



Janeshia A. Grider, Mayor

Christopher Garza
Sylvia Apodaca
Joe Molina

Maria Lozano
Mike Martin
Sally J. Hitt

**CITY COUNCIL AGENDA
REGULAR MEETING
THURSDAY, APRIL 11, 2024 - 7:00 P.M.
CITY HALL COUNCIL CHAMBER
112 BAUMAN, KIRBY, TX 78219**

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: April 11, 2024 at 7:00 P.M. (Central Time)

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**

6. **Consent Agenda Items**

"The Consent Agenda is considered routine matters and can be enacted by the Council with one motion. There will be no separate discussion of these items unless they are removed from the Consent Agenda upon the request of the Mayor or a Councilmember."

- a. Regular Minutes – March 14, 2024
- b. Regular Minutes – March 28, 2024

7. **Presentation**

NA

8. **Interim City Manager Reports**

- a. Discussion and Update: Fire Department
- b. Discussion and Update: Finance Department- Water Utility Update
- c. Discussion and Update: Police Department
- d. Discussion and Update: Public Works

9. **Action Items**

- a. Discussion and Possible Action to Authorize the City Manager to enter into a contract with Bexar County Elections Administrator for Election Services, (Katelyn Ueckert, Interim City Secretary.)
- b. Discussion and Possible Action regarding a Resolution Authorizing the City Manager to submit an application for funding form the Bexar County Community Block Grant Program Year 2024 Allocation of Bexar County's CDBG Program. (Councilmembers Hitt, Molina, City Manager Martinez)
- c. Discussion and Possible Action Authorizing the City Manager and Interim Finance Director as Signature Authority for the city of Kirby for the Bexar County Community Block Grant Program Year 2024 Allocation of Bexar County's CDBG Program. (City Manager, Interim Finance Director)
- d. Discussion and Possible Action on Change Order #5 seeking compensation by the Ackerman Road Street project contractor Austin Bridge and Road, for the extra 61 unforeseen mailboxes needed to replace all the residents' mailboxes in the amount of \$32,025.00 (Interim Public Works Director).
- e. Discussion and Possible Action on Change Order #8 seeking compensation by the Ackerman Road Street project contractor Austin Bridge and Road, related to the adjustment of an existing 12' water main over a proposed 30' RCP as well as the cost

for 2 days partial closure and 2 days of off duty police officers to manage traffic at Binz-Engleman in the amount of \$38, 251.00 (Bain Medina Bain, Interim Public Works Director)

- f. Discussion and Possible Action on Change Order #9 which seeks compensation by the Ackerman Road Street project contractor Austin Road and Bridge, for aligning of an existing PVC water line around junction boxes on NB Ackerman Rd. starting at junction box A-3 in the amount of \$25,942.00 (Bain Medina Bain, Interim Public Works Director).
- g. Discussion and Possible Action authorizing the Interim City Manager to issue Request for Qualifications (RFQ) for City Attorney. (Councilmembers Garza and Martin)
- h. Discussion And Possible Action on adopting an Ordinance Amending Code of Ordinances Title III, Administration, Article I, Sections 30.04, 30.07 and 30.10, Agenda, Meetings Regarding Decorum and Debate, Citizen Participation, and Section 30.11 related to Carrying of Firearms on City Owned Premises. (Mayor Grider & Mayor Pro-Tem Apodaca, Police chief Cardona)
- i. Discussion and Possible Action on the Mayor and Councils disregard and or violation for the Charter and its rules of policy and procedure. (Councilmembers Garza and Martin)
- j. Discussion and Possible Action to Authorize the City Manager to enter into a agreement with Starlight Fireworks in the amount of \$12,000 for fireworks at Friendship park on July 4, 2024
- k. Discussion and Possible Action to replace the Council Chamber Audio Equipment, (Mayor Grider)
- l. Discussion and Action on Open Records Request policy and procedure. (Mayor Grider)
- m. Discussion and Possible Action on staff overpayments and adjustments. (Mayor Grider)
- n. Discussion and Update on pending legal cases and investigations. (Mayor Grider)
- o. Discussion and Possible Action regarding Pool Opening Day event 25 May and Back to School Party or Event 10 Aug. (Mayor Grider)
- p. Discussion and Possible Action regarding bi-weekly two or three Councilmembers information session with the City Manager (Mayor Grider).

