



*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, JANUARY 11, 2024 - 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: January 11, 2024 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 – December 7, 2023
- b. Regular Minutes – December 14, 2023

**7. Presentations**

- a. Presentation of Yard of the Quarter Winner

**8. Discussion And Possible Action**

- a. Discussion and Possible Action on Kirby Expansion and annexation of the Sunrise Subdivision.
- b. Discussion and Possible Action on Updating Holiday Schedule 2024

**9. City Manager Announcements**

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

**10. 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

**11. 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.

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DATE OF POSTING: January 8, 2024

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: January 11, 2024**

**AGENDA ITEM: 6 a.**

Regular Minutes – December 7, 2023



*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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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**

Mayor Grider called the meeting called to order at 7:03 P.M.

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

Mayor Grider lead with the 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**

**PRESENT**

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

**ABSENT:**

Council Member Molina

5. **Citizen Participation**

Susan Street Discussed meeting minutes and packet discussed ordinance for Citizen Participation

Roger Romans Discussed Police investigation he submitted to Police Department

Tory Riese Discussed Ordinance For Citizen participation and Equal Treatment

Patric White Discussed Council and Upset Citizens

Jack Miller Discussed Email from previous meeting Discussed Citizen Participation

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

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

Council Member Garza Request Minutes List Votes for Minutes  
And to correct 10B Minutes to reflect vote count

Postponed to Next Meeting

b. **Regular Minutes – November 16, 2023**

Council Discussed to Notate Tory Riese Escorted out of meeting

Postponed to Next Meeting

7. **Presentations**

- a. Badge pinning ceremony for Fire Department Chaplain

Chief Hilburn Requested to move Item to a later date

- b. Vista Solutions presentation

Lilly Meyer with Vista Solutions discussed 7B

- c. Civic Plus Presentation

Moved to a later meeting

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

- a. Animal Control Stats Update

Chief Cardona Discussed 8A

- b. Update and discussion on Water Department

Council Discussed Billing and Water Meters

Meeting Break 8:12 P.M

Meeting Started back at 8:21 P.M

- c. Update and review of attorney Costs and Projects

Discussed going into more detail in Executive Session

- d. Updates on Ackerman Rd Project

Council Discussed Striker paying Puppy Power and Road Closures

Meeting Closed to Executive Session at 8:51 P.M.

**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.

Meeting Opened Back at 10:23 P.M.

No Action Taken

**10. Discussion And Possible Action**

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

Council and ICM Ken Roberts Discussed CD's at Schertz Bank and Trust

Motion made by Council Member Garza Seconded by Council Member Hitt to Allow Mr. Roberts the opportunity to negotiate CD's

**AYE:**

**Nay:**

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

Council Member Lozano

Motion Passed 5-1

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

Motion made by Council Member Garza Seconded by Council Member Lozano to Approve Shiela McClinton to Beatification and recycle Pending the Code of ethics is signed

**AYE:**

**Nay:**

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

Motion Passed 6-0

Motion made by Council Member Garza Seconded by Council Member Lozano to Approve Lisa Clark to Beatification and recycle Pending the Code of ethics is signed

**AYE:**

**Nay:**

Mayor Pro-Tem Apodaca

Council Member Lozano  
Council Member Hitt  
Council Member Garza  
Council Member Martin  
Mayor Grider

Motion Passed 6-0

- 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.

Council Discussed to Postpone

**10. City Manager Announcements**

Announced City Positions Filled and Updates on Finance

**11. Request And Announcements**

Council Member Lozano requested on November 16 meeting include Street repairs and Zipper, Arpa Funds, and Patrol Vehicles  
Council Member Garza Requested Training for zipper update on next meeting Arpa funds update on change order 5 Kirby expansions and annexation  
Mayor Pro-Tem request status of the road material on Gaity Ln  
Council Member Hitt Thanked everyone who came out  
Council Member Martin Thanked Staff and Residents  
Mayor Grider Announced Christmas Parade on December 17<sup>th</sup> at 5 P.M.

**12. Adjournment**

Meeting Adjourned at 10:54 P.M.

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Janeshia A. Grider, Mayor

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Katelyn Ueckert  
Interim City Secretary

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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: December 4, 2023

TIME OF POSTING: 5:00 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

**CITY OF KIRBY  
CITY COUNCIL MEETING  
AGENDA ITEM SUMMARY**

**DATE: January 11, 2024**

**AGENDA ITEM: 6 b.**

Regular Minutes – December 14, 2023



*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 14, 2023 - 7:00 P.M.  
CITY HALL COUNCIL CHAMBER  
112 BAUMAN, KIRBY, TX 78219**

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Topic: Regular City Council Meeting

Date and Time: December 14, 2023 at 7:00 P.M. (Central Time)

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**1. Call Meeting to Order**

Mayor Grider called the meeting called to order at 7:03 P.M.

