



City of Presidio

REGULAR CITY COUNCIL
MEETING

OCTOBER 12, 2026



City of Presidio

Regular City Council Meeting

Sign-In Sheet

Date: October 12, 2026

City Council Members

City Staff Members


John W. Ferguson-Mayor

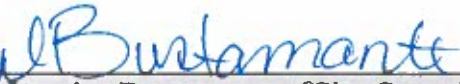
VACANT-City Administrator


Cristian Montoya - Mayor Pro-Tem

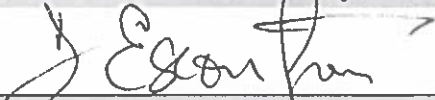
Brenda Lee Acuña-City Secretary

Bianca Martinez-Bailon - City Councilmember

Glorissel Muñiz-Deputy City Secretary


Itzmira Bustamante - City Councilmember

Cynthia Trevino-Assistant City Attorney
Bojorquez Law Firm


Silverio Escontrias - City Councilmember


Alfredo Muñiz - City Councilmember



**City Council
Regular Council Meeting,
October 12, 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, October 12, 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 (Texas Gov't Code Section 551.041, 551.043, 551.056).

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 - Texas Open Meetings Act, TX Local Government Code § 22.039.
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. City Council regular meeting, September 14, 2026
 - b. City Council regular meeting, September 28, 2026
6. City of Presidio Business (New/Old)
 - a. Discussion / possible action; Ms. Adele Jancovici requested a dual commercial and residential zoning for the building at 702 W O'Reilly Street, Cartwright Addition, Block 1, Lot 9-10. Currently the building is in a commercial zone only. – Mrs. Alma Martin, Planning & Zoning Commission Board
 - b. Discussion / possible action; Mr. Jesus & Mrs. Velia Pando requesting a dual commercial and residential zoning for the Flower Shop building at 1307 E Millington Blvd, Millington Addition, Block 33, Lot 23. Currently the building is in a commercial zone only. – Mrs. Alma Martin, Planning & Zoning Commission Board
 - c. Discussion / action to review, and approve the first reading for the Ordinance 2026-13 the newly revised Water Rates for inside the City limits and Provision for out of the City Limits service rates; and providing for the repeal of all previous Water Rate ordinances. – Mayor Ferguson
 - d. Discussion / action to review, and approve the first reading for the Ordinance 2026-14 Waste Water Rates for the updated 2% annual increment, for inside the City limits and Provision for out of the City limits service rates; providing for the repeal of all previous Waste Water Rate ordinances. – Mayor Ferguson
 - e. Discussion / action to review, and approve the first reading for the Ordinance 2026-15 the newly revised Sanitation and Landfill Rates, for inside the City limits and Provision for out of the City limits service rates; providing for the repeal of all previous Sanitation and Landfill Rate ordinances. – Mayor Ferguson
 - f. Discussion / action to review, and approve the first reading for the Ordinance 2026-16 Regulation of Game Rooms and Amusement Redemption Machines: Establishing regulations, permits and permit fees. – Mayor Ferguson
 - g. Discussion / action to open a LOGIC Account for reserved funds for the City of Presidio. – Ms. Glorissel Muñiz, Finance Director
 - h. Discussion / action to review, consider approval, and adoption the City of Presidio EMS Scheduling and Leave Policy. – Mr. Troy Sparks, EMS Director

- i. Discussion / action regarding to possibly approve Resolution 2026-10R to submit an application for the FY 2027 Regional Solid Waste Project Allocation Rio Council of Governments Managed Program. The funds to be requested are in the amount of \$21,050 and will be utilized for used tire removal in the City of Presidio. – Mayor Ferguson
- j. Discussion / action on the Resolution 2026-10R authorizing and approving an Interlocal Agreement between the City of Presidio and the Presidio Municipal Development District (MDD) for the utilization of shared administrative staff and joint public infrastructure project coordination. – City Secretary
- k. Discussion / action to accept Mr. Cristian Montoya Letter of Resignation from the Presidio Municipal Development District Board of Directors. – City Secretary
- l. Discussion / action to call out for Letters of Interest to the Presidio Municipal Development District Board of Director vacated seat and set a date for the last day to receive the Letters of Intent. – City Secretary
- m. Discussion / action / update on the TxCDBG Grant CDV23-0300 (Water and Drainage Improvements) project status and other grant matters – Mrs. Becky Brewster, Grant Administrator
- n. 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
- o. 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
- p. Discussion / action / update on the TDEM TX 5161-4 (ARPA Funds) project status and other grant matters. – Mrs. Becky Brewster, Grant Administrator
- q. Discussion / possible action regarding interviews for the City Administrator position, which may include selecting and appointing a candidate or reopening the application process.
 - 1. Adjourn into executive session as Authorized by the Texas Government Code including, but not limited to section 551.074 (Personnel Matters), regarding agenda item 6q.
 - 2. Reconvene into open session and take such action as appropriate.

7. Adjourn

I certify that the above notice of the City Council regular meeting agenda was posted in the display case near the front entrance of City Hall on or before October 6, 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 October 6, 2026 and three business days before the meeting date. 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 October 6, 2026 three business days in advanced of the meeting date, in accordance with the Texas Open Meetings Act (Texas Gov't Code 551.041, 551.043, 551.056)



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. City Council Regular Meeting, September 14, 2026
 - b. City Council Regular Meeting, September 28, 2026.

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- a. Discussion / possible action; Ms. Adele Jancovici requested a dual commercial and residential zoning for the building at 702 W O'Reilly Street, Cartwright Addition, Block 1, Lot 9-10. Currently the building is in a commercial zone only.
 - Mrs. Alma Martin, Planning & Zoning Commission Board

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- b. Discussion / possible action; Mr. Jesus & Mrs. Velia Pando requesting a dual commercial and residential zoning for the Flower Shop building at 1307 E Millington Blvd, Millington Addition, Block 33, Lot 23. Currently the building is in a commercial zone only. – Mrs. Alma Martin, Planning & Zoning Commission Board

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- c. Discussion / action to review, and approve the first reading for the Ordinance 2026-13 the newly revised Water Rates for inside the City limits and Provision for out of the City Limits service rates; and providing for the repeal of all previous Water Rate ordinances. – Mayor Ferguson

**ORDINANCE 2026-13
WATER RATES**

AN ORDINANCE OF THE CITY OF PRESIDIO, TEXAS ESTABLISHING THE WATER RATES FOR INSIDE THE CITY AND PROVISION FOR OUT OF CITY LIMITS SERVICE RATES; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; CONFLICTS AND REPEAL; EFFECTIVE DATE; NO VESTED INTEREST; PENALTIES AND ENFORCEMENT; PROPER NOTICE AND MEETING. SHOULD ANY PREVIOUS ORDINANCE CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE, THIS ORDINANCE WILL TAKE PRECEDENCE AND AMEND ORIGINAL ORDINANCE 2022-13.

WHEREAS, the City Council of the City of Presidio seeks to promote the health, safety and general welfare of the citizens of the City, and the best interests of the city; and

WHEREAS, the City Council seeks to ensure that water utility service is adequate and efficient for the citizens of the City, and all water rates imposed are necessary and attributable to the increasing costs incurred to produce and deliver safe drinking water;

WHEREAS, pursuant to Texas Local Government Code section 51.001, the City Council is authorized to adopt an ordinance that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Texas Local Government Code section 51.012, the City Council is authorized to adopt an ordinance, not inconsistent with state law, that the Council considers proper for the government, interest, welfare or good order of the City; and

WHEREAS, pursuant to Chapter 402 of the Texas Local Government Code and other laws, the city is authorized to operate its water facilities inside or outside its municipal boundaries; and

WHEREAS, the City owns and operates the water and sewer utility facilities, and sanitation and landfill for the benefit of our citizens;

WHEREAS, pursuant to Chapter 13 of the Texas Water Code and the City's Certificate of Convenience and Necessity, the City has the authority and responsibility to provide water and sewer services to our customers;

WHEREAS, the City Council seeks to ensure that water utility service is adequate and efficient for the citizens of the City, and all water rates imposed under this ordinance will be automatically be adjusted on 1st of October of each calendar year by a 2% increase to cover the cost of inflation:

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

SECTION 1: FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Presidio ("City") and are hereby approved and incorporated into the "body of this Ordinance as if copied in their entirety.