Closed Session: Pursuant to Texas Government Code Section 551.074 (Personnel Matters) and 551.071(1) (Consultation with City Attorney): the city of Kirby City Council will convene in executive session on the following items:

- a. Discussion and Possible Action regarding the City Manager Employment Agreement. (City Council)
- b. Discussion and Possible Action on the Interim City Manager appointing an Acting City Manager within 60 days in accordance with the City Charter. (Mayor Grider)

11. City Manager Announcements

- a. Announcements on City Events and Items of Community Interest.

12. 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.

13. Adjournment

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: APRIL 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 |

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

DATE: April 11, 2024

AGENDA ITEM: 6.

6. Consent Agenda Items

“The Consent Agenda is considered routine matters and can be enacted by the Council with one motion. There will be no separate discussion of these items unless they are removed from the Consent Agenda upon the request of the Mayor or a Councilmember.”

- a. Regular Minutes – March 14, 2024
- b. Regular Minutes – March 28, 2024



Janeshia A. Grider, Mayor

Christopher Garza
Sylvia Apodaca
Joe Molina

Maria Lozano
Mike Martin
Sally Hitt

**CITY COUNCIL AGENDA
REGULAR MEETING
THURSDAY, MARCH 14, 2024 - 7:00 P.M.
CITY HALL COUNCIL CHAMBER
112 BAUMAN, KIRBY, TX 78219**

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: March 14, 2024 at 7:00 P.M. (Central Time)

1. Call Meeting to Order

Mayor Grider called the meeting to order at 7:12 P.M.

2. Invocation and Pledge of Allegiance to the Flag

Israel Leon gave the Invocation and Mayor Grider lead with the 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 Garza
Council Member Hitt
Council Member Martin
Council Member Molina (via Zoom)
Council Member Lozano
Mayor Grider

ABSENT:

5. **Citizen Participation**

Lisa Pierce- Discussed administrative office and staff and pay, discussed lack of communication and trainings, discussed water bills and payment process, discussed city audit, discussed senior center programs and senior centers 501
Susan Street- Discussed public hearing mentioned in agenda, discussed Kirby Senior Center corporation and the dissolving process, discussed conflict of interest
Nika Leon- Discussed Church Luz De Mundo projects and events
Roger Romans- Discussed Senior Center and dissolving, and a breach of contract, discussed senior center debts

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

a. **Regular Minutes – February 8, 2024**

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Hitt to approve regular minutes- February 8, 2024

Aye:

Mayor Pro-Tem Apodaca
Council Member Garza
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)
Council Member Lozano
Mayor Grider

Nay:

Motion passed 7-0 vote

b. **Regular Minutes – February 22, 2024**

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Hitt to approve regular minutes – February 22, 2024

Aye:

Mayor Pro-Tem Apodaca
Council Member Garza
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)
Mayor Grider

Nay:

Council Member Lozano

Motion passed with a 6-1 vote

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Garza to amend previous motion to include “Allotted up to \$3000 for a fitness instructor on 8.1”

Aye:

Mayor Pro-Tem Apodaca
Council Member Garza
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)
Council Member Lozano
Mayor Grider

Nay:

Motion passed with a 7-0 vote

7. Presentation

a. Badge Pinning and Swearing-In of New Police Officer Employee – Chief Cardona

Chief Cardona presented PD Badge Pinning and Swearing-In of New Police Officers

b. Badge Pinning and Swearing-In of New Fire Employee – Chief Hilburn

Chief Hilburn Announced a need to reschedule

8. Interim City Manager Reports

a. Update: Fire Department

Chief Hilburn Presented the Update for the Fire Department

b. Update: Finance Department- Water Utility Update

Jenise Best Interim Finance Director presented the Update on the Finance Department and Water Utility

c. Update: Police Department Report

Chief Cardona Presented the Update on the Police Department Report

d. Update: Public Works

Armondo Marquez Interim Public Works Director Presented the Update on Public Works

9. Action Items

Motion made by Council Member Martin seconded by Council Member Lozano to move 10A and 10B first

Aye:

Mayor Pro-Tem Apodaca
Council Member Garza
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)
Council Member Lozano
Mayor Grider

