the Jurisdiction to Member, including but not limited to, all related medical expenses, compensation, wages, pension contributions, and any benefits provided by the Jurisdiction. Pursuant to Texas Government Code Section 418.118(b), the Jurisdiction may seek reimbursement for all eligible costs and expenses as provided in this section by providing TDEM or the Program Administrator, whichever is applicable, adequate supporting documentation for the costs/expenses claimed, to include proof of pay provided by the Jurisdiction to the Member. Said reimbursement shall continue, in accordance with Texas Labor Code Section 408, until such time that the injured Member is medically cleared for return to work or in the event of permanent disability or death, until all obligations for payment to the Member or Member's beneficiaries are satisfied.

## **IX. CONDITIONS, AMENDMENTS, AND TERMINATION**

- A. This TEMAT MOU may be modified or amended only by the written agreement of all the parties.
- B. This TEMAT MOU may be terminated by any signing party, upon thirty (30) days written notice to the other party.

- C. The state complies with the provisions of the Department of Labor Executive Order 11246 of September 24, 1965, as amended and with the rules, regulations, and relevant orders of the Secretary of Labor. To that end, the state shall not discriminate against any Member on the grounds of race, color, religion, sex, or national origin. In addition, the use of state or federal facilities, services, and supplies will be in compliance with regulations prohibiting duplication of benefits and guaranteeing nondiscrimination. Distribution of supplies, processing of applications, provisions of technical assistance, and other relief assistance activities shall be accomplished in an equitable and impartial manner, without discrimination on the grounds of race, color, religion, nationality, sex, age, or economic status.
- D. This TEMAT MOU is governed by the laws of the State of Texas (but not its conflict of laws statutes and principles). Pursuant to Section 85.18 (b), Texas Education Code, venue for a state court suit filed against any member of A&M System, or any officer or employee of A&M System is in the county in which the primary office of the chief executive officer of the system or member, as applicable, is located.
- E. The parties expressly acknowledge that the Program Administrators are agencies of the State of Texas and nothing in this TEMAT MOU will be construed as a waiver or relinquishment by any state agency administrator of its right to claim such exemptions, privileges, and immunities as may be provided by law.
- F. By executing this TEMAT MOU, all parties and each person signing on behalf of each party certifies, and in the case of a sole proprietorship, partnership or corporation, each party thereto certifies as to its own organization, that to the best of their knowledge and belief, no member of A&M System or A&M System Board of Regents, nor any employee, or person, whose salary is payable in whole or in part by A&M System, has direct or indirect financial interest in the award of this TEMAT MOU, or in the services to which this TEMAT MOU relates, or in any of the profits, real or potential, thereof.
- G. Each party is responsible to ensure that employees participating in work for any member of A&M System have not been designated by a member of A&M System as Not Eligible for Rehire (NEFR) as defined in System policy 32.02, Section 4. Non-conformance to this requirement may be grounds for termination of this agreement. In event a system member becomes aware that a contracting party has any employees that are designated as NEFR under this TEMAT MOU, the nonconforming employee is immediately required to be removed from all performance duties upon demand by a system member.

**X. JURISDICTION DECLARATION OF PARTICIPATION IN TEMAT**

Jurisdiction agrees to abide by the terms and conditions of this TEMAT MOU and the program-specific guidance manual. Jurisdiction agrees to allow employees to serve as TEMAT Members for the approved TEMAT Programs checked below:

TEMAT Program	Check for Participation	Jurisdiction Point of Contact Initials
Incident Support Task Force (ISTF)	<input checked="" type="checkbox"/>	
Public Works Response Team (PWRT)	<input checked="" type="checkbox"/>	
Texas A&M Task Force I	<input checked="" type="checkbox"/>	
State of Texas Incident Management Team (IMT)	<input checked="" type="checkbox"/>	
Texas Intrastate Fire Mutual Aid System (TIFMAS)	<input checked="" type="checkbox"/>	