SECTION 2: ADOPTION OF RATES

- A. **WATER RATES:** The charge for water services with 2000 gallons a month included furnished by the City of Presidio, Texas, to a customer shall be as follows:

Meter and Water Rate Charge of City Customers inside the City Limits

Base Residential & Commercial Business Rates – Standard Rate on a ¾" meter is \$13.22 + \$6.61 per thousand gallons.

Base Residential & Commercial Business Rates – Standard Rate on a 1" meter is \$16.12 + \$6.61 per thousand gallons.

Base Commercial Business Rates – Standard Rate on a 1.1/2" to 2" meter is \$22.99 + \$6.61 per thousand gallons.

Base Commercial Business Rates – Standard Rate on a 4" to 6" meter Rate is \$87.35 + \$6.61 per thousand gallons.

Out of City Limit Rates:

Any Residential Customer or Commercial venture or political government subdivision outside the City limits of the City of Presidio but is provided City Services will be subject to a 50% additional surcharge on water meters, water, sewer rates and garbage service. Any customer who wishes, that borders on the city limits may petition the City Council to enter the city and once into the city no longer have to pay outside the city rates.

WATER RATES: The charge for water services with 2000 gallons a month included furnished by the City of Presidio, Texas, to a customer shall be as follows:

Base Residential & Commercial Business Rates – Standard Rate on a ¾" meter is \$19.82 + \$9.91 per thousand gallons.

Base Residential & Commercial Business Rates - Standard Rate on a 1" meter is \$24.13 + \$9.91 per thousand gallons.

Base Commercial Business Rates – Standard Rate on a 1.1/2' to 2" meter is \$34.49 + \$9.91 per thousand gallons.

Base Commercial Business Rates – Standard Rate on a 2" meter is \$53.45 + \$9.91 per thousand gallons.

Base Commercial Business Rates – Standard Rate on a 3" meter is \$86.26 + \$9.91 per thousand gallons.

Base Commercial/Construction Business Rates – Standard Rate on a 4" to 6" meter is \$127.09 + \$9.91 per thousand gallons.

Temporary Constructional/Commercial Rates;

Temporary Construction/Industrial Water Rates inside the city limits:

Temporary Constructional/Industrial rates inside the City Limits; The City shall provide a 3" inch Automatic Read Meter with 2" certified back flow prevention valve and cut off valves from water fire hydrants. The customer shall provide and air gap installation and provide a water line from the city water source to water rack or storage source. Increased sizing will be subject to negotiation for increased service. Standard Rate on a 3' temporary meter inch meter \$640.00 per month + \$10.00 per thousand gallons with security deposit of \$1000.00 to open the account. This deposit is refundable or can be applied to the amount owed.

Temporary Construction/Industrial Water Rates outside the city:

Temporary Constructional/Industrial Rates on projects outside the City Limits; The City shall provide a 3" inch Automatic Read Meter with 2" certified back flow prevention valve and cut off valves from water fire hydrants. The customer shall provide an approved air gap installation and provide a water line from the city water source to water rack or storage source. Increased sizing will be subject to negotiation for increased service. Standard Rate on a 3' temporary meter in meter Rate \$640.00 per month + \$15.00 per thousand gallons with security deposit of \$1500.00 to open the account. This deposit is refundable or can be applied to the amount owed.

Raw Water Rates; When Available

When the City has access to provide raw water rates under the supervision of a city employee. An invoice will be presented and signed by the driver prior to the estimated number of fill ups per day. This water is non potable. A minimum charge of access to non-potable water is \$50.00 and \$5.00 per thousand on a per load basis. This is per load with certification of the tanker capacity per load from the city non potable water rack. Potable Water used inside the city or the Extra Territorial Jurisdiction (ETJ) by a political subdivision for the benefit of the city may have free access to non-potable water. Non potable water used outside the ETJ for Federal, State, or Country projects are subject to negotiation, to cover pumping expenses, by the City Administrator.

Fire Protection:

Potable or raw Water is available for fire protection by all emergency services from any available source. However, the estimated use water, damage to emergency equipment, manpower and other resources used can be charged to a negligent party or their insurance company due to careless activity of the responsible party for damages.

Meter Installation

Meter Installation by the City will be billed at the following rates:

Inside City Limits - \$1,500
Outside City Limits - \$2,500

Any service line required, in excess of 50 feet or greater in size than ¾", or a meter greater in size than ¾", will be billed to the customer at the current cost of materials.

The customer has the option of paying this fee over a period of 18 months. Each and every dwelling will have a water meter installation.

Backflow Preventer Annual Inspection

The Texas Commission on Environmental Quality (TCEQ) requires that any connection to the municipal water system that has the potential to cause cross contamination – including, but not limited to, lawn irrigation or sprinkler systems and private water wells, must be fitted with a Backflow Prevention Device. This device may be required for the whole building or for specific locations, such as on a hose bib. Any customer of the City of Presidio Water System is required to have a properly installed Backflow Prevention Device in any situation where the possibility of cross contamination exists.

The Texas Commission on Environmental Quality (TCEQ) requires an annual inspection of the customer's Backflow Preventer to be filed with the City. Customers may choose to hire a private certified inspector or the City has a licensed Backflow Inspector upon request by the owner of the PRV – Backflow devices to be inspected and filed with the City Water Department for proper operation. The fee for the inspection is \$150.00 and does not include repair or replacement of any devices. If the device fails inspection, the customer will be given written notice requiring repair and re-inspection within thirty days. If the customer fails to repair or replace the device, or the device fails the thirty-day re-inspection, utilities will be disconnected without further notice. The \$150 inspection fee covers one re-inspection if required. If additional inspections are required, the customer will be charged an additional \$150 fee.

Tampering with meter.

If it is deemed that the customer has tampered with the water meter or tried to reconnect services [disconnected] due to the nonpayment of utilities, the city utility department will be authorized to pull the meter and file charges against the customer. To restore water service, the new customer fees and deposits will apply and fees will be calculated the customer to reinstall the meter and restore the account.

Meter reading policy, late payment, and penalty, reconnect fee and reread fee.

- (a) Meters shall be read monthly and consumers shall be notified in writing by a statement showing the amount due for water, sewer, and sanitation. The amount due shall be payable at city hall by the fifteenth day of each month following the meter reading. If amount due is not paid on or before the due date, a ten-percent penalty shall be added to the balance due on said account. If the account remains unpaid by the fifteenth day of the second month following the meter reading, utilities will be disconnected without further notice. In order to reconnect utilities, the customer will be required to pay a \$40.00 reconnect fee, pay the current balance of the utilities and adopted deposit rates will apply.
- (b) Late fee forgiveness, a customer may have a late fee forgiven if they enroll in a bank direct draft program for their City account. As a direct draft customer late fees can be avoided unless their account has insufficient funds.
- (c) Reread of water meter services is available at no charge if needed to confirm or deny water usage on an account in conjunction with the InCode Software providing a water meter usage history. If the reading is found to be correct, additional rereads will be charged at \$20 each. If, however, the additional reread finds the original reading to be incorrect, the \$20 fee will be waived.

Deposits for water; temporary disconnect policy and transfer and other fees.

(a) *Generally.* A meter deposit shall be collected by the City of Presidio before any service is turned on. This deposit is in addition to the non-refundable \$40 connection fee.

Deposits shall be based on the size of meter according to the following:

Water Meter Size (inches)	Amount of Deposit
¾ " to 1"	\$150.00
1 ½ to 2"	\$270.00
2" to 3"	\$390.00
3 ½ " to 4"	\$510.00

Commercial amount equal to two (2) months estimated average bill include water, sewer, and sanitation. If the old deposit is applied toward a delinquent account for nonpayment and is disconnected, the remainder of the balance must be paid and the above deposit will apply to reconnection.