Nay:

Motion passed with a 7-0 vote

Motion Made by Council Member Garza seconded by Council Member Martin to move 9M and 9N after closed session

Aye:
Mayor Pro-Tem Apodaca
Council Member Garza
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)
Council Member Lozano

Nay:
Mayor Grider

Motion passed with a 6-1 vote

- a. Public Hearing, Discussion and Possible Action directing the Interim City Manager to proceed with legal guidance to dissolve the non-profit Kirby Senior Center and Board and discussion on creation of city department to be assigned under the City of Kirby City Manager for FY25. (City Attorney)

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Martin to table 9A

Aye:
Mayor Pro-Tem Apodaca
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)
Council Member Lozano

Nay:
Council Member Garza
Mayor Grider

Motion passed with a 7-0 vote

- b. Discussion and Possible Action regarding the settlement agreement with Dr Rowland. (City Attorney)

Mayor Grider announced this would be discussed in closed session

- c. Discussion and Possible Action on the Interim City Manager appointing an Acting City Manager within 60 days in accordance with the City Charter. (Mayor Grider)

Consensus by council to postpone to future meeting

- d. Discussion and Possible Action authorizing the Interim City Manager to issue Request for Qualifications (RFQ) for City Attorney. (Councilmember Garza & Councilmember Martin)

Motion made by Council Member Lozano seconded by Council Member Hitt to table 9D and 9J

Aye:

Mayor Pro-Tem Apodaca
Council Member Garza
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)
Council Member Lozano
Mayor Grider

Nay:

Motion passed with a 7-0 vote

- e. Discussion and Possible Action to direct the Interim City Manager to enter into an agreement with a law enforcement auditor to conduct an audit of the policy and procedures and departmental operations of the Kirby Police Department. (Mayor Grider)

Motion made by Council Member Garza seconded by Mayor Pro-Tem Apodaca to table 9E

Aye:

Mayor Pro-Tem Apodaca
Council Member Garza
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)
Council Member Lozano
Mayor Grider

Nay:

Motion passed with a 7-0 vote

- f. Discussion and Possible Action to direct the Interim City Manager to authorize enter an agreement with Bain Medina Bain for an updated evaluation of pavement management road services – evaluation of city streets. (Councilmember Molina)

Motion made by Council Member Garza seconded by Mayor Pro-Tem Apodaca to table 9F

Aye:
Mayor Pro-Tem Apodaca
Council Member Garza
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)
Council Member Lozano
Mayor Grider

Nay:

Motion passed with a 7-0 vote

- g. Discussion and Possible Action to authorize Interim City Manager to enter into a contract with Advance Water Well Technologies to replace new valves on quotation. (Armando Marquez)

Motion made by Council Member Martin seconded by Council Member Garza to authorize Interim City Manager to enter into a contract with Advance Water Well Technologies to replace new valves on quotation.

Aye:
Mayor Pro-Tem Apodaca
Council Member Garza
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)
Council Member Lozano
Mayor Grider

Nay:

Motion passed with a 7-0 vote

- h. Discussion and Possible Action providing Council direction to the Interim City Manager to negotiate an Agreement between the City of Kirby and the Greater Northeast Little League. (The Council)

Motion made by Council Member Molina seconded by Council Member Hitt to Allow the Interim City Manager to negotiate an Agreement between the City of Kirby and the Greater Northeast Little League with Greater Northeast Little League (GNELL) to enter into a contract for 1500 for a year

Aye:
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)
Mayor Grider

Nay:
Mayor Pro-Tem Apodaca
Council Member Garza
Council Member Lozano

Motion passed with a 4-3 vote

- i. Discussion and Possible Action authorizing the Interim City Manager to seek a County CDBG Grant for improvements to the Senior Citizen Center, Parks, and Roads. (Councilmember Hitt & Councilmember Molina)

Motion made by Council Member Garza seconded by Council Member Martin to authorize the Interim City Manager to seek a County CDBG Grant for improvements to Streets

Aye:

Council Member Martin
Council Member Garza
Mayor Grider

Nay:

Council Member Lozano
Mayor Pro-Tem Apodaca
Council Member Hitt
Council Member Molina(via Zoom)