## XI. POINTS OF CONTACT

<b>Name:</b>	<b>TDEM</b> Chief Nim Kidd	<b>TEMAT Coordinator</b> Kharley Smith
<b>Title:</b>	Chair – Texas Emergency Management Council	ISTF Division Chief
<b>Address Line 1:</b>	313 E Anderson Ln	313 E Anderson Ln
<b>Address Line 2:</b>	Building 3	Building 3
<b>City, State, Zip:</b>	Austin, TX 78752	Austin, TX 78752
<b>Phone Number:</b>	512-424-2436	512-424-2436
<b>Email:</b>	<a href="mailto:Nim.kidd@tdem.texas.gov">Nim.kidd@tdem.texas.gov</a>	<a href="mailto:kharley.smith@tdem.texas.gov">kharley.smith@tdem.texas.gov</a>

<b>Name:</b>	<b>Jurisdiction</b> John Ferguson
<b>Title:</b>	Mayor
<b>Address Line 1:</b>	507 W O'Reilly Street
<b>Address Line 2:</b>	PO Box 1899
<b>City, State, Zip:</b>	Presidio, TX, 79845
<b>Phone Number:</b>	(432) 229-3517
<b>Email:</b>	<a href="mailto:jferguson@presidio.tx">jferguson@presidio.tx</a>

## XII. GENERAL PROVISIONS

- A. This TEMAT MOU, with the rights and privileges it creates, is assignable only with the written consent of the parties.
- B. Pursuant to Texas Government Code Section 321.013, acceptance of funds under this TEMAT MOU constitutes acceptance of the authority of the State of Texas, the Texas State Auditor's Office, or any successor agency (collectively, "Auditor"), to conduct an audit or investigation in connection with those funds under Texas Education Code Section 51.9335(c). Jurisdiction shall cooperate with the Auditor in the conduct of the audit or investigation, including without limitation, providing all records requested.

- C. Pursuant to Texas Government Code Sections 2107.008 and 2252.903, any payments owing to Jurisdiction under this TEMAT MOU may be applied directly toward certain debts or delinquencies that Jurisdiction owes the State of Texas or any agency of the State of Texas regardless of when they arise until such debts or delinquencies are paid in full.
- D. To the extent applicable, Jurisdiction shall use the dispute resolution process provided in Chapter 2260, Texas Government Code, and the related rules adopted by the Texas Attorney General to attempt to resolve any claim for breach of contract made by Jurisdiction that cannot be resolved in the ordinary course of business. Jurisdiction shall submit written notice of a claim of breach of contract under this Chapter to TDEM's designated official, who will examine the claim and any counterclaim and negotiate in an effort to resolve the claim.

**XIII. ENTIRE AGREEMENT**

This TEMAT MOU terminates and supersedes any prior TEMAT MOU amongst TDEM, TEMAT Program Administrators, a TEMAT Employee Member, and Participating Jurisdiction. This TEMAT MOU, in addition to the related program-specific guidance manuals and State Mutual Aid Reimbursement Guidelines, reflects the entire agreement between the parties.

TDEM and Jurisdiction hereby acknowledge that they have read and understand this entire TEMAT MOU. All oral or written agreements between the parties hereto relating to the subject matter of this TEMAT MOU that was made prior to the execution of this TEMAT MOU have been reduced to writing and are contained herein. TDEM and Jurisdiction agree to abide by all terms and conditions specified herein and certify that the information provided to the state is true and correct in all respects to the best of their knowledge and belief.

This TEMAT MOU is entered into by and between the following parties:

**TEXAS DIVISION OF EMERGENCY MANAGEMENT**

Signature: \_\_\_\_\_  
 Name: W. Nim Kidd  
 Title: Chief, Texas Division of Emergency Management  
 Date: \_\_\_\_\_

**JURISDICTION**

Signature: \_\_\_\_\_  
 Name: John Ferguson  
 Title: Mayor  
 Date: \_\_\_\_\_

LINE ITEM 7

CITY OF PRESIDIO BUSINESS  
(NEW/OLD)

- g. Discussion / action on possible ordinance regarding Container Homes and Tiny Homes inside the City of Presidio. – Mr. Cesar Leyva, Public Works Director