The city will apply the deposit to the final bill and consumer will be refunded the remaining balance or billed for remaining portion of the bill.

(b) *Temporary disconnects and reconnects policy.* Reconnection of service after a voluntary temporary disconnection of water shall have \$40.00 reconnect charge. There shall not be any charge for suspending billing the voluntary disconnection period or leave of the meter. The meter shall continue to be read on a monthly basis and if any consumption readings appears on the meter during the disconnect period will be charged to the consumer when the meter is put back into service. The meter shall be locked and under complete control of the city for the temporary disconnect or leave period.

Non Compliance Disconnect: The City of Presidio reserves the right for the City Administrator to issue an order to disconnect the city water as a last resort for code compliance issues with any city customer or business that is in deliberate violation or noncompliance with any of the City Codes or Ordinances of the City of Presidio, state or federal regulations. A code reinstatement inspection must be performed and with a reconnect fee of \$200.00 plus any previous fines, payments, or municipal court judgements must be settled before service will be restored. Disconnects and previous delinquent billing will be paid by the owner of the account. If the owner of account moves to a new address, the owner of the account will continue to pay for all delinquent billing.

(c) *[Transfer fee]* A transfer fee of twenty-five dollars (\$25.00) will be charged to change the name or person or business to an existing account when transferring utilities and or deposit to a new residential location or change of street address, for the incapacity to pay their bills with a power of attorney or death in the family. The account may be transferred to another the name of a family member free of charge. Multiple names are not allowed on a city account other than the person or couple paying the bill. The City is not able or accountable for an accurate proof of residence of our customers. When requested for a copy of customer account it should include a disclaimer that the City cannot verify where the customer actually lives.

(d) **Returned Checks and ACH Payments.**

Customers shall be assessed a \$35.00 fee for each returned check or declined ACH Payment. If the city is unable to collect on the returned check or declined ACH Payment, it will be forwarded to the City / County attorney for collection.

(e) **Copy of Bill**

Customers may request a copy of their water bill during business hours at City Hall. The fee for a copy of the bill is \$1.

(f) **Payment with Credit Card**

Due to credit card processing fees charged to the City by credit card companies, the maximum of 4% fee amount of the total bill will be charged to the customer for payment by credit card.

(g) Leak Adjustment

If a customer finds that they have a leak that causes a significantly increased water bill, they may be provided an account adjustment to no less than their average bill for the prior six months upon providing to City of Presidio proof of the leak repair. This courtesy adjustment is available once per year per account.

SECTION 4: EFFECTIVE DATE

Original Ordinance 2022-13 shall become effective immediately upon passage with annual increases of 2% for 5 years taking with the annual increase taking effect on the 1st day of October 2022 until 1st of October 2027. Ordinance 2026-5 will reflect as the amended ordinance.

AMENDED, APPROVED INTRODUCTION AND FIRST READING THIS 12th DAY OF OCTOBER 2026 BY THE CITY COUNCIL OF THE CITY OF PRESIDIO, TEXAS.

INTRODUCTION AND FIRST READING

FINAL AND SECOND READING

October 12, 2026

CITY OF PRESIDIO, TEXAS.

John Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:

**Brenda Ornelas-Acuña, City Secretary
City of Presidio**

**Alan Bojorquez, City of Presidio Attorney
Cynthia Treviño, City of Presidio Attorney**

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- d. Discussion / action to review, and approve the first reading for the Ordinance 2026-14 Waste Water Rates for the updated 2% annual increment, for inside the City limits and Provision for out of the City limits service rates; providing for the repeal of all previous Waste Water Rate ordinances. – Mayor Ferguson

**ORDINANCE 2026-14
WASTE WATER RATES**

AN ORDINANCE OF THE CITY OF PRESIDIO, TEXAS ESTABLISHING THE WASTE WATER RATES FOR INSIDE THE CITY AND PROVISION FOR OUT OF CITY LIMITS SERVICE RATES; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; CONFLICTS AND REPEAL; EFFECTIVE DATE; NO VESTED INTEREST; PENALTIES AND ENFORCEMENT; PROPER NOTICE AND MEETING. SHOULD ANY PREVIOUS ORDINANCE CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE, THIS ORDINANCE WILL TAKE PRECEDENCE AND AMENDING ORDINANCE 2022-12.

WHEREAS, the City Council of the City of Presidio seeks to promote the health, safety and general welfare of the citizens of the City, and the best interests of the city; and

WHEREAS, the City Council seeks to ensure that sewer utility service is adequate and efficient for the citizens of the City, and all sewer rates imposed are necessary and attributable to the costs incurred and will be automatically be adjusted on October 1st of each year by a 2% increase to cover the cost of inflation;

WHEREAS, pursuant to Texas Local Government Code section 51.001, the City Council is authorized to adopt an ordinance that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Texas Local Government Code section 51.012, the City Council is authorized to adopt an ordinance, not inconsistent with state law, that the Council considers proper for the government, interest, welfare or good order of the City; and

WHEREAS, pursuant to Chapter 402 of the Texas Local Government Code and other laws, the city is authorized to operate its sewer utility facilities inside or outside its municipal boundaries; and

WHEREAS, the City owns and operates the sewer utility facilities, and sanitation and landfill; and

WHEREAS, pursuant to Chapter 13 of the Texas Water Code and the City's Certificate of Convenience and Necessity, the City has the authority and responsibility to provide water and sewer services to its customers:

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

SECTION 1: FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Presidio ("City") and are hereby approved and incorporated into the "body of this Ordinance as if copied in their entirety.

SECTION 2: ADOPTION OF RATES

A. WASTEWATER RATES: These rates are applicable to all city residential, multi-family and commercial wastewater customers within the corporate limits of the City of Presidio who have metered water connections and to all city water customers within the Corporate limits to whom City of Presidio sanitary sewer service has actually been connected, except for customers who have a septic system or customers who have a water meter for irrigation use only, as long as the irrigation meter does not provide water to plumbing fixtures.

BASE RATES PER MONTH

INSIDE CITY LIMITS:

Residential: \$27.06
Commercial: \$35.72 base rate plus a \$1.50 per 1,000 gallons over 10,000 gallons of metered water.

OUTSIDE CITY LIMITS:

Residential \$40.60
Commercial \$53.58 base rate plus a \$2.25 per 1,000 gallons over 10,000 gallons of metered water.

B. SEPTIC DISPOSAL FEES

The requirements, minimums and fees for disposal of septic material loads at the wastewater facility by appointment during regular business hours (Monday through Friday 8am to 4pm):

200-gallon minimum

Spillage cleanup fee, per hour ... 103.00

Sewage Disposal companies that operate their business inside the Presidio city limits and collect Presidio sales tax on their services shall pay a rate of twenty cents (\$0.20) per gallon plus a \$50 access fee.

Sewage Disposal companies that operate their business outside the Presidio city limits shall pay a rate of twenty-four cents (\$0.24) per gallon plus a \$50 access fee.

All disposal of sewage waste is subject to the rules and regulations of the Texas Commission on Environment Quality.

The city retains the right to refuse any load. Any spillage on the disposal site not cleaned up by haulers will be billed a spillage clean up fee to the disposal company's account. Septic waste shall not be mixed with grease or grit loads.

Equipment used to haul sewage in to the disposal plant shall have an inspection sight glass tube.

Equipment used to haul sewage in to the disposal plant shall have a tank gauge to determine the amount to be billed or the maximum tank size capacity will be used for the billing.

Equipment used to haul disposal in to the disposal plant must have a three-foot drain hose with a quick connection from the disposal tank to minimize spillage.

WASTEWATER CONNECTION FEES

Connection to the City of Presidio Waste Water System will be billed at the following rates:

Inside City Limits - \$450, to include up to 50 feet of 4-inch sewer pipe

Outside City Limits - \$675 to include up to 50 feet of 4-inch sewer pipe

Any additional required pipe or other materials will be charged to the customer at current market rates.