Motion did not pass with a 3-4 vote

Motion made by Council Member Lozano seconded by Council Member Garza to authorize the Interim City Manager to seek a County CDBG Grant for improvements to Parks

Aye:

Mayor Pro-Tem Apodaca
Council Member Hitt
Council Member Molina(via Zoom)
Council Member Lozano

Nay:

Council Member Garza
Council Member Martin
Mayor Grider

Motion passed with a 4-3 vote

Motion made by Council Member Lozano seconded by Council Member Garza to resend the motion authorizing the Interim City Manager to seek a County CDBG Grant for improvements to Parks

Aye:

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

Nay:

Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)

Motion passed with a 4-3 vote

Motion made by Council Member Garza seconded by Council Member Martin to authorize the Interim City Manager to seek a County CDBG Grant for improvements to Roads and Streets

Aye:

Council Member Garza
Council Member Martin
Council Member Lozano
Mayor Grider

Nay:

Council Member Molina(via Zoom)
Mayor Pro-Tem Apodaca
Council Member Hitt

Motion passed with a 4-3 vote

- j. Discussion And Possible Action on adopting an Ordinance Amending Code of Ordinances Title III, Administration, Article I, Sections 30.04, 30.07 and 30.10, Agenda, Meetings Regarding Decorum and Debate, Citizen Participation, and Section 30.11 related to Carrying of Firearms on City Owned Premises. (Chief Cardona, Mayor Grider & Mayor Pro-Tem Apodaca)

Motion made by Council Member Lozano seconded by Mayor Council Member Hitt to table 9D and 9J

Aye:

Mayor Pro-Tem Apodaca
Council Member Garza
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)
Council Member Lozano
Mayor Grider

Nay:

Motion passed with a 7-0 vote

- k. Discussion and Possible Action to approve a plat for Bubble Bath, Lot 24 CB 5865. (Katelyn Ueckert)

Motion made by Council Member Garza seconded by Mayor Pro-Tem Apodaca to approve a plat for Bubble Bath, Lot 24 CB 5865

Aye:

Mayor Pro-Tem Apodaca
Council Member Garza
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)

Nay:

Council Member Lozano
Mayor Grider

Motion passed with a 7-0 vote

- i. Discussion and Possible Action to authorize the Interim City Manager to seek proposals for new inspector services. (Katelyn Ueckert)

Motion made by Council Member Garza seconded by Mayor Pro-Tem Apodaca to allow Interim City Manager to seek proposal for new inspection services

Aye:

Mayor Pro-Tem Apodaca
Council Member Garza
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)
Council Member Lozano
Mayor Grider

Nay:

Motion passed with a 7-0 vote

- m. Discussion and Possible Action on the Kirby Senior Center Contract – Resolution R-2023-759. (Councilmember Garza & Councilmember Martin)

Motion made by Council Member Martin seconded by Mayor Pro-Tem Apodaca to table 9M and 9N

Aye:

Mayor Pro-Tem Apodaca
Council Member Garza
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)
Council Member Lozano
Mayor Grider

Nay:

Motion passed with a 7-0 vote

- n. Discussion and Possible Action on the Removal of City Council Members from the Kirby Senior Center Board. (Councilmember Garza & Councilmember Martin)

Motion made by Council Member Martin seconded by Mayor Pro-Tem Apodaca to table 9M and 9N

Aye:

Mayor Pro-Tem Apodaca
Council Member Garza
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)
Council Member Lozano
Mayor Grider

Nay:

Motion passed with a 7-0 vote

- o. Discussion and Possible Action on the Mayor and Councils disregard and or violation for the Charter and its rules of policy and procedure. (Councilmember Garza)

Motion made by Council Member Garza seconded by Council Member Lozano to table 9O and 9P

Aye:

Mayor Pro-Tem Apodaca
Council Member Garza
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)
Council Member Lozano
Mayor Grider

Nay:

Motion passed with a 7-0 vote

- p. Discussion and Possible Action on the police policies in regards to equal access to city services. (Councilmember Garza)

Motion made by Council Member Garza seconded by Council Member Lozano to table 9O and 9P

Aye:

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

Nay:

Council Member Molina(via Zoom)
Council Member Lozano
Mayor Grider

Motion passed with a 7-0 vote

Open session closed at 8:33

10. Closed Session: Pursuant to Texas Government Code Section 551.074 (Personnel Matters) and 551.071(1) (Consultation with City Attorney): the city of Kirby City Council will convene in executive session on the following items:

- a. Discussion on seeking outside legal counsel to conduct an investigation of a personnel complaint. (Mayor Grider & Councilmember Lozano)

- b. Discussion and Possible Action approving the separation and release agreement with former City Manager Dr. Brian Rowland. (Mayor Grider)

11. Open Session: The City Council will reconvene into Regular Session upon conclusion of the Closed Session and may recall any item posted for Closed Session for action, as necessary.

Council Opened the meeting back at 10:35 P.M.

- a. Discussion on seeking outside legal counsel to conduct an investigation of a personnel complaint. (Mayor Grider & Councilmember Lozano)

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Hitt to Approve Interim City Manager to conduct an investigation on a personnel complaint

Aye:

Mayor Pro-Tem Apodaca
Council Member Garza
Council Member Hitt
Council Member Martin
Council Member Molina(via Zoom)
Council Member Lozano
Mayor Grider

Nay:

Motion passed with a 7-0 vote

b. Discussion and Possible Action approving the separation and release agreement with former City Manager Dr. Brian Rowland. (Mayor Grider)

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Hitt to give direction to the city attorney to finalize negotiations and agreements with the city and Dr Rowland as directed in executive session

Aye:

Mayor Pro-Tem Apodaca
Council Member Hitt
Council Member Molina(via Zoom)
Council Member Lozano
Mayor Grider

Nay:

Council Member Garza
Council Member Martin

Motion passed with a 5-2 vote

12. City Manager Announcements

Interim City Manager Martinez announced Brush and Bulk pickup

13. Request And Announcements

Council Member Molina thanked everyone who came out and requested an update for zipper
Council Member Garza requested sent items in the packet is the same items they receive, requested to add a tab for every board committee and commission, requested discussion on the updates, requested weekly updates on road construction project, announced solar glasses announces VFW fish fry and steak night

Council Member Lozano thanked everyone who came out and staff announced River City Produce coming out and Gnells opening day, announced Luz De Mundo event and community garage sales
Mayor Pro-Tem Apodaca announced Lone Star event announced City of Kirby Easter Egg Hunt and Wood Lake easter egg hunt, announced San Antonio Resources directory

Council Member Hitt announced Beautification and Recycle fiesta medals and Fiesta decorating contest announced Yard of the Quarter

Council Member Martin thanked everyone who came out requested Zipper and streets (Crest Vaun Braun Swann) be placed on the agenda to discuss

Mayor Grider announced easter egg hunt and that candy and plastic eggs still being accepted announced March 22nd for egg stuffing, announced women's history month event at friendship park, announced opening day for Gnell and parade.

14. Adjournment

Meeting Adjourned at 12:45

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: March 25, 2024

TIME OF POSTING: 6:00 P.M.



Janeshia A. Grider, Mayor

Christopher Garza
Sylvia Apodaca
Joe Molina

Maria Lozano
Mike Martin
Sally J. Hitt

**CITY COUNCIL MINUTES
REGULAR MEETING
THURSDAY, MARCH 28, 2024 - 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: March 28, 2024 at 7:00 P.M. (Central Time)

1. Call Meeting to Order

Mayor Grider called the meeting to order at 7:01 P.M.

2. Invocation and Pledge of Allegiance to the Flag

Mayor Grider led with 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 Martin
Council Member Molina (Arrived at 8:38 P.M.)
Council Member Lozano
Mayor Pro-Tem Apodaca
Mayor Grider

5. Citizen Participation

Susan Street- discussed senior center, discussed city budget and fitness instructor cost
Emma Lumbreros- discussed zoning concerns
Nancy Peña- discussed Jack miller and Patric white and search and arrest warrant
Roger Romans- discussed senior center and March 18th senior center meeting discussed who would be responsible for senior center debt
Debra Coburn- discussed zoning concerns
BJ Voigt- discussed Dr. Rowland severance discussed website discussed neighbor's property responsibilities

