



*Janeshia A. Grider, Mayor*

Christopher Garza  
Sylvia Apodaca  
Joe Molina

Maria Lozano  
Mike Martin  
Sally Hitt

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**CITY COUNCIL AGENDA  
REGULAR MEETING  
THURSDAY, DECEMBER 7, 2023 - 7:00 P.M.  
CITY HALL COUNCIL CHAMBER  
112 BAUMAN, KIRBY, TX 78219**

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This notice is posted pursuant to the Texas Open Meetings Act. The location where a quorum of the governmental body will be physically present is Kirby 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 who wishes to speak may do so by signing the participation sheet prior to the meeting being called to order:

Topic: Regular City Council Meeting  
Date and Time: December 7, 2023 at 7:00 P.M. (Central Time)

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1. **Call Meeting to Order**
2. **Invocation and Pledge of Allegiance to the Flag**
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**
5. **Citizen Participation**

Citizens participation is for the City Council to receive information on issues that may be of concern to the public. Citizens participation is limited to five (5) minutes per speaker. The purpose of the open meetings act is to ensure that the public is always given notice of the items that will be discussed by the Council. Should a member of the public bring an item to the Council for which the subject was not posted on the agenda for the meeting, the Council may receive the information, but cannot discuss or act upon it at the meeting.

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

- a. Regular Minutes – November 9, 2023
- b. Regular Minutes – November 16, 2023

**7. Presentations**

- a. Badge pinning ceremony for Fire Department Chaplain
- b. Vista Solutions presentation
- c. Civic Plus Presentation

**8. Updates by staffs and City Partners**

- a. Animal Control Stats Update
- b. Update and discussion on Water Department
- c. Update and review of attorney Costs and Projects
- d. Updates on Ackerman Rd Project

**9. Executive Session- The City Council will meet in Executive Session pursuant to Texas Government Code Section 551.074, Personnel Matters, to Discuss the following:**

- a. Discussion with attorney regarding cost analysis, performance review and evaluation of law firm.

**10. Discussion And Possible Action**

- a. Discussion And Possible Action on Certificates of deposits with Schertz Bank and Trust
- b. Discussion and Possible Action on appointing applicants to the Beautification and Recycle Committee
- c. Discussion and Possible Action on Ordinance Amending Title III, Chapter 30, Article I, Section 30.10 Citizen Participation of the Code of Ordinances of the City of Kirby, Texas, second reading.

**10. City Manager Announcements**

- a. Announcements On City Events And Items Of Community Interest

**11. Request And Announcements**

- a. Requests By Mayor And Council Members For Items To Be Placed On Future City Council Agendas And Announcements On City Events/Community Interest

**12. Adjournment**

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Katelyn Ueckert  
Interim City Secretary

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: December 4, 2023

TIME OF POSTING: 5:00 P.M.



*Janeshia A. Grider, Mayor*

Sylvia Apodaca  
Christopher Garza  
Joe Molina

Maria Lozano  
Mike Martin  
Sally Hitt

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**CITY COUNCIL MINUTES  
REGULAR MEETING  
THURSDAY, NOVEMBER 9, 2023 - 7:00 P.M.  
CITY HALL COUNCIL CHAMBER  
112 BAUMAN, KIRBY, TX 78219**

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In accordance with Texas Government Code §551.127 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 by logging into the below web address and submitting a request to address the council via the Zoom chat, prior to the meeting being called to order:

Topic: Regular City Council Meeting  
Date and Time: November 9, 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**

Mayor Grider called meeting to order at 7:00 P.M.