## LINE ITEM 7

### CITY OF PRESIDIO BUSINESS (NEW/OLD)

- h. Discussion / action on amending the Ordinance 93-1 the City of Presidio regulating the location of Buildings, Structures, and Land usage. – Mr. Cesar Leyva, Public Works Director

ORDINANCE NO. 93 - 1

AN ORDINANCE BY THE PROVISIONS OF THE TEXAS LOCAL GOVERNMENT CODE, CHAPTER 211, TO REGULATE THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND, THE HEIGHT, NUMBER OF STORES, AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES AND THE DENSITY OF POPULATION, AND FOR SAID PURPOSES, TO DIVIDE THE MUNICIPALITY INTO DISTRICTS OF SUCH NUMBER AND AREA AS MAY BE DEEMED BEST SUITED TO CARRY OUT THESE REGULATIONS; TO PRESCRIBE A PENALTY FOR VIOLATION OF ITS PROVISIONS, AND TO PROVIDE FOR ITS ENFORCEMENT.

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

I.

A. ENACTING CLAUSE

This ordinance, together with a map creating and delineating Zoning Districts, shall be known and may be cited as the City of Presidio Zoning Ordinance.

B. PURPOSE

It is hereby declared to be the purpose and intent of the City Council in enacting this ordinance that the zoning regulations and districts as herein established have been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the City. They have been designed to lessen the congestion in the streets; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population, water, sewerage, schools, parks and other public requirements. They have been made with reasonable consideration, among other things, for the character of the district and its peculiar suitability for the particular uses specified; and with a view to conserving the value of buildings and encouraging the more appropriate use of land throughout the City consistent with a comprehensive plan.

C. ZONING DISTRICT MAP

1. The boundaries of zoning districts set out herein are delineated upon a zoning district map of the City adopted as part of this ordinance as fully as if the same were set forth herein in detail.

2. One original of the Zoning District Map shall be filed in the office of the City Secretary. This copy shall be the official Zoning District Map and shall bear the signature of the Mayor and attestation of the City Secretary. This copy shall not be changed in any manner. In case of any question, this copy, together with amending ordinances, shall be controlling.
3. An additional copy of the original Zoning District Map shall be placed in the office of the Building Inspector. The copy shall be used for reference and shall be maintained up-to-date by posting thereon all subsequent amendments.

#### D. ZONING DISTRICT BOUNDARIES

1. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following city limits shall be construed as following city limits.
4. Boundaries indicated as following railroad lines shall be construed to be the established centerline of the right-of-way, or if no centerline is established, the boundary shall be interpreted to be midway between the right-of-way lines.

#### E. COMPLIANCE REQUIRED

All land, buildings, structures or appurtenances thereon located within the City which are hereafter occupied, used, erected, altered or converted shall be used, placed and erected in conformance with the zoning regulations prescribed for the zoning district in which such land or building is located except as hereinafter provided. Land used in meeting the requirements of this ordinance with respect to a particular use or building shall not be used to meet the requirements for any other use or building.

#### F. PRESERVING RIGHTS AND CONTINUITY IN ENFORCEMENT, AND VIOLATIONS UNDER ORDINANCE AND AMENDMENTS THERETO.

By the passage of this ordinance, no present use or building shall be deemed to have been legalized unless such use falls within a use district where the actual use and standards under the terms of this ordinance would be conforming. Any use which does not conform to provisions of this ordinance shall be a nonconforming use or

structure if it legally existed prior to the adoption of this ordinance or an illegal use if it did not exist, as the case may be.

#### G. NEWLY ANNEXED AREAS

1. All territory hereafter annexed to the City of Presidio shall be temporarily classified in the R-1 District until permanent zoning classifications are given the area by the City Council of the City of Presidio.
2. The procedure for establishing the permanent zoning on any annexed territory shall be the same as is provided by law for the amendment of the Zoning Ordinance.

### II.

#### A. INTERPRETATION OF WORDS AND TERMS

For the purpose of these regulations, certain terms and words are to be used and interpreted as defined hereinafter. Words used in the present tense shall include the future tense; words in the singular number include the plural and words in the plural number include the singular, except where the natural construction of the writing indicates otherwise. The word "shall" is mandatory and not directory.