The customer has the option of paying this fee over a period of 18 months.

Any occupied building within the city limits of the City of Presidio shall connect the occupied building to the City Wastewater System if such system is available.

LATE PAYMENT PENALTY

The amount due shall be payable at city hall by the fifteenth day of each month following the billed date. If the amount due is not paid on or before the due date, a ten-percent penalty shall be added to the balance due on said account.

SECTION 3: CONFLICTS AND REPEAL

The provisions of this Ordinance shall be cumulative of all other ordinance or parts of ordinance, resolution and fee schedules governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinance or resolution or parts of resolutions inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This Ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance or resolution.

SECTION 4: EFFECTIVE DATE

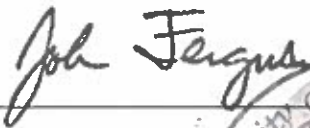
Original Ordinance 2022-12 shall become effective immediately upon passage with annual increases of 2% for 5 years taking with the annual increase taking effect on the 1st day of October 2022 until 1st of October 2027. Ordinance 2026-14 will reflect as the amended ordinance.

**AMENDED, APPROVED INTRODUCTION AND FIRST READING THIS 12th DAY OF OCTOBER 2026
BY THE CITY COUNCIL OF THE CITY OF PRESIDIO, TEXAS.**

INTRODUCTION AND FIRST READING

SECOND AND FINAL READING

October 12, 2026



John Ferguson, Mayor

City of Presidio

ATTEST:



Brenda Ornelas-Acuña, City Secretary

City of Presidio

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney or

Cynthia Treviño, Assistant City Attorney

City of Presidio

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- e. Discussion / action to review, and approve the first reading for the Ordinance 2026-15 the newly revised Sanitation and Landfill Rates, for inside the City limits and Provision for out of the City limits service rates; providing for the repeal of all previous Sanitation and Landfill Rate ordinances. – Mayor Ferguson

**ORDINANCE 2026-15
LANDFILL RATES/SOLID WASTE RATES**

AN ORDINANCE OF THE CITY OF PRESIDIO, TEXAS ESTABLISHING THE SANITATION RATES AND LANDFILL SERVICE FOR INSIDE THE CITY AND PROVISION FOR OUT OF CITY LIMITS SERVICE RATES; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; CONFLICTS AND REPEAL; EFFECTIVE DATE; NO VESTED INTEREST; PENALTIES AND ENFORCEMENT; PROPER NOTICE AND MEETING. THIS ORDINANCE 2026-15; REPEALS THE LANDFILL RATES/SOLID WASTE RATES AND/OR ANY PREVIOUS ORDINANCES. SHOULD ANY PREVIOUS ORDINANCE CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE, THIS ORDINANCE WILL TAKE PRECEDENCE AND AMENDED ORDINANCE 2022-14.

WHEREAS, the City Council of the City of Presidio seeks to promote the health, safety and general welfare of the citizens of the City, and the best interests of the city; and

WHEREAS, the City Council seeks to ensure that Sanitation and Landfill service is adequate and efficient for the citizens of the City, and all Sanitation and Landfill rates imposed are necessary and attributable to the costs incurred and will be automatically be adjusted by the 1st of October of each calendar year by a 2% increase to cover capital improvements, repairs, and the cost of inflation;

WHEREAS, pursuant to Texas Local Government Code section 51.001, the City Council is authorized to adopt an ordinance that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Texas Local Government Code section 51.012, the City Council is authorized to adopt an ordinance, not inconsistent with state law, that the Council considers proper for the government, interest, welfare or good order of the City; and

WHEREAS, pursuant to Chapter 402 of the Texas Local Government Code and other laws, the city is authorized to operate its water and sewer utility facilities inside or outside its municipal boundaries; and

WHEREAS, the City owns and operates the waste water utility facilities, and as a standalone revenue enterprise of the city to be financially independent and self-supporting and

WHEREAS, pursuant to Chapter 13 of the Texas Water Code and the City's Certificate of Convenience and Necessity, the City has the authority and responsibility to provide Sanitation and landfill services to its customers:

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

SECTION 1: FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Presidio ("City") and are hereby approved and incorporated into the "body of this Ordinance as if copied in their entirety.

(a) LANDFILL AND SANITATION RATES

Type 1 (Protrusible Waste)

Type 4 (Construction Debris)

Landfill Gates fee per scaled ton is \$72.92

Rates under one ton will be pro-rated @ \$3.48 per one hundred pounds

Ordinance 2022-14 CITY OF PRESIDIO LANDFILL RATES/SOLID WASTE RATES - Final

City of Presidio Landfill Certified Scale Fee \$21.00

Whole tires

Whole passenger car tires up to 17" \$4.41 each

All other whole tires and sizes flat fee of .53 cents a pound.

Whole tires found in the waste stream of out of town carriers will be added to their bill.

Texas and Local Sales taxes may apply to sanitation and landfill services. Dumpster Rates outside of City of Presidio limits is an additional 50% increase of inside City of Presidio rates.

(b) SANITATION RENTAL AND PICKUP RATES OF DUMPSTERS

Residential - \$34.49 pick-up fee per month

Commercial - \$35 monthly rental per regular dumpster (3 cubic yard)
\$25 monthly rental per small dumpster (1.5 cubic yard)
\$65 per monthly pick-up of all rented regular dumpsters
\$40 per monthly pick-up of all rented small dumpsters

Extra Pickup - \$65 per each rented dumpster

Furniture, construction debris, yard waste, or tires should not be put in dumpsters. Anyone found placing these types of items in or around dumpsters may be subject to fine. Additionally, anyone placing tires in or around a dumpster will be charged a \$20 tire disposal fee. Dumpsters for residential will have a yearly increase of 2% and commercial a yearly increase of 5%.

(c) ROLL OFF SERVICE

Roll off service is available on a limited basis

20 yard

30 yard

Charges inside the Presidio city limits is \$26.25 dollars a day rental plus a \$52.50 drop off and \$52.50 pick-up fee with once a week pickup with a minimum of a 3-ton disposal fee at the current scaled rate at the landfill. Additional pickups are \$52.50 plus a minimum of a 3-ton disposal fee at the current scaled rate at the landfill. Outside the city limits is at a rate of \$39.75 a day rental and a minimum of a 3-ton disposal fee at one and half disposal fee at the current scaled rate at the landfill. Mileage more than 10 miles' round trip from the landfill mileage charges of \$2.78/ mile apply. The city reserves the right to reject loads of debris if too heavy, overloaded or debris not accepted by the landfill permit.

(d) OTHER LANDFILL CHARGES

Vehicle Extrication within Landfill property - \$75

Operator of vehicle will be required to sign a waiver of liability holding City of Presidio harmless for any damage incurred during the extrication attempt.

Other Labor such as assistance with unloading waste to dispose in Landfill and to include disposal of agricultural products - \$80

Disposal of Large Animal Carcasses (in accordance with Ordinance 2016-01)

1 – 8 carcasses per calendar month \$60.00 each

9 or more per calendar month \$70.00 each

(e) City Customer landfill convenience use with current city bill.

City residential utility customers listed on the City bill, and with proper ID, may use a bill stub from the current month or verification of active utility service by City staff for free landfill services. This free service is allowed for one day per month. This service is available during regular business hours. City Residential Utility customers may dispose of established permitted items such as rubbish or brush from the property listed on the bill. The bill is not transferable to a 3rd party or contractor. Should a customer pull onto the scale and not have proper ID and/or their active service cannot be verified, they will be charged in accordance with standard scale rates. If they are unable to pay at the time of disposal, the disposal fee will be billed to them.

Commercial utility customers may also dispose of rubbish or brush to clean business property but not to include construction, building materials and/or demolition debris. All loads must be covered by a tarp or in an enclosed container. The landfill operator shall direct the customer to the proper location for disposal, the City is not responsible for any damages to vehicles inside the landfill or its hazards. The City reserves the right to reject a load if not covered by a tarp or has items not allowed by the City Landfill Permit such as whole tires, Batteries, oils, pesticides, radioactive materials, PCBs ECT. White goods such as refrigerators, a/c units, ice machines or any other appliance or machine must have the Freon evacuated and certified with signed a tag of proper evacuation.