6. Consideration Of and Action on Minutes

a. Regular Minutes – March 14, 2024

Council Discussed agenda item 6a to come back next meeting after reviewing 9i

7. Interim City Manager Reports

a. Discussion and Update: Fire Department

Council discussed with Chief Hilburn

b. Discussion and Update: Finance Department- Water Utility Update

Council Discussed with City Manager Martinez

c. Discussion and Update: Police Department Report

Council discussed with Chief Cardona

d. Discussion and Update: Public Works

Council discussed 7d

8. Action Items

- a. Discussion and Possible Action on Change Order #5 seeking compensation by the Ackerman Road Street project contractor Austin Bridge and Road, for the extra 61 unforeseen mailboxes needed to replace all the residents' mailboxes in the amount of \$32,025.00 (Interim Public Works Director)

Council discussed 8a with Mr. Bain and Mr. Striker with Austin Bridge and Road
Council discussed bringing back for additional price estimates

- b. Discussion and Possible Action on Change Order# 6 seeking compensation by the Ackerman Road Street project contractor Austin Bridge and Bridge, for the additional expenses incurred for off-duty police officers to control traffic in and around the Ackerman Street project in the amount of \$38,943.00 (Interim Public Works Director)

Council discussed 8b with Mr. Bain and Mr. Striker with Austin Bridge and Road
Council came to consensus to not approve 8b

- c. Discussion and Possible Action on Change Order #8 seeking compensation by the Ackerman Road Street project contractor Austin Bridge and Road, related to the adjustment of an existing 12' water main over a proposed 30' RCP as well as the cost for 2 days partial closure and 2 days of off duty police officers to manage traffic at Binz-Engleman in the amount of \$38, 251.00 (Interim Public Works Director)

Council tabled agenda item 8c

- d. Discussion and Possible Action on Change Order #9 seeks compensation by the Ackerman Road Street project contractor Austin Road and Bridge, for skewing of an existing PVC water line around junction boxes on NB Ackerman Rd. starting at junction box A-3 in the amount of \$25,942.00 (Interim Public Works Director)

Council tabled agenda item 8d

- e. Public Hearing, Discussion and Possible Action directing the Interim City Manager to proceed with legal guidance to dissolve the non-profit Kirby Senior Center and Board and discussion and action on the creation of a city department to be assigned under the City of Kirby City Manager for FY25. (City Attorney)

Council discussed agenda item 8e

Mayor Pro-Tem Apodaca made a motion seconded by Council Member Martin to dissolve the Senior Center Cooperation in fiscal year 2024

AYE:
Mayor Pro-Tem Apodaca
Council Member Hitt
Council Member Molina
Mayor Grider

NAY:
Council Member Garza
Council Member Martin
Council Member Lozano

Motion passed with a 4-3 vote

- f. Discussion and Possible Action related to amendment to City Ordinance Title. III. Administration, Chapter 30, City Council, Article I-Meetings, Section 30.04(B) related to submission of agenda items electronically to the City Manager by the Friday at 12 noon preceding the City Council meeting (Interim City Manager)

Council discussed 8f with City Manager Martinez

Motion made by Council member Lozano seconded by Council Member Garza to amendment City Ordinance Title. III. Administration, Chapter 30, City Council, Article I-Meetings, Section 30.04(B) related to submission of agenda items electronically to the City Manager by the Friday at 12 noon preceding the City Council meeting

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

NAY:
Council Member Hitt

Motion passed with a 6-1 vote

- g. Discussion and Possible Action on the Interim City Manager appointing an Acting City Manager within 60 days in accordance with the City Charter. (Mayor Grider)

Council tabled agenda item 8g

- h. Discussion and Possible Action authorizing the Interim City Manager to issue Request for Qualifications (RFQ) for City Attorney. (Councilmembers Garza and Martin)

Motion made by Council Member Garza seconded by Council Member Molina to table agenda item 8h

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

NAY:

Motion passed with a 7-0 vote

- i. Discussion and Possible Action to authorize the Interim City Manager to enter into a contract with Bain Medina Bain, in the approximate amount of \$39,000 for an updated evaluation of pavement management road services – evaluation of city streets. (Councilmember Molina)

Council discussed agenda item 8i with Mr. Bain

Motion made by Council Member Milona seconded by Mayor Pro-Tem Apodaca to authorize the Interim City Manager to enter into a contract with Bain Medina Bain, in the approximate amount of \$39,000 for an updated evaluation of pavement management road services – evaluation of city streets