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

Sylvia Alverado Led with the Invocation and Pledge of Allegiance

**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**

**Absent**

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

**5. Citizen Participation**

Susan Street- Discussed Citizen Participation  
Tory Riese- Discussed email sent to him  
Roger Romans- waited until agenda item 10 B  
Jack Miller- Discussed Censorship of speech and activism  
Patric White- Discussed quality of life and fiscal responsibility  
(Emails Submitted attached to minutes)

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

a. Regular Minutes – July 6, 2023

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Hitt to approve Regular Minutes – July 6, 2023 with the change of Council Member Garza attendance

Motion passed with a 7-0 Vote

b. Regular Minutes – October 12, 2023

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Hitt to approve Regular Minutes – October 12, 2023

Motion passed with a 7-0 Vote

c. Special Minutes – October 16, 2023

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Hitt to approve Special Minutes – October 16, 2023

Motion passed with a 7-0 Vote

d. Regular Minutes – October 26, 2023

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Hitt to approve Regular Minutes – October 26, 2023

**AYE:**

**NAY:**

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

Council Member Garza

Motion passed with a 6-1 Vote

**7. Presentations**

a. Introduction of New employees.

New Employees Welcomed

b. Badge pinning for Fire and Police

Chief Cardona Conducted Badge Pinning for New Police Officers  
Chief Hilburn Conducted Badge Pinning for New Fire Department Members

c. Presentation of Waterworth

Lachlan Hunter and Grange Gordon Presented for Waterworth

Motion made by Council Member Garza seconded by Council Member Martin to Move 10A 10B and 10C before the Executive Session

**AYE:**

**NAY:**

Council Member Garza  
Council Member Lozano  
Council Member Martin  
Council Member Molina

Council Member Hitt

Mayor Pro-Tem Apodaca  
Mayor Grider

Motion passed with a 6-1 Vote

**8. Executive Session- The City Council will meet in Executive Session pursuant to Texas Government Code Sections 551.071, Consultation with Attorney, and 551.074, Personnel Matters to Discuss the following:**

- a. Consultation with attorney to receive legal advice and updates regarding the internal affairs investigation related to Council Member Garza complaints

Meeting Closed for Executive Session at 10:26 P.M.

Mayor Grider Announced the release of the document investigation related to Council Member Garza complaints for open records requests

**9. Reconvene to Open Session**

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

Meeting Reconvened at 11:10 P.M.

**10. Discussion And Possible Action**

- a. Discussion and Update on Binz Engleman Rd and opening timeline.

Humberto Updated Council on the Milling Machine to come Nov 20<sup>th</sup>  
Council Discussed Agenda Item A

- b. Discussion and Possible Action on the Ordinance O-2022-911 that outlines the citizen participation policy during City Council Meetings.

Roger Romans Discussed 5 min time frame for citizens participation  
Chief Cardona Presented findings on 10 B  
Patric White Discussed Citizens Participation

Motion made by Council Member Garza seconded by Council Member Martin to Amend the Ordinance to Allow Citizens to speak 5 Min During Citizen Participation and 3 Min per agenda item

**AYE:**

**NAY:**

Council Member Garza  
Council Member Martin

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

Motion did not pass with a 2-5 Vote

Motion made by Council Member Martin seconded by Council Member Garza to Amend the Ordinance to Allow Citizens to speak 3 Min During Citizen Participation and 2 Min per agenda item

**AYE:**

Council Member Garza  
Council Member Martin  
Council Member Molina

**NAY:**

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

Motion did not pass with a 3-4 Vote

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Hitt to Allow Citizens to speak for 5 min during Citizen Participation and no additional minutes during agenda items

**AYE:**

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

**NAY:**

Council Member Garza  
Council Member Martin

Motion did not pass with a 5-2 Vote

- c. Discussion and Possible Action on a Resolution to approve the 2023 Tax Rolls.