SECTION 3: CONFLICTS AND REPEAL

The provisions of this Ordinance shall be cumulative of all other ordinance or parts of ordinance, resolution and fee schedules governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinance or resolution or parts of resolutions inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This Ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance or resolution.

SECTION 4: EFFECTIVE DATE

Original Ordinance 2022-14 shall become effective immediately upon passage with annual increases of 2% for 5 years taking with the annual increase taking effect on the 1st day of October 2022 until 1st of October 2027. Ordinance 2026-15 will reflect as the amended ordinance.

AMENDED, APPROVED INTRODUCTION AND FIRST READING THIS 12th DAY OF OCTOBER 2026 BY THE CITY COUNCIL OF THE CITY OF PRESIDIO, TEXAS.

INTRODUCTION AND FIRST READING

SECOND AND FINAL READING

October 12, 2026

John Ferguson

John Ferguson, Mayor

City of Presidio



ATTEST:

APPROVED AS TO FORM:

Brenda Ornelas-Acuña

Brenda Ornelas-Acuña, City Secretary

City of Presidio

Alan Bojorquez, City Attorney or

Cynthia Treviño, Assistant City Attorney

City of Presidio

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- f. Discussion / action to review, and approve the first reading for the Ordinance 2026-16 Regulation of Game Rooms and Amusement Redemption Machines: Establishing regulations, permits and permit fees. – Mayor Ferguson

ORDINANCE NO. 2026-16

AN ORDINANCE OF THE CITY OF PRESIDIO, TEXAS; PROVIDING FOR THE REGULATION OF GAME ROOMS AND AMUSEMENT REDEMPTION MACHINES; ESTABLISHING REGULATIONS, PERMIT AND PERMIT FEES; USE; PROVIDING FOR A PENALTY OF NOT MORE THAN FIVE HUNDRED DOLLARS (\$500.00) PER VIOLATION; PROVIDING A SEVERABILITY CLAUSE; REPEALING CLAUSE; OPEN MEETING CLAUSE; PUBLICATION; AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Presidio, Texas ("City") has determined that there is a need for regulations related to the operation of game rooms within the City; and

WHEREAS, the City has experienced growth and interest in the operation of game rooms in the City and recognizes concern over the number of game rooms, location, and method of operation of the game rooms and possible adverse effects; and

WHEREAS, the City Council desires to provide control over the possible adverse effects and thereby protect the health, safety, and welfare of the citizenry as well as provide an atmosphere suitable for economic growth within the City; and

WHEREAS, the City Council has the statutory authority to adopt an ordinance that is for the peace and order of the municipality and for trade and commerce pursuant to Texas Local Government Code Chapter 51; and

WHEREAS, the City Council has the statutory authority to restrict the exhibition of coin operated amusement machines within three hundred (300) feet of a church, school, or hospital pursuant to Texas Occupations Code Chapter 2153; and

WHEREAS, the City Council has the statutory authority to impose an Occupations Tax on the operation of eight-liners pursuant to Texas Occupations Code Chapter 2153; and

WHEREAS, the City Council finds that the unlicensed and unauthorized operation of machines in game rooms constitutes a public nuisance and potential threat to the community; and

WHEREAS, licensing amusement redemption machines establishments is a legitimate and reasonable means of regulation to ensure that operators of amusement redemption machine establishments do not allow their establishments to be used as places of illegal activities; and

WHEREAS, the provisions herein are necessary to promote and protect the health, safety, and welfare of the public by creating an environment that is protective of the public and provides an enhanced quality of life for the residents and surrounding community.

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

SECTION 1. FINDINGS OF FACT.

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as expressly set forth herein.

SECTION 2. ENACTMENT

The regulations provided for in *Attachment "A"* and hereby incorporated for all purposes and shall be known as the "Presidio Game Room Ordinance."

SECTION 3. SEVERABILITY

If any word, article, phrase, paragraph, sentence, clause or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 4. REPEALER

All ordinances and resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict with the regulations provided for herein.

SECTION 5. OPEN MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

APPROVED INTRODUCTION AND FIRST READING THIS 12th DAY OF OCTOBER 2026 BY THE CITY COUNCIL OF THE CITY OF PRESIDIO, TEXAS.

INTRODUCTION AND FIRST READING

SECOND AND FINAL READING

October 12, 2026


John Ferguson, Mayor
City of Presidio



ATTEST:


Brenda Ornelas-Acuña, City Secretary
City of Presidio

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney or
Cynthia Treviño, City Attorney
City of Presidio

**PRESIDIO GAME ROOM ORDINANCE
ATTACHMENT “A”**

SECTION 1. DEFINITIONS

Amusement redemption machine means any electronic, electromechanical, or mechanical contrivance, including sweepstake machines, designed, made, and adapted solely for bona fide amusement purposes, and that by operation of chance or a combination of skill affords the user, in addition to any right of replay, an opportunity to receive exclusively non-cash merchandise prizes, toys, or novelties, or a representation of a value redeemable for those items and is in compliance with section 47.01(4)(b) of the Texas Penal Code. Also referred to as “coin operated machine.” Amusement redemption machine does not include:

1. A machine that awards the user non-cash merchandise prizes, toys, or novelties solely and directly from the machine, including claw, crane, or similar machines; nor
2. A machine from which the opportunity to receive non-cash merchandise prizes, toys, or novelties, or a representation of value redeemable for those items, varies depending upon the user's ability to throw, roll, flip, toss, hit, or drop a ball or other physical objects into the machine or a part thereof, including basketball, golf, bowling, or similar machines where the theme of the machine is not one traditionally recognized or associated as a casino-type gambling activity or game such as eight-liners, games played with cards, dice or other playing boards or mediums, such as poker, blackjack, keno, bingo, slots, craps, roulette, baccarat or similar games. A representation of value means cash paid under authority of sweepstakes contestants as provided by the Texas Business and Commerce Code, § 43; nor
3. A machine or any device defined in V.T.C.A., Penal Code § 47.01 as a gambling device, or any activity prohibited or described in V.T.C.A., Penal Code ch. 47.

Administrator means the Presidio City Administrator or the City Administrator's designee.

Applicant means a natural person who applies for a game room license on behalf of the licensee.

Arcade game means any electronic, electromechanical, or mechanical contrivance designed, made, and adapted solely for bona fide amusement purposes that does not afford the user any opportunity of a free replay or a chance to receive any additional consideration other than amusement through playing.

Chief of Police means the Chief of Police of the City of Presidio is authorized to enforce and administer this Ordinance or the Police Chief's authorized representative.

City means the City of Presidio.

Coin-operated machine means any kind of machine or device operated by or with a coin or other United States currency, metal slug, token, electronic card, or check, including a music or skill or pleasure coin-operated machine.

Advertise means the act of drawing the public's attention to a game room in order to promote the availability of the residence for use as a game room. Said advertising may be found in any medium, including but not limited to, newspapers, magazines, brochures, websites, or mobile applications.

Establishment means a business that operates amusement redemption machines as regulated in this Ordinance.

Game Room means a for-profit business located in a building or place that contains six (6) or more: amusement redemption machines; or electronic, electromechanical, or mechanical contrivances that, for consideration, afford a player the opportunity to obtain a prize or a thing of value, the award of which is determined solely or partially by chance, regardless of whether the contrivance is designed, made, or adopted solely for bona fide amusement purposes.

Licensee means any person, individual, firm, company, association, or corporation operating an amusement redemption machine establishment in the City.

Music coin-operated machine means any kind of coin-operated machine, including a phonograph, piano, or graphophone, that:

1. Dispenses music or is used to dispense music;
2. Is operated by inserting a coin, metal slug, token, or check; and
3. Is not an amusement machine designed exclusively for a child.

Occupation tax receipt is a form of receipt that is designed to physically attach to a device or machine. Also referred to as a permit sticker.