1. ACCESSORY BUILDING: A subordinate building or a portion of the main building located on the same lot as the main building, the use of which is incidental to that of the dominant use of the building or premises.
2. ACCESSORY USE: A use customarily incidental, appropriate and subordinate to the principal use of land or buildings and located upon the same lot therewith.
3. ADVERTISING SIGN OR STRUCTURE: Any cloth, card, paper, metal, glass, wooden, plastic, plaster, stone sign or other sign, device or structure of any character whatsoever, including a statuary, place for outdoor advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building or structure. The term "placed" shall include erecting, constructing, posting, painting, printing, tacking, nailing, gluing, sticking, carving or otherwise fastening, affixing or making visible in any manner whatsoever. The area of an advertising structure shall be determined as the area of the largest cross-section of such structure. Neither directional, warning nor other signs posted by public officials in the course of their public duties nor merchandise or materials being offered for sale shall be construed as advertising signs for the purpose

of this Ordinance.

4. ALLEY: A minor right-of-way, dedicated to public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.
5. APARTMENT HOUSE: See Multiple Family Dwelling.
6. AUTOMOBILE: A self-propelled mechanical vehicle designed for use on streets and highways for the conveyance of goods and people including, but not limited to the following: passenger cars, trucks, busses, motor scooters and motor cycles.
7. BASEMENT: A story partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half (1/2) of its height is above the average level of the adjoining ground or when subdivided and used for commercial or dwelling purposes by other than a janitor employed on the premises.
8. BOARDING HOUSE: A dwelling other than a hotel where for compensation and by prearrangement for definite periods, meals or lodging and meals are provided for three (3) or more, but not exceeding twenty (20) persons on a weekly or monthly basis.
9. BUILDING: Any structure intended for shelter, housing or enclosure for persons, animals or chattel. When separated by dividing walls without openings, each portion of such structure so separated shall be deemed a separate building.
10. BUILDING HEIGHT: The vertical distance from the average line of the highest and lowest points of that portion of the lot covered by the building to the highest point of coping of a flat roof or the declivity of a mansard roof or to the average height of the highest gable of a pitch or hip roof.
11. BUILDING, MAIN: A building in which is conducted the principal use of the lot on which it is situated. In a residential district any dwelling shall be deemed to be a main building on the lot on which it is situated.
12. CHILD CARE CENTER: Any place, home or institution which receives three (3) or more children under the age of sixteen (16) years not of common parentage, for care apart from their natural parents, legal guardians or custodians, when received for regular periods of time for compensation; provided, however, this definition

shall not include public and private schools organized, operated or approved under the laws of this State, custody of children fixed by a court of competent jurisdiction, children related by blood or marriage within the third degree to the custodial person, or to churches or other religious or public institutions caring for children within the institutional building while their parents or legal guardians are attending services or meetings, classes or other church sponsored activities.

13. COVERAGE: The lot area covered by all buildings located thereon, including the area covered by all overhanging roofs.
14. DISTRICT: Any section or sections of the City for which the regulations governing the use of land and the use, density, bulk, height and coverage of buildings and other structures are uniform for each class or kind of building therein.
15. DWELLING: Any building or portion thereof, which is designed or used as living quarters for one (1) or more families, but not including trailer homes. (See Trailer Home)
16. DWELLING, SINGLE-FAMILY: A detached dwelling designed to be occupied by one family.
17. DWELLING, TWO-FAMILY: A detached dwelling designed to be occupied by two families living independently of each other.
18. DWELLING, MULTIPLE: A detached dwelling designed to be occupied by three (3) or more families living independently of each other, exclusive of hotels or motels.
19. FAMILY: One (1) or more persons related by blood, marriage or adoption, or a group of not to exceed five (5) persons not all related by blood or marriage, occupying a boarding or lodging house, hotel, club or similar dwelling for group use.
20. GARAGE APARTMENT: A dwelling unit for one (1) family erected above a private garage.
21. GARAGE, PARKING: Any building or portion thereof, used for the storage of four (4) or more automobiles in which any servicing which may be provided is incidental to the primary use for storage purposes, and where repair facilities are not provided.
22. GARAGE, PRIVATE: An accessory building or a part of a main building used for storage purposes only for

