



*Janeshia A. Grider, Mayor*

Sylvia Apodaca  
Christopher Garza  
Joe Molina

Mike Martin  
Sally Hitt  
Maria Lozano

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**CITY COUNCIL MINUTES  
REGULAR MEETING  
WEDNESDAY, SEPTEMBER 27, 2023 - 7:00 P.M.  
CITY HALL COUNCIL CHAMBER  
112 BAUMAN, KIRBY, TX 78219**

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This meeting will also be held by videoconference call. The location where a quorum of the governmental body will be physically present is City Hall, City Council Chambers at 112 Bauman Street, Kirby, Texas 78219 and it is the intent to have a quorum present at that location and for the member of the governmental body presiding over the meeting to be physically present at that location. A member of the public may testify from a remote location by videoconference at:

Topic: Regular City Council Meeting

Date and Time: August 27, 2023 at 7:00 P.M. (Central Time)

Join Zoom Meeting:

**Video Participation:** Join Zoom Meeting

<https://zoom.us>

Meeting ID: 956 855 1663 and Passcode: 1955

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**1. Call Meeting to Order**

Meeting called to order at 7:04 P.M

**2. Invocation and Pledge of Allegiance to the Flag**

Mayor Grider led with the invocation and pledge

**3. Mission Statement**

“The City of Kirby is dedicated to delivering excellent municipal services to our community in a fiscally responsible manner.”

4. **Roll Call**

**PRESENT**

Mayor Pro-Tem Apodaca  
Council Member Garza  
Council Member Hitt  
Council Member Lozano  
Council Member Martin  
Council Member Molina  
Mayor Grider

**ABSENT:**

5. **Citizen Participation**

Roger Romans waited for agenda item H and I to speak  
Jeff Eckland discussed Crime Control Prevention Members

6. **Consideration Of And Action On Minutes**

a. **Regular Minutes – August 10, 2023**

Motion made by Council Member Martin seconded by Council Member Hitt to  
approve Regular Minutes August 10, 2023  
Motion Passed with a 7-0 Vote

b. **Regular Minutes – August 24, 2023**

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Molina  
to approve Regular Minutes August 24, 2023  
Motion Passed with a 7-0 Vote

c. **Budget Workshop Minutes – August 24, 2023**

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Garza to  
approve Budget Workshop Minutes August 24, 2023  
Motion Passed with a 7-0 Vote

d. **Special Meeting Minutes – August 31, 2023**

Motion made by Council Member Martin seconded by Mayor Pro-Tem Apodaca to  
approve Special Meeting Minutes August 31, 2023  
Motion Passed with a 7-0 Vote

e. Retreat Minutes – August 4, 2023

Motion made by Council Member Garza seconded by Mayor Pro-Tem Apodaca to approve Retreat Minutes August 4, 2023  
Motion Passed with a 7-0 Vote

f. Retreat Minutes – August 5, 2023

Motion made by Council Member Garza seconded by Mayor Pro-Tem Apodaca to approve Retreat Minutes August 5, 2023  
Motion Passed with a 7-0 Vote

7. Presentation

a. Presentation on fire prevention week proclamation.

Chief Hilburn Presented the Fire Prevention week proclamation

8. Executive Session

a. The City Council will meet in Closed Session pursuant to Texas Government Code Section 551.074, Personnel, to deliberate matters associated with hiring a municipal prosecutor.

Regular meeting closed at 7:19 P.M.

9. Reconvene to Open Session

a. Following deliberation in Closed Session, the City Council will reconvene in Open Session to take any final action required on the matters discussed in Closed Session.

Regular meeting opens back at 7:37 P.M.

Motion made by Council Member Garza seconded by Council Member Hitt to approve Anthony Arriaga to be the prosecutor for City of Kirby

**Aye:**

**Nay:**

Mayor Pro-Tem Apodaca  
Council Member Garza  
Council Member Hitt  
Council Member Lozano  
Council Member Martin  
Council Member Molina

Mayor Grider

Motion passed with a 7-0 vote

**10. Discussion And Possible Action**

- a. Discussion and Possible Action on Ackerman Road change orders 2 and 3 and update on Ackerman road project.