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

Mr. Rish lead with the 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**

**PRESENT**

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

**ABSENT:**

5. **Citizen Participation**

Susan Street Discussed written emails discussed Mic System discussed council dual office standing

Patric White Discussed zipper and roads and renting Zipper wished everyone happy holidays

Jack Miller Discussed City Attorneys Mic Discussed Mayor

Tory Riese Discussed Procedures and Citizens Participation ordinance

6. **Discussion And Possible Action**

- a. Discussion and updates on training for zipper machines and possible streets for the zipper to be used on.

Interim Public Works Director Armondo Discussed Company who came out to train for the zipper  
Council Discussed uses for zipper and Roads to be repaired and roller and grater

- b. 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.

Council Discussed Agenda item B

Motion Made by Mayor Pro-Tem Apodaca Seconded by Council Member Hitt to Accept 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

**AYE:**

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

**Nay:**

Council Member Garza  
Council Member Martin

Motion passed with a 5-2 Vote

Council Member Garza Made Statement over Ordinance over Citizen Participation

- c. Discussion and Possible Action on Kirby Expansion and annexation of the Sunrise Subdivision.

Council Discussed Possibilities  
ICM Ken Roberts Discussed the process of annexation and the cost

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

- a. Regular Minutes – November 9, 2023

Motion Made by Mayor Pro-Tem Seconded by Council Member Hitt to accept the November 9<sup>th</sup> meeting Minutes

**Aye:**

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

**Nay:**

Motion Passes 7-0

- b. Regular Minutes – November 16, 2023

Motion Made by Mayor Pro-Tem Seconded by Council Member Hitt to accept the November 16<sup>th</sup> meeting Minutes

**Aye:**

**Nay:**

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

Motion Passes 7-0

**8. Presentations**

a. Presentation of Holiday Decoration Contest Winner

Glenda Curtis Announced Holiday Decoration Contest Winners

b. Badge pinning ceremony for Fire Department Chaplain

Discussed to bring back at a later meeting

c. Civic Plus Presentation on their technology solutions for Government agencies.

ICM Ken Roberts Announced they would not be coming back

**9. Updates by staff and City Partners**

a. Discussion and Updates on Gaity Lane

Armondo Discussed Updates on Dirt and Road Material

b. Discussion and Update on the Patrol Vehicles.

Chief Cardona Discussed Patrol Vehicles

ICM Ken Roberts Discussed Specs on Durango's

c. Update on Ackerman Road project and opening road access to local businesses.

Council Discussed Agenda item 9 C with Bain Medina Bain

**10. City Manager Announcements**

ICM Ken Roberts Announced Progress with CD's at Schertz Bank and Trust

**11. Request And Announcements**

Council Member Lozano Thanked Citizens and City staff

Council Member Garza Wished everyone a happy holiday announced Holiday Party at tuners and Hopkins Winter event

Council Member Molina thanked Residents and Staff and wished everyone a happy new year

Mayor Pro-Tem Apodaca wished everyone a merry Christmas and Happy Holliday

Council Member Hitt Wished everyone a happy New years and merry Christmas

Council Member Martin thanked staff and Residents

Mayor Grider Announced Blue Santa Donation and Wrapping of Gifts announced Diaper Drive

**12. Adjournment**

Meeting Adjourned at 8:47 P.M.

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Janeshia A. Grider, Mayor

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Katelyn Ueckert  
Interim City Secretary

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TIME OF POSTING: 5:00 P.M.

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<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: January 11, 2024**

**AGENDA ITEM: 7 a.**

Presentation of Yard of the Quarter Winner



<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: January 11, 2024**

**AGENDA ITEM: 8 a.**

Discussion and Possible Action on Kirby Expansion and annexation of the Sunrise Subdivision.