- automobiles used solely by the occupants and their guests of the building to which it is accessory.
23. GARAGE, REPAIR: A building in which are provided facilities for the care, servicing, repair or equipping of automobiles.
  24. GASOLINE SERVICE OR FILLING STATION: Any area of land, including structures thereon, that is used for the retail sale of gasoline, oil fuels or other automobile accessories and incidental services including facilities for lubricating, hand washing and cleaning, or otherwise servicing automobiles, but not including painting, major repair, automatic washing or the sale of butane or propane fuels.
  25. HOME OCCUPATION: Any occupation carried on solely by the inhabitants of a dwelling which is clearly incidental and secondary to the use of the dwelling for dwelling purposes, which does not change the character thereof, and which is conducted entirely within the main or accessory buildings; provided that no trading in merchandise is carried on and in connection with which there is no display of merchandise or advertising sign other than one (1) non-illuminated nameplate not more than two (2) square feet in area attached to the main or accessory building, and no mechanical equipment is used except such as is customary for purely domestic or household purposes. A beauty or barber shop, tea room or restaurant, rest home or clinic, doctor's or dentist's office, child care center, tourist home or cabinet, metal or auto repair shop shall not be deemed a home occupation.
  26. HOTEL: A building or group of buildings under one (1) ownership containing six (6) or more sleeping rooms occupied as the more or less temporary abiding place of persons who are lodged with or without meals for compensation, but not including trailer court or camp, sanatorium, hospital, asylum, orphanage or building where persons are housed under restraint.
  27. KENNEL: Any lot or premises on which are kept four (4) or more dogs more than six (6) months of age.
  28. LOT: Any plot of land occupied or intended to be occupied by one main building, or a group of main buildings, and accessory buildings and uses, including such open spaces as are required by this Ordinance and other laws or ordinances, and having its principal frontage on a street.
  29. LOT, CORNER: A lot which has at least two (2) adjacent sides, abutting for their full lengths on a street,

provided that the interior angle at the intersection of such two sides is less than one hundred thirty-five (135) degrees.

30. LOT, DEPTH: The mean horizontal distance between the front and rear lot lines.
31. LOT, DOUBLE FRONTAGE: A lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot.
32. LOT, INTERIOR: A lot other than a corner lot.
33. LOT, AREA: The total area measured on a horizontal plane included within lot lines.
34. LOT, FRONTAGE: That dimension of a lot or portion of a lot abutting on a street, excluding the side dimension of a corner lot.
35. LOT LINES: The lines bounding a lot.
36. MEDICAL FACILITIES:
  - a. Convalescent, Rest or Nursing Home: A health facility where persons are housed and furnished with meals and continuing nursing care for compensation.
  - b. Dental Clinic or Medical Clinic: A facility for the examination and treatment of ill and afflicted human out-patients, provided that patients are not kept overnight except under emergency conditions.
  - c. Dental Office or Doctors Office: Same as dental or medical clinic.
  - d. Hospital: An institution providing health services primarily for human in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central services facilities and staff offices which are an integral part of the facilities.
  - e. Public Health Center: A facility primarily utilized by a health unit for providing public health services including related facilities such as laboratories, clinics and administrative offices operated in connection therewith.
  - f. Sanatorium: An institution providing health facilities for in-patient medical treatment or treatment and recuperation making use of natural therapeutic agents.