Acting City Manager William Hilburn discussed the Updates on Ackerman Road

Motion made by Council Member Garza seconded by Mayor Pro-Tem Apodaca to approve Change order 2

**Aye:**

**Nay:**

Mayor Pro-Tem Apodaca  
Council Member Garza  
Council Member Hitt  
Council Member Lozano  
Council Member Martin  
Council Member Molina  
Mayor Grider

Motion passed with a 7-0 vote

Change Order 3 moved until paperwork is submitted by Bain Madina Bain and Austin Bridge and Road

- b. Discussion and Possible Action regarding Ordinance O-2023-926 adopting the Annual Budget of the City of Kirby for Fiscal Year 2023-24 (first reading).

Council Discussed agenda item B

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Hitt to approve Ordinance O-2023-926 adopting the Annual Budget of the City of Kirby for Fiscal Year 2023-24 (first reading)

**Aye:**

**Nay:**

Mayor Pro-Tem Apodaca  
Council Member Garza  
Council Member Hitt  
Council Member Lozano

Council Member Martin  
Council Member Molina  
Mayor Grider

Motion passed with a 7-0 vote

- c. Discussion and Possible Action on waiving the second reading of Ordinance O-2023-926 pursuant to the City of Kirby Charter Section 2.13 by affirmative vote of all Council members present.

Council Discussed agenda item C

Motion made by Council Member Martin seconded by Council Member Hitt to approve waiving the second reading of Ordinance O-2023-926 pursuant to the City of Kirby Charter Section 2.13 by affirmative vote of all Council members present.

**Aye:**

**Nay:**

Mayor Pro-Tem Apodaca  
Council Member Garza  
Council Member Hitt  
Council Member Lozano  
Council Member Martin  
Council Member Molina  
Mayor Grider

Motion passed with a 7-0 vote

- d. Discussion and Possible Action regarding Ordinance O-2023-927 adopting a maximum Fiscal Year 2023-24 ad valorem tax rate (first reading).

Council Discussed agenda item D

Motion made by Council Member Garza seconded by Council Member Hitt to approve Ordinance O-2023-927 adopting a maximum Fiscal Year 2023-24 ad valorem tax rate voter approval tax rate 0.591244 (first reading).

**Aye:**

**Nay:**

Mayor Pro-Tem Apodaca  
Council Member Garza  
Council Member Hitt  
Council Member Lozano

Council Member Martin  
Council Member Molina  
Mayor Grider

Motion passed with a 7-0 vote

- e. Discussion and Possible Action on waiving the second reading of Ordinance O-2023-927 pursuant to the City of Kirby Charter Section 2.13 by affirmative vote of all Council members present.

Council Discussed agenda item E

Motion made by Council Member Garza seconded by Council Member Hitt to approve waiving the second reading of Ordinance O-2023-927 pursuant to the City of Kirby Charter Section 2.13 by affirmative vote of all Council members present.

<b>Aye:</b>	<b>Nay:</b>
Mayor Pro-Tem Apodaca	
Council Member Garza	
Council Member Hitt	
Council Member Lozano	
Council Member Martin	
Council Member Molina	
Mayor Grider	

Motion passed with a 7-0 vote

- f. Discussion and Possible Action to authorize the Acting City Manager to sign RRGP services agreement.

Council Discussed agenda item F

Acting City Manager William Hilburn discussed changes to RRGP service agreement

Motion made by Council Member Garza seconded by Council Member Hitt to authorize the Acting City Manager to sign RRGP services agreement.

<b>Aye:</b>	<b>Nay:</b>
Mayor Pro-Tem Apodaca	
Council Member Garza	

Council Member Hitt  
Council Member Lozano  
Council Member Martin  
Council Member Molina  
Mayor Grider

Motion passed with a 7-0 vote

g. Discussion and Possible Action on approval of 2022 Audit.

Motion made by Council Member Garza seconded by Mayor Pro-Tem Apodaca to accept 2022 Audit report

**Aye:**

**Nay:**

Mayor Pro-Tem Apodaca  
Council Member Lozano  
Council Member Hitt  
Council Member Garza  
Council Member Martin  
Council Member Molina  
Mayor Grider

Motion passed with a 7-0 vote

h. Discussion and Possible Action on Ordinance O-2023-928 amendment for City of Kirby Fiscal Year 2022-2023 budget by increasing/decreasing certain expenditures and increasing/decreasing certain revenues to the individual budget accounts in all funds set forth in the attached Exhibit A (first reading).