Operator means a person who exhibits or displays, or permits to be exhibited or displayed, a coin- operated machine in this state in a place of business that is not owned by the person.

Operational machine means a machine that is ready to be played and accessible to the public.

Owner means any person, agent, operator, firm, trust, corporation, partnership, or any other legal entity who has a legal or equitable interest in the property; or who is recorded in the official records of the county as holding title to the property; or who otherwise has control of the property, including the guardian of the estate of any such person, and the executor of the estate of such person if ordered to take possession of real property by a court.

Person includes an individual, association, trustee, receiver, partnership, corporation, or organization or a manager, agent, servant, or employee of an individual, association, trustee, receiver, partnership, corporation, or organization.

Police Officer means a licensed peace officer of the city, county or state.

Premises means property, a lot, plot or parcel of land, including any structures or portions of structures thereon.

Skill or pleasure coin-operated machine means any kind of coin-operated machine that dispenses or is used or is capable of being used to dispense or afford, amusement, skill, or pleasure or is operated for any purpose, other than for dispensing only merchandise, music, or service. The term:

1. Includes a marble machine, marble table machine, marble shooting machine, miniature racetrack machine, miniature football machine, miniature golf machine, miniature bowling machine, billiard or pool game, or machine or device that dispenses merchandise or commodities or plays music in connection with or in addition to dispensing skill or pleasure; and
2. Does not include an amusement machine designed exclusively for a child.

Sweepstakes means a contest that awards one or more prizes based on chance or the random selection of entries.

SECTION 2. OCCUPATIONS TAX

Section 2.1 Occupation Tax Levied.

- a) Every person who owns, controls, exhibits, displays, or who permits to be exhibited or displayed in this city any coin-operated machines, shall pay, and there is hereby levied on every coin-operated machine, except such as are exempted herein, an annual occupation tax of one-quarter¹ the tax charged and collected by the state².
- b) Nothing in this article shall prevent the operator of such machines from paying the tax levied in this section for the account of the owner, but the payment of such tax by such operator or other person shall not relieve the owner from the responsibility of complying with all provisions of this article.

Section 2.2 Payment of Occupation Tax; receipt to be attached to machine.

- a) The occupation tax levied hereby shall be paid to the city secretary, who shall issue an occupation tax receipt.
- b) The occupation tax receipt shall be attached to the coin-operated machine mentioned in the receipt and shall bear the serial number of the particular machine.

¹ Tex. Occ. Code Sec. 2153.451(b) The city occupation tax cannot exceed one-fourth (1/4) of the state tax.

² Tex. Occ. Code Sec. 2153.401(b) The state occupation tax is sixty dollars (\$60.00).

- c) All occupation taxes assessed on the basis of a calendar year. Occupation taxes shall not be prorated.
- d) It shall hereafter be unlawful for any person to operate, exhibit or display any coin operated machine in the city without having attached hereto an occupation tax receipt and no occupation tax receipt issued for a certain coin-operated machine shall be transferred to any other machine.

Section 2.3 Nonpayment of occupation tax.

- a) Nonpayment of tax shall result in the sealing of each machine the levied tax is not paid for.
- b) A fee of \$5.00 shall be imposed for the release of each sealed coin-operated machine.

Section 2.4 Application to illegal machines.

- a) Nothing in this Ordinance shall be construed or have the effect to license, permit, authorize or legalize any machine, device, table or coin-operated machine, the keeping, exhibition, operation, display or maintenance of which is now illegal or in violation of any article of the penal code of this state or the Constitution of this state.

SECTION 3. BUSINESS RESTRICTIONS

Section 3.1 Proximity to schools, churches and residential areas.

- a) Skill or pleasure coin-operated machines are prohibited within three hundred (300) feet of any school or church building or residential area.
- b) The distance shall be measured along the property lines of the street fronts, and from front door to front door, or to zoning district, park, school, or hospital, as applicable, and direct lines across intersections.
- c) Additional zoning regulations may be applicable. Reference Zoning Ordinance No. 2021-12 for applicable land use regulations.
- d) The hours of operation for an establishment shall be limited to the following hours:
 - 1. Monday through Thursday, open 8:00 am and close at 11:00 p.m.; and
 - 2. Friday through Sunday, open at 8:00 am and close at 12:00 a.m.
- e) All Establishments shall have all doors providing ingress and egress from the establishment unlocked during hours of operation.

SECTION 4. GAME ROOMS AND AMUSEMENT REDEMPTION MACHINES

Section 4.1 Construction of section.

- a) This Section does not authorize or permit the keeping, exhibition, operation, display or maintenance of a machine, device or table prohibited by state law.

Section 4.2 License required.

- a) An owner who desires to use its premises as a game room must have a valid, active permit from the City prior to using, allowing the use of, or advertising the use of said premises as a Game Room.
- b) It shall be unlawful for an owner or operator of a Game Room to operate, use, or maintain a game room without first obtaining a city game room license.
- c) A game room license is required for each game room located in the City.
- d) An Owner, Operator or Lessee of a Game Room shall be required to secure a license annually. A Game Room shall be required to secure a license paying to the City and annual inspection and game room license

fee in the amount adopted by the City Council, as amended from time to time.

- d) The license certificate shall be conspicuously posted inside the building. The license shall list the date of issue and the date of expiration, the name of the licensee, the physical address, and local representative.

Section 4.3 Permit limitations.

- a) The license is not transferable or assignable.
- b) A license is effective for a single place of business only and for one building.
- c) A game room permit shall expire on December 31 of each year.
- d) Permit fees must be submitted before an application is reviewed for issuance of the license. Permit fees will not be prorated on any basis.
- e) No game room permit may be renewed without a completed renewal application submitted by the owner and payment of the renewal fee. The renewal application must satisfy all the application requirements before the game room permit is renewed.

Section 4.4 Requirements of new applications and renewals.

- a) Every application for a game room permit or permit renewal shall include the following information:
 - 1. The name, address, contact information, and authenticated signature of the owner of the business/premises.
 - 2. The name, address, and contact information of the operator, or agent if any, or if different than the owner, and designated local responsible party.
 - 3. Proof of Liability Insurance.
 - 4. A copy of the owner's driver's license.
 - 5. A signed waiver authorizing the City of Presidio to request a criminal history report from the Texas Department of Public Safety, Texas Comptroller's Office or any other law enforcement agency.
 - 6. A copy of a license or application for license to sell alcoholic beverages at the location if alcoholic beverages will be sold on the premises.
 - 7. A notarized statement, under oath, that:
 - i. All the facts contained in the application are true and correct;
 - ii. The machines used at the proposed game room location are not and will not be used as gambling devices;
 - iii. The location and operation of the game room will not violate any applicable deed restriction; and
 - iv. The game room will be operated in accordance with all applicable local, state and federal laws.
 - 8. A floor plan of the game room interior depicting the layout of the machines, the manager's station, restroom, kitchen and bar facilities, if any, and restricted access areas.
- b) An application for game room renewal permit may be filed beginning forty-five (45) days prior to the expiration of a current permit. Every complete application for a game room renewal permit shall include updates, if any, to the information contained in the original permit application or any subsequent renewals. The permit holder shall sign a statement affirming that there is either no change to such information or that any updated information is accurate and complete.

- c) An application for a game room renewal permit submitted after the expiration of the most immediate permit for the premises shall be treated as an application for a new permit as described in Subsection A of this Section.

Section 4.5 Designation of local responsible party required.

- a) An owner must designate the name and contact information of a local responsible party who can be contacted regarding immediate concerns and complaints from the public.
- b) Said individual must be available to be reached in person or by phone at all times while occupants are on the premises of a game room.
- c) If called, a local responsible party must be able to and shall be present at the premises within a reasonable time of the call from the Administrator, or his designee, but in no case more than thirty (30) minutes from the time of the call.
- d) A local responsible party must be authorized to make decisions regarding the premises and its occupants and shall not act to release the owner of any liability under this Ordinance.