38. PARKING SPACE: An area, enclosed or unenclosed, sufficient in size to store one (1) automobile together with a driveway connecting the parking space with a street or alley and permitting ingress or egress of an automobile.
39. PLANNED DEVELOPMENT DISTRICT: Planned associations of uses developed as integral land use units such as industrial parks or industrial districts, offices, commercial or service centers, shopping centers, residential developments of multiple or mixed housing including attached single family dwellings or any appropriate combination of uses which may be planned, developed or operated or integral land use units either by a single owner or a combination of owners.
40. ROOMING HOUSE: A building where lodging only is provided for compensation to three (3) or more but not exceeding twenty (20) persons. A building which has accommodations for more than twenty (20) persons shall be defined as a hotel under the terms of this Ordinance.
41. SELF-SERVICE LAUNDRY OR DRY CLEANING ESTABLISHMENT: Any attended or unattended place, building or portion thereof, available to the general public for the purpose of washing, drying, extracting moisture from or dry cleaning wearing apparel, cloth, fabrics and textiles of any kind by means of a mechanical appliance which is operated primarily by the customer.
42. STABLE, PRIVATE: A stable with a capacity for not more than two (2) horses or mules.
43. STABLE, PUBLIC: A stable, other than a private stable, with a capacity for more than two (2) horses or mules.
44. STANDARD MASONRY CONSTRUCTION: Having at least 75% of the exterior walls of a building constructed of brick, stone or other masonry construction.
45. STORY: That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or there be no floor above it, then the space between the floor and the ceiling next above it.
46. STORY, HALF: A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished for use. A half story containing independent apartment or living quarters shall be counted as a full story.

47. STREET: Any public or private thoroughfare which affords the principal means of access to abutting property.
48. STREET, INTERSECTING: Any street which joins another street at an angle, whether or not it crosses the other.
49. STRUCTURE: Anything constructed or erected, the use of which requires location on the ground or which is attached to something having a location on the ground.
50. STRUCTURAL ALTERATIONS: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.
51. TOURIST COURT: An area containing one (1) or more buildings designed or intended to be used as temporary sleeping facilities of one (1) or more transient families and intended primarily for automobile transients.
52. TOURIST HOME: A dwelling occupied as a permanent residence by an owner or renter in which sleeping accommodations in not more than four (4) rooms are provided or offered for transient guests for compensation.
53. TRAILER COURT OR MOBILE HOME PARK: A parcel of land which has been designed or improved or intended to be used or rented for occupancy by one (1) or more trailer houses or mobile homes.
54. TRAILER OR MOBILE HOME SPACE: A plot of ground within a trailer court designed for the accommodation of one (1) mobile home.
55. TRAILER HOME OR MOBILE HOME: A portable or mobile living unit used or designed for human occupancy on a permanent basis.
56. TRAILER, TRAVEL OR CAMPING: A portable or mobile living unit used for temporary human occupancy away from the place of residence of the occupants and not constituting the principal place of residence of the occupants and containing less than 175 square feet of floor area.
57. TRAILER, HAULING: A vehicle to be pulled behind an automobile or truck which is designed for hauling animals, produce, goods or commodities, including boats.

58. YARD: An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except where otherwise specifically provided in this Ordinance that the building or structure may be located in a portion of a yard required for a main building. In measuring a yard, the depth of a front yard or the depth of a rear yard, the shortest horizontal distance between the lot line and the main building shall be used.
59. YARD, FRONT: A yard located in front of the front elevation of a building and extending across a lot between the side yard lines and being the minimum horizontal distance between the front property line and the outside wall of the main building.
60. YARD, REAR: A yard extending across the rear of a lot measured between the lot lines and being the minimum horizontal distance between the rear lot line and the rear of the outside wall of the main building. On both corner lots and interior lots the rear yard shall in all cases be at the opposite end of the lot from the front yard.
61. YARD, SIDE: A yard between the building and the side line of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the outside wall of the side of the main building.

### III.

#### A. ESTABLISHMENT AND NUMBER OF DISTRICTS

1. For the purpose of this Ordinance the following districts are hereby established for the City:

##### Residential Districts:

- R-1 Single Family
- R-2 Multiple Family

##### Commercial Districts:

- C-1 General Commercial District
- C-2 Highway Commercial District

##### Industrial Districts:

- I- Industrial District

#### B. R-1 SINGLE-FAMILY DWELLING DISTRICT

1. This is the most restrictive residential district. The principal use of land is for single-family dwellings and related recreational, religious and educational facilities normally required to provide an orderly and attractive residential area. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of the different uses.