Council Discussed Agenda Item C



Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Hitt to approve the 2023 Tax Rolls Resolution

Aye :

Nay:

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

Motion Passed with a 7-0 Vote

**12. City Manager Announcements**

Acting City Manager Hilburn Announced City Hall Closed for the Veterans Day Holiday and Community Garage Sale to take place this coming weekend 11/17, Also Announced Blue Santa

**13. Request And Announcements**

Council Member Lozano- Thanked everyone who attending meeting and City Employees  
Council Member Garza- requested an update on the training for the zipper machine request the approved budget posted to the website Announced next council meeting  
Council Member Molina- thanked city employees and Veterans, welcomed new police and fire department members  
Mayor Pro-Tem Apodaca- welcomed new employees, announced event on the 6<sup>th</sup> for business opportunities  
Council Member Hitt- thanked veterans and city employees  
Council Member Martin- Thanked Citizens for attending and city employees  
Mayor Grider- discussed Racist undertones discussed candy for community events discussed community Christmas lighting discussed limited staff requested discussion of ARPA funds on next agenda thanked all the veterans for keeping country safe

**14. Adjournment**

Meeting Adjourned at 11:28 P.M.

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Katelyn Ueckert  
Interim City Secretary

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.

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DATE OF POSTING: November 6, 2023

TIME OF POSTING: 5:45 P.M.



*Janeshia A. Grider, Mayor*

Sylvia Apodaca  
Christopher Garza  
Joe Molina

Maria Lozano  
Mike Martin  
Sally Hitt

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**CITY COUNCIL MINUTES  
REGULAR MEETING  
THURSDAY, NOVEMBER 16, 2023 - 7:00 P.M.  
CITY HALL COUNCIL CHAMBER  
112 BAUMAN, KIRBY, TX 78219**

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In accordance with Texas Government Code §551.127 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 by logging into the below web address and submitting a request to address the council via the Zoom chat, prior to the meeting being called to order:

Topic: Regular City Council Meeting  
Date and Time: November 16, 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**

Mayor Grider called meeting to order at 7:05 P.M.

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

Mr. Rish Led with the Invocation and Pledge of Allegiance

**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**

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

**Absent**

Council Member Molina

5. **Citizen Participation**

John Rish discussed expenses and expanding to include sunrise  
Patric White discussed council and uniformity  
Jack Miller discussed zoom and emails  
Faye Kilm discussed Police Department and Fire department discussed Citizen Participation

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

a. **Regular Minutes – November 9, 2023**

Requested to bring back next meeting

7. **Presentations and Updates**

a. **Discussion and Update on Ackerman Rd project.**

Humberto with Austin Bridge and Road Discussed Agenda item A and emergency contact

b. **Discussion and Update on Police stats.**

Chief Cardona Presented the Police stats

c. **Update on ability to lease out the zipper machine.**

Council Discussed Moving 7C to next meeting



Motion passed with a 6-0 vote

- c. Discussion and Possible Action on Ordinance Amending Title III, Chapter 30, Article I, Section 30.10 Citizen Participation of the Code of Ordinances of the City of Kirby, Texas, first reading.

Council Discussed Agenda item C

Motion made by Council Member Garza Seconded by Council Member Martin to not approve Ordinance O-2023-930

AYE:	NAY:
Council Member Garza	Council Member Hitt
Council Member Martin	Council Member Lozano
	Mayor Pro-Tem Apodaca
	Mayor Grider

Motion did not pass with a 2-4 vote

Motion made by Mayor Pro-Tem Apodaca Seconded by Council Member Hitt to Accept Ordinance O-2023-930

AYE:	NAY:
Council Member Hitt	Council Member Garza
Council Member Lozano	Council Member Martin
Mayor Pro-Tem Apodaca	
Mayor Grider	

Motion passed with a 4-2 vote

- d. Discussion and Possible Action on an Ordinance amending the fiscal year 2023-2024 budget of the Kirby Police Department to adjust for increased costs of patrol vehicles, first reading.

Council Discussed agenda item D to be brought back to a future meeting

**9. Executive Session- The City Council will meet in Executive Session pursuant to Texas Government Code Sections 551.071, Consultation with Attorney, and 551.074, Personnel Matters to Discuss the following:**

- a. Consultation with attorney to receive legal advice and updates regarding the independent investigation related to complaints against Council Member Garza.

Meeting Closed for Executive Session at 8:46 P.M.