## **INTERIM RESPONSE TO ANNEXATION QUESTIONS**

**DATA SOURCE: Local Government Code, Title 2, Subtitle C, Chapter 43,  
"Municipal Annexation"**

- 1. PROPERTY IN QUESTION CURRENTLY HAS AN AD VALOREM TAX RATE OF \$0.54159.**
- 2. IF ANNEXED THEIR AD VALOREM TAX RATE WOULD BE \$0.59124 OR AN INCREASE OF \$0.497**
- 3. First step would be to give written notice to each property owner in proposed annex area would be advised of the proposed action along with a copy of "the Proposed Annexation Plan.**
- 4. The "Service Plan" must be completed before annexation, must include a program under which the municipality will provide full municipal services in the annexed area no later than 2- and one-half years after the effective date of the annexation.**
- 5. The Municipality must provide those services in the in the area proposed for annexation on the effective date of the annexation of the area.**
  - (1) Police protection**
  - (2) Fire protection**
  - (3) Emergency medical services**
  - (4) Solid waste collection**
- 6. If the annexed area had a lower level of services, infrastructure, and infrastructure maintenance than the level of services within the corporate boundaries of the municipality before annexation, a service plan must provide the annexed area within a level of services, infrastructure maintenance that is comparable of services, infrastructure maintenance available in other parts of the municipality with topography, land use, and population density similar to those reasonably copperplated or projected in the area.**
- 7. A service plan must maintain that the same level of services, infrastructure, and infrastructure miniatous as the annexing municipality.**
- 8. The proposed service plan must be made available for public inspection and explained to the inhabitants in the public hearings held under Section**

**43.063. The plan may be amended through negotiations at the hearing, but the provision of any service may not be deleted.**

- 9. A service plan is valid for a period of 10 years.**
- 10. A person residing or owning land in an annexed area may enforce a service plan by applying writ of mandamus not later than the 2<sup>nd</sup> anniversary of the date the person knew or should have known that the municipality was not complying with the service plan. If a writ of mandamus is applied for the municipality has the burden of proving that the services have been provided in accordance with the service plan in question. If a court issues a writ under this subsection, the court; must provide the municipality the option of disannexing, or MAY require the municipality to comply with the service plan; MAY, assess a penalty against the municipality and require the municipality to refund to the landowner of the annexed area money collected by the municipality from those landowners for the services to the area that were not provided; MAY require the parties to participate in mediation; MAY require the municipality to pay the person's costs and reasonable attorney's fees in bringing the action for the writ.**
- 11. The municipality MUST post the of the public hearing on the municipality's website AND publish the notice of hearings in a newspaper of general circulation.**
- 12. The municipality MUST conduct two public hearings at which persons interested in the annexation plan are given the opportunity to be heard. At least one of the hearings MUST be held in the area of proposed annexation.**
- 13. In addition to the notice requirements under Section 43.063, a home-rule municipality BEFORE the municipality may institute annex proceedings, SHALL create a digital map of the proposed annexation area.**
- 14. The annexation of an area MUST be completed within 90 days after the date the governing body institutes annexation proceedings.**
- 15. The municipality must mail to each property owner in the area proposed to be annexed notification of the proposed annexation that include notice of public hearings required by Section 43.0694 and notice of election on the question the area will be held AND a description, list, and schedule of**

**services to be provided by the municipality in the area on or after annexation as provided by Section 43.0692.**

**16. The Municipality SHALL pay for the cost of the election.**

**17. If a majority of qualified voters do not approve the proposed annexation, or if the municipality is REQUIRED to petition owners of land owners in the area under Section 43.0695 and does not obtain the annex the area. required number of signature's, the municipality MAY NOT annex the area.**

### **HOW DO WE PAY FOR THIS ACTION**

- 1. The homes in the area under consideration will pay approximately 5c more per \$100 valuation on their homes.**
- 2. They WILL NOT be water, sewer or solid waste collection customers of Kirby.**
- 3. Our costs for Police, Fire and EMS will increase.**
- 4. The current residents of Kirby will have to pay the costs of annexation or we will have to pay for it from unspecified reserves.**



<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  
AGENDA ITEM SUMMARY**

**DATE: January 11, 2024**

**AGENDA ITEM: 8 b.**

Discussion and Possible Action on Updating Holiday Schedule 2024



## City Of Kirby

### Holiday Schedule 2024

New Years Day	Monday January 1, 2024
Martin Luther King Jr.	Monday January 15, 2024
Presidents Day	Monday February 19, 2024
Good Friday	Friday March 29, 2024
Memorial Day	Monday May 27, 2024
Juneteenth	Wednesday June 19, 2024
Independence Day	Thursday July 4, 2024
Labor Day	Monday September 2, 2024
911 Patriot Day (Fire only)	Wednesday September 11, 2024
Columbus Day	Monday October 14, 2024
Veterans Day Observance	Monday November 11, 2024
Thanksgiving Day	Thursday November 28, 2024
Day After Thanksgiving (Except Fire)	Friday November 29, 2024
Christmas Eve	Tuesday December 24, 2024
Christmas day	Wednesday December 25, 2024
Employee Birthday	Taken During Birthday Month