2. Uses Permitted:

Property and buildings in an R-1, single-family dwelling district, shall be used only for the following purposes:

- a. Detached one-family dwelling, including manufactured homes.
- b. Churches, but not including missions or revival tents or arbors.
- c. Public school or school offering general educational courses the same as ordinarily given in public schools and having no rooms regularly used for housing and sleeping.
- d. Public park and Playground.
- e. Library.
- f. Growing of Farm Products.
- g. Municipal Use.
- h. Telephone Exchanges.
- i. Home Occupation.
- j. Transportation and Utility Easement, Alleys, and Rights-of-Way.
- k. Accessory buildings which are not a part of a main building, including one private garage, or accessory buildings which are a part of a main building, including one private garage.
- l. Uses customarily incident to any of the above uses when located upon the same lot and not involving the conduct of a business.
- m. Fence - A fence, hedge or enclosure wall provided:

- (1) No solid fence or enclosure exceed a height of six (6) feet between the front main building line and the front lot line, and no such six (6) foot fence or enclosure shall extend closer to any front street than twenty (20) feet.
  - (2) An ornamental fence may exceed six (6) feet in height but shall have a ratio of solid portion to open portion not in excess of one to four and shall not extend closer to any front street than twenty (20) feet.
  - (3) No back or side yard fence behind the front main building line shall exceed a height of eight (8) feet.
  - (4) No fence may extend or encroach onto any street or utility easement.
- n. A temporary bulletin board or sign, not exceeding twelve (12) square feet in area appertaining to the lease, hire or sale of a single building or premises, which board or sign shall be removed as soon as the premises are leased, hired or sold.
  - o. A temporary bulletin board or sign, not exceeding fifty (50) square feet in area appertaining to the lease, hire or sale of buildings or premises.
  - p. A church bulletin board or sign, not exceeding fifty (50) square feet in area, located on the same lot with the church building.
  - q. A sign not to exceed two (2) square feet in area and attached to a building no higher off the ground than six (6) feet, such sign to advertise only an accessory use allowed by this ordinance and being conducted on the same property upon which such sign is located.
  - r. Temporary building of the construction industry which is incidental to the erection of building permitted in this District and which shall be removed when construction work is completed.
  - s. Accessory uses, which shall include the following where the primary use is residential:
    - (1) Customary home occupation, such as dressmaking, baby sitting, seamstress, tailoring, millinery, tutoring, when engaged in by members of the resident family and employing not more than one (1) person not a member of the resident family.

## LINE ITEM 7

### CITY OF PRESIDIO BUSINESS (NEW/OLD)

- i. Discussion / action to request Letters of Interest to the vacated City Council Unexpired-Term seat and set date for last day to receive letters. – City Secretary

LINE ITEM 7

CITY OF PRESIDIO BUSINESS  
(NEW/OLD)

- j. Discussion / action on request by Mr. Tiburcio Acosta regarding the location of an RV Park. – Mr. Cesar Leyva, Public Works Director

LINE ITEM 7

CITY OF PRESIDIO BUSINESS  
(NEW/OLD)

- k. Discussion / action to accept the post approval of the Memorial Day River Road Rally 2026 and expenditures. – Ms. Elvira Hermosillo, Convention & Visitor's Bureau Board

## LINE ITEM 7

### CITY OF PRESIDIO BUSINESS (NEW/OLD)

1. Discussion / action to accept bid for the window fabrication and installation at the Slack Building in the amount of \$7,900. – Ms. Elvira Hermosillo, Convention & Visitor's Bureau Board

LINE ITEM 7

CITY OF PRESIDIO BUSINESS  
(NEW/OLD)

- m. Discussion / action to hire a designer to create a brochure promoting the City of Presidio for \$850. – Ms. Elvira Hermosillo, Convention & Visitor's Bureau Board

LINE ITEM 7

CITY OF PRESIDIO BUSINESS  
(NEW/OLD)

- n. Discussion / action to renew yearly account with the Tour Texas website for a prorated amount of \$1,989. – Ms. Elvira Hermosillo, Convention & Visitor's Bureau Board

LINE ITEM 7

CITY OF PRESIDIO BUSINESS  
(NEW/OLD)

- o. Discussion / action to approve a Presidio Arts Festival in March 2027. – Ms. Elvira Hermosillo, Convention & Visitor's Bureau Board