Section 4.6 Denial of License. Denial of renewal. Automatic Revocation.

- a) The City shall refuse to approve the issuance or renewal of a license, or shall revoke the license, for one or more of the following reasons:
 - 1. Failure to provide the information required for any application required under this Ordinance.
 - 2. The submission of inaccurate, erroneous, or incomplete information as part of the license process.
 - 3. The submission of false information as part of the license process.
 - 4. Revocation of a license of the applicant or a co-owner or a corporate officer of the applicant within twelve months prior to the filing of the application.
 - 5. Refusal or failure to pay the license fee amount.
 - 6. The applicant or a co-owner of the license has, within the past three years, been convicted of the following crimes:
 - i. Gambling, gambling promotion, keeping of an illegal gambling place, pursuant to Chapter 47 of the Texas Penal Code; or
 - ii. Forgery, credit card abuse, or commercial bribery as described in Chapter 32 of the Texas Penal Code; or
 - iii. A criminal offense as described in Chapter 34 of the Texas Penal Code; or
 - iv. A criminal attempt, conspiracy, or solicitation to commit any of the foregoing offenses to the laws of another state or of the United States that, if committed in this state, would have been punishable as one or more of the aforementioned offenses.
- b) An applicant is under the age of eighteen (18) years of age.
- c) The applicant is indebted to the City for any fees, costs, penalties, or delinquent taxes.

Section 4.7 Permit fees.

- a) An initial game room permit fee of \$_____ is required at the time of submission of the application.
- b) Any renewal application will require a permit fee of \$_____ at the time of the submission of the application will include the preliminary fire inspection fees.

Section 4.8 Enforcement, Suspension, and Revocation.

- a) The owner of a property used as a game room without the appropriate license and that was not registered with the City of Presidio prior to beginning operations and who is unable to obtain a license for said use or fails or refuses to obtain a permit for the use following the effective date of this Ordinance, shall discontinue the game room immediately.
- b) If the license for a game room use is not renewed, the owner shall discontinue the use no later than the date on which the existing permit or any extension thereof expires.
- c) A game room license may be revoked for violation of any section of this Ordinance.
- d) The Owner may re-apply for a game room license upon remediation of any condition required for compliance with this Ordinance or other regulations.

Section 4.9 Appeals.

- a) The decision of the City Administrator, or designee, regarding the disapproval of any application or revocation of any permit required under this Ordinance may be appealed to City Council.
- b) A written notice of appeal must be filed with the City Secretary within ten (10) days after the receipt of the decision.
- c) The City Secretary will include an agenda item on any regular or special called meeting of the City Council for consideration of the appeal.
- d) The only decision before the City Council shall be whether or not the Applicant or Owner has complied with the requirements of this Ordinance.
- e) The decision of the City Council shall be final.

SECTION 5. PENALITIES AND EXEMPTIONS.

- a) Any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a Class C misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Five Hundred Dollars (\$500.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.
- b) Each day that a violation occurs is a separate offense.
- c) Proof of a culpable mental state is not required for a conviction of an offense under this Ordinance.

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- g. Discussion / action to open a LOGIC Account for reserved funds for the City of Presidio. – Ms. Glorissel Muñiz, Finance Director

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- h. Discussion / action to review, consider approval, and adoption the City of Presidio EMS Scheduling and Leave Policy. – Mr. Troy Sparks, EMS Director

CITY OF PRESIDIO EMS

Scheduling and Leave Policy

Effective date: October 1, 2026 **Applies to:** All EMS personnel, including the EMS Director, full-time, part-time, and PRN employees

Approval: EMS Director and Mayor; City Council approval required for written departmental rules under the City personnel manual. This policy establishes additional EMS scheduling requirements within the City of Presidio Employee Handbook framework. Applicable law and the City handbook govern benefits, protected leave, and any conflicting personnel requirement.

1. Purpose and scheduling authority

This policy establishes a rotating staffing schedule that maintains 24-hour EMS coverage and controls avoidable overtime. The EMS Director or designee prepares, changes, and communicates the schedule based on service needs, qualifications, approved leave, and available staffing. A customary shift pattern or preferred day is not a guaranteed assignment.

2. Full-time availability and outside employment

Employees appointed to full-time City of Presidio EMS positions must give their City EMS work schedule priority over outside employment. Employees may hold other jobs, but must arrange those commitments so they can perform assigned City shifts and required coverage. Outside employment does not excuse an employee from a properly assigned or modified shift. Employees must report outside employment to the EMS Director, who will forward it to the City Secretary's Office as required by the handbook. Employees must promptly report any actual scheduling conflict. Outside employment alone does not excuse a City assignment.

3. Rotation and PRN scheduling

Beginning with the October 2026 schedule, **all employees are subject to this policy and the scheduling needs of the service.** All full-time employees, including supervisory personnel, will participate in rotating assignments instead of selecting fixed workdays. PRN assignments will vary according to submitted availability and service needs; PRN employees have no guaranteed fixed days. The EMS Director will first place qualified PRN employees into shifts for which they have submitted availability and then arrange full-time assignments around that coverage, while meeting staffing, skill-mix, leave, and operational requirements. PRN availability is not a guarantee of an assignment. The existing out-of-town employee scheduling arrangement may continue only to the extent approved in writing by the City. That employee remains subject to all other applicable provisions of this policy. Any other variation from rotation must be documented and approved through City personnel procedures, including reasonable accommodations when required.

4. Schedule changes and mandatory call-in

When coverage is needed, the EMS Director may change an assignment or direct an available full-time employee to report for an additional shift. This is a mandatory call-in; its pay classification is determined separately under Section 8. For a nonemergency change requiring a full-time employee to report on a previously unscheduled day, the department will give at least **24 hours of notice** through the employee's current designated contact method, with a documented delivery time and reasonable follow-up if there is no response. The employee must promptly acknowledge a received direction and report as assigned. The 24-hour period runs from documented delivery to the shift start; employees are responsible for keeping their contact information current. If the employee cannot report because of illness, approved protected leave, an accommodation, or another serious conflict, the employee must contact the Director immediately for review; self-arranged replacements require approval. For an emergency or unexpected absence requiring less than 24 hours' notice, the Director will seek available coverage and handle any required assignment individually under City policy. The Director will document the need, attempts to obtain voluntary or PRN coverage, notice given, employee response, and resulting assignment.

5. Advance leave requests

Requests for planned vacation, personal leave, or other foreseeable days off must reach the EMS Director by the **15th day of the preceding month**. For example, an October request is due September 15. Requests received later may be denied because the schedule has been built. A later request may be approved when coverage permits only if it also meets the handbook's minimum notice rules for vacation: at least two weeks for three or more days and two working days for a shorter period, subject to its provision for unforeseen circumstances. A request is not approved until the Director confirms it under City procedures. Statutory or protected leave and unforeseeable absences are handled under applicable law and the City handbook, regardless of this scheduling deadline.

6. City holidays

Effective October 1, 2026, vacation and personal leave will not be approved for a City-observed holiday on which an employee is assigned or required for EMS coverage, regardless of when the request is submitted. The Director will rotate holiday coverage among qualified employees as staffing permits. An employee's customary day off or previously preferred workdays do not prevent assignment to a holiday shift or a properly noticed change under Section 4. Requests approved before this policy takes effect will be administered under the terms of their approval and the City handbook. Any exception to this holiday scheduling rule requires written approval through City personnel procedures. Nonexempt employees required to work a City holiday will be paid one and one-half times their normal rate as the City handbook requires, whether or not they have worked 40 hours that week. Other holiday benefits will follow the City handbook and payroll rules. Requests tied to a legally protected leave or approved accommodation must be evaluated individually through City HR.