**10. Reconvene to Open Session**

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

Meeting Reconvened at 9:21 P.M.

**11. City Manager Announcements**

No announcements made

**12. Request And Announcements**

Council Member Lozano- Thanked everyone who attending meeting requested Animal Control stats be placed on next meeting

Council Member Garza- requested an update on Water Department and requested Kirby growth expansion and annexation be placed on the next agenda, and Requested Attorney cost and performance on next agenda

Mayor Pro-Tem Apodaca- announced VFW needing support and wished everyone a happy thanksgiving

Council Member Hitt- thanked everyone for coming out and Announced Beautification Holiday Decorating Contest

Council Member Martin- Thanked Citizens for attending and city employees request Water issue be adressed

Mayor Grider- Apologized for Water department issues requested an update on the Water Department, requested a price quote on a new sound system

**13. Adjournment**

Meeting Adjourned at 9:33 P.M.

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Katelyn Ueckert  
Interim City Secretary

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DATE OF POSTING: November 13, 2023  
TIME OF POSTING: 6:00 P.M.



<input checked="" type="checkbox"/>	DISCUSSION AND POSSIBLE ACTION ITEMS
<input type="checkbox"/>	SPECIAL CONSIDERATION
<input type="checkbox"/>	CONSIDERATION OF MINUTES
<input type="checkbox"/>	PUBLIC HEARING
<input type="checkbox"/>	PRESENTATION
<input type="checkbox"/>	WORKSHOP

**C I T Y O F K I R B Y  
C I T Y C O U N C I L M E E T I N G  
A G E N D A I T E M S U M M A R Y**

**DATE: DECEMBER 7, 2023**

**AGENDA ITEM: 10 a.**

Discussion And Possible Action on Certificates of deposits with Schertz Bank and Trust

### CERTIFICATES OF DEPOSIT

<b>Fund</b>	<b>CD #</b>	<b>Amount</b>	<b>Maturity Date</b>	<b>Interest Rate</b>
General	2011725	\$ 500,000	8/6/2024	5.15%
General	2012171	\$ 250,000	2/24/2024	3.75%
Water	2011687	\$ 100,000	12/8/2023	3.25%
Water	2011857	\$ 500,000	7/2/2024	5.15%
Capital Projects	2012230	\$ 1,000,000	12/28/2023	4.80%
Capital Projects	2012231	\$ 1,000,000	12/28/2023	4.80%
Capital Projects	2012232	\$ 1,000,000	12/28/2023	4.80%

<input checked="" type="checkbox"/>	DISCUSSION AND POSSIBLE ACTION ITEMS
<input type="checkbox"/>	SPECIAL CONSIDERATION
<input type="checkbox"/>	CONSIDERATION OF MINUTES
<input type="checkbox"/>	PUBLIC HEARING
<input type="checkbox"/>	PRESENTATION
<input type="checkbox"/>	WORKSHOP

**CITY OF KIRBY  
CITY COUNCIL MEETING  
A G E N D A I T E M S U M M A R Y**

**DATE: DECEMBER 7, 2023**

**AGENDA ITEM: 10 b.**

Discussion and Possible Action on appointing applicants to the Beautification and Recycle Committee

<input checked="" type="checkbox"/>	DISCUSSION AND POSSIBLE ACTION ITEMS
<input type="checkbox"/>	SPECIAL CONSIDERATION
<input type="checkbox"/>	CONSIDERATION OF MINUTES
<input type="checkbox"/>	PUBLIC HEARING
<input type="checkbox"/>	PRESENTATION
<input type="checkbox"/>	WORKSHOP

**CITY OF KIRBY  
CITY COUNCIL MEETING  
A G E N D A I T E M S U M M A R Y**

**DATE: DECEMBER 7, 2023**

**AGENDA ITEM: 10 c.**

Discussion and Possible Action on Ordinance Amending Title III, Chapter 30, Article I, Section 30.10 Citizen Participation of the Code of Ordinances of the City of Kirby, Texas, second reading.