Council discussed Agenda item H

Motion made by Council Member Martin seconded by Council Member Hitt to approve Ordinance O-2023-928 amendment for City of Kirby Fiscal Year 2022-2023 budget by increasing/decreasing certain expenditures and increasing/decreasing certain revenues to the individual budget accounts in all funds set forth in the attached Exhibit A (first reading).

**Aye:**

**Nay:**

Mayor Pro-Tem Apodaca  
Council Member Hitt  
Council Member Martin

Council Member Lozano  
Council Member Garza

Council Member Molina  
Mayor Grider

Motion passed with a 5-2 vote

- i. Discussion and Possible Action on waiving the second reading of Ordinance O-2023-928 pursuant to the City of Kirby Charter Section 2.13 by affirmative vote of all Council members present.

Motion made by Council Member Martin seconded by Council Member Hitt to waive the second reading of Ordinance O-2023-928 pursuant to the City of Kirby Charter Section 2.13 by affirmative vote of all Council members present.

**Aye:**

**Nay:**

Mayor Pro-Tem Apodaca  
Council Member Lozano  
Council Member Hitt  
Council Member Garza  
Council Member Martin  
Council Member Molina  
Mayor Grider

Motion passed with a 7-0 vote

- j. Discussion and Possible Action on the Community Development Block Grant Program Intergovernmental Cooperative Agreement for Foxcross Drive.

Council and Acting City Manager William Hilburn discussed Agenda item J

Motion made by Council Member Garza seconded by Mayor Pro-Tem Apodaca to sign the Community Development Block Grant Program Intergovernmental Cooperative Agreement for Foxcross Drive by Acting City Manager William Hilburn

**Aye:**

**Nay:**

Mayor Pro-Tem Apodaca  
Council Member Garza  
Council Member Hitt  
Council Member Lozano  
Council Member Martin



Council Member Molina  
Mayor Grider

Motion passed with a 7-0 vote

**11. City Manager Announcements**

- a. Announced National night out, and to help prevent fires

**12. Request And Announcements**

Council Member Lozano thanked City of Kirby residents and employees, requested on next agenda to add Crime Control Members and other applicants for approval, discussed adding an update on Gaiety to the next agenda, discussed awareness for suicide awareness month

Council Member Garza discussed adding a timeline for next budget, requested adding board members and update on gaiety also requested update on school lights, discussed cutting cost and lawyer cost

Council Member Molina thanked city workers, discussed update on portable restrooms at Hugo Lense Park, and Ackerman Road updates

Mayor Pro-Tem Apodaca announced St Joan Of Ark ladies Tea this Sunday

Council Member Hitt discussed Beautification and Recycle yard of the quarter nomination forms

Council Member Martin requested an update on cooling trailer, discussed uses for cooling trailer Mayor Grider discussed Hugo Lense restroom and cooling trailer as well as gaiety requested an update, announced car theft in the area and advised to lock up cars and take out valuables, thanked Care Program for diaper drive announced Oct 11 and Oct 25 for next Diaper drive dates

**13. Adjournment**

Meeting Adjourned at 8:53 P.M.



Katelyn Ueckert  
Interim City Secretary



Janeshia Grider, Mayor

The City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on this agenda if authorized by Texas Government Code Section 551.071, Consultation with Attorney, Texas Government Code Section 551.072, Deliberations about Real Property, Texas Government Code Section 551.074, Personnel Matters, and Texas Government Code Section 551.076, Security Devices or Security Audits.

This meeting is wheelchair parking accessible at the main entrance located at 112 Bauman. Auxiliary services are available upon request (interpreters for the deaf must be requested twenty-four (24) hours prior to the meeting) by calling 210/661-3198 or Relay Texas 800/735-2989 (hearing/speech impaired assistance)

DATE OF POSTING: September 22, 2023

TIME OF POSTING: 6:00 P.M.