7. Sick leave and medical documentation

Employees must notify the EMS Director as soon as reasonably possible when unable to work because of illness, following the City handbook call-in procedure. When a continuous illness-related absence exceeds **24 scheduled work hours**, the employee must provide a health-care provider note supporting the absence and anticipated return as soon as reasonably practicable under City procedures. An employee need not disclose a diagnosis to the EMS Director. The threshold is based on scheduled hours missed: one missed 24-hour shift does not require a note under this rule; two missed 24-hour shifts (48 hours) do. The handbook permits the City Administrator, designee, or department head to review sick-leave claims and request physician documentation earlier; it requires a certificate after more than three full days. This EMS rule sets a consistent earlier threshold for 24-hour shifts after Council approval. The note should confirm the need for absence, expected duration, and any work restrictions without an unnecessary diagnosis. Medical documentation goes to City HR for confidential handling; protected leave and accommodation requirements control.

8. Timekeeping, overtime, and compliance

Employees must record every hour worked accurately, including directed holdovers and additional shifts. A mandatory call-in is an assignment to report for work; it does not automatically make the hours overtime. For nonexempt EMS employees, ordinary call-in hours are paid at the regular rate until overtime is due under the City handbook and the Fair Labor Standards Act. Hours worked over 40 in the City's Sunday-through-Saturday workweek are paid or compensated as the handbook and applicable law require. The handbook separately requires time-and-a-half pay for nonexempt employees required to work a City holiday, even below 40 weekly hours; payroll will apply the correct premium without duplicating payment for the same hours. The Director will review staffing and overtime before publishing and revising schedules. Employees may not work beyond assigned hours without approval except when necessary to continue patient care or maintain safe coverage; all hours actually worked must still be recorded and paid. Failure to follow a lawful assignment or reporting requirement may result in action under the City handbook after consideration of the circumstances.

9. Implementation and acknowledgment

The Director will distribute the October schedule and this policy to all personnel. Employee signatures acknowledge receipt and understanding; they do not waive wage, leave, or accommodation rights. This policy is scheduled to take effect October 1, 2026, only after City Council approval as a written departmental rule. If approved later, it takes effect on the later date specified by the Council. No employee acknowledgment is a waiver of handbook or statutory rights.

Approved by

Troy Sparks, EMS Director Date

Mayor, City of Presidio Date

City Council approval date: _____ Resolution or minutes reference: _____

Employee acknowledgment

I acknowledge receipt of this Scheduling and Leave Policy and understand that I am responsible for following it.

Employee name: _____

Employee signature: _____ Date: _____

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- i. Discussion / action regarding to possibly approve Resolution 2026-~~10R~~^{//} to submit an application for the FY 2027 Regional Solid Waste Project Allocation Rio Council of Governments Managed Program. The funds to be requested are in the amount of \$21,050 and will be utilized for used tire removal in the City of Presidio. – Mayor Ferguson

Resolution 2026-11R

Resolution of the City of Presidio authorizing the filing of a grant application with the (RIOCOG) for a regional solid waste grants program grant; authorizing the Mayor and/or the City Administrator to act on behalf of the City of Presidio in all matters related to the application; and pledging that if a grant is received the City of Presidio will comply with the grant requirements of the (RIOCOG), the Texas Commission On Environmental Quality and the State of Texas.

Whereas, the (RIOCOG) is directed by the Texas Commission on Environmental Quality to administer solid waste grant funds for implementation of the RIOCOG's adopted regional solid waste management plan; and

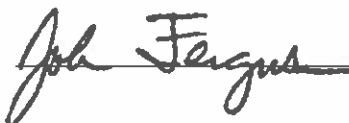
Whereas, (Name of entity) in the State of Texas is qualified to apply for grant funds under the Request for Grant Applications.

Now, therefore, be it resolved by the City Council in Presidio, Texas;

1. That (Name/title of individual) is authorized to request grant funding under the (RIOCOG) Request for Grant Applications of the Regional Solid Waste Grants Program and act on behalf of (Name of entity) in all matters related to the grant application and any subsequent grant contract and grant project that may result.
2. That if the project is funded, (Name of entity) will comply with the grant requirements of the (RIOCOG), Texas Commission on Environmental Quality and the State of Texas.
3. The grant funds and any grant-funded equipment or facilities will be used only for the purposes for which they are intended under the grant.
4. Activities will comply with and support the adopted regional and local solid waste management plans adopted for the geographical area in which the activities are performed.

PASSED AND APPROVED by the City of Presidio City Council in Presidio, Texas this the 12th day of October 2026.

APPROVED:



Mayor, City of Presidio, Texas



ATTEST:



Brenda Ornelas-Acuña, City Secretary

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- j. Discussion / action on the Resolution 2026-10R authorizing and approving an Interlocal Agreement between the City of Presidio and the Presidio Municipal Development District (MDD) for the utilization of shared administrative staff and joint public infrastructure project coordination. – City Secretary

RESOLUTION NO. 2026-10R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PRESIDIO, TEXAS, AUTHORIZING AND APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF PRESIDIO AND THE PRESIDIO MUNICIPAL DEVELOPMENT DISTRICT (MDD) FOR SHARED ADMINISTRATIVE STAFF SUPPORT AND PUBLIC INFRASTRUCTURE PROJECT COLLABORATION; AUTHORIZING THE INTERIM CITY ADMINISTRATOR TO EXECUTE ALL NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Presidio Municipal Development District ("District") is a political subdivision established to promote economic development, expand the local tax base, and enhance public infrastructure within its boundaries; and

WHEREAS, Chapter 791 of the Texas Government Code (the Interlocal Cooperation Act) authorizes local governments and political subdivisions to contract with one another to perform governmental functions and services, thereby increasing efficiency and resource management; and

WHEREAS, the City Council finds that sharing municipal administrative staff (including the City Administrator, City Secretary, and finance personnel) and collaborating on strategic infrastructure projects with the District serves a valid public purpose, minimizes duplicate costs, and directly benefits the residents of Presidio; and

WHEREAS, the District Board of Directors is also considering approval of this mutual framework to ensure fair compensation is delivered to the City from current revenues for the administrative and infrastructure support provided;

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

SECTION 1. FINDINGS OF FACT.

The recitals and findings listed above are true and correct and are hereby incorporated into the body of this Resolution for all purposes.

SECTION 2. APPROVAL OF INTERLOCAL AGREEMENT.

The City Council hereby approves the Interlocal Agreement between the City of Presidio and the Presidio Municipal Development District for administrative staff sharing and infrastructure project collaboration, a copy of which is attached hereto as "Exhibit A."

SECTION 3. AUTHORIZATION TO EXECUTE.

The City Council hereby authorizes and directs the **Interim City Administrator** (or their designee) to execute the Interlocal Agreement on behalf of the City, and authorizes the **City Secretary** to attest to the agreement and apply the official municipal seal.

SECTION 4. EFFECTIVE DATE.

This Resolution shall take effect immediately upon its passage and approval by the City Council.

PASSED AND APPROVED by the City of Presidio City Council in Presidio, Texas this the 12th day of October 2026.

APPROVED:

ATTEST:

Mayor, City of Presidio, Texas

Brenda Omelas-Acuña, City Secretary

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- k. Discussion / action to accept Mr. Cristian Montoya Letter of Resignation from the Presidio Municipal Development District Board of Directors. – City Secretary

September 18, 2026

To the Presidio Municipal Development District Board,

Please accept this letter as my formal resignation from the Presidio Municipal Development District (PMDD) Board, effective immediately.

I appreciate the opportunity I have had to serve on the board and to represent the interests of our community.

Thank you for the opportunity to serve.

Sincerely,

Cristian Montoya

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

1. Discussion / action to call out for Letters of Interest to the Presidio Municipal Development District Board of Director vacated seat and set a date for the last day to receive the Letters of Intent. – City Secretary

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- m. 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 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- n. 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

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- o. 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

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

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

LINE ITEM 6

CITY OF PRESIDIO BUSINESS (NEW/OLD)

- q. Discussion / possible action regarding interviews for the City Administrator position, which may include selecting and appointing a candidate or reopening the application process.
 - 1. Adjourn into executive session as Authorized by the Texas Government Code including, but not limited to section 551.074 (Personnel Matters), regarding agenda item 6q.
 - 2. Reconvene into open session and take such action as appropriate.