AYE:
Mayor Pro-Tem Apodaca
Council Member Hitt
Council Member Molina
Council Member Lozano

NAY:
Council Member Garza
Council Member Martin
Mayor Grider

Motion passed with a 4-3 vote

- j. Discussion And Possible Action on adopting an Ordinance Amending Code of Ordinances Title III, Administration, Article I, Sections 30.04, 30.07 and 30.10, Agenda, Meetings Regarding Decorum and Debate, Citizen Participation, and Section 30.11 related to Carrying of Firearms on City Owned Premises. (Mayor Grider & Mayor Pro-Tem Apodaca, Police chief Cardona)

Council discussed agenda item 8j

Council discussed bringing 8j back to next meeting

- k. Discussion and Possible Action on the Kirby Senior Center Management Services Agreement with the City – Resolution R-2023-759. (Councilmembers Garza and Martin)

Council discussed agenda item K

Called for the question

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Hitt to stop discussion

AYE:

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

NAY:

Council Member Garza
Council Member Martin
Council Member Lozano

Motion passed with a 4-3 vote

- l. Discussion and Possible Action on the Removal of City Council Members from the Kirby Senior Center Board. (Councilmembers Garza and Martin)

Council discussed agenda item 8l

- m. Discussion and Possible Action on the Mayor and Councils disregard and or violation for the Charter and its rules of policy and procedure. (Councilmembers Garza and Martin)

Motion made by Council Member Garza seconded by Council Member Lozano to table agenda item 8m

AYE:

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

NAY:

Motion passed with a 7-0 vote

- n. Discussion and Possible Action on the police policies in regards to equal access to city services. (Councilmembers Garza and Martin)

Motion made by Council Member Garza seconded by Council Member Lozano to table agenda item 8n

AYE:

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

NAY:

Motion passed with a 7-0 vote

- o. Discussion and Possible Action to Direct the Interim City Manager to enter into an agreement with a law enforcement auditor to conduct an audit of the policy and procedures and departmental operations of the Kirby Police Department. (Mayor Grider)

Motion made by Council Member Martin seconded by Council Member Martin to enter into an agreement with a law enforcement auditor to conduct an audit of the policy and procedures and departmental operations of the Kirby Police Department

AYE:

Council Member Garza
Council Member Martin
Mayor Grider

NAY:

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

Motion did not passed with a 3-4 vote

Motion made by Council Member Molina seconded by Council Member Hitt to look at other cities to review Texas Best Practice

AYE:

Council Member Hitt
Council Member Molina
Mayor Grider

NAY:

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

Motion did not pass with a 3-4 vote

- p. Discussion and possible action on direction to the Interim City Manager to post for a Municipal Court Clerk with a salary of up to \$20/hour to attract and retain qualified candidate (Mayor Grider)

Motion made by Council Member Lozano seconded by Council Member Garza to post for a Municipal Court Clerk with a salary of up to \$20/hour to attract and retain qualified candidate

AYE:

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

NAY:

Motion passed with a 7-0 vote

- q. Discussion and Possible Action regarding an upcoming Community Resource Event for the City in May 2024 (Mayor Grider)

Motion made by Council member Garza seconded by Mayor Pro-Tem Apodaca to have a Community Resource Event for the City in May 2024

AYE:

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

NAY:

Motion passed with a 7-0 vote

9. **Closed Session:** Pursuant to Texas Government Code Section 551.074 (Personnel Matters) and 551.071(1) (Consultation with City Attorney): the city of Kirby City Council will convene in executive session on the following items:
- a. Discussion and Possible Action on hiring a permanent City Manager
(Councilmembers Garza, Martin)
10. **Open Session:** The City Council will reconvene into Regular Session upon conclusion of the Closed Session and may recall any item posted for Closed Session for action, as necessary.

a. Discussion and Possible Action on hiring a permanent City Manager
(Councilmembers Garza, Martin)

Motion made by Mayor Pro-Tem Apodaca seconded by Council Member Hitt to hire Bobby Martinez as City Manager

AYE:

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

NAY:

Mayor Grider

Motion passed with a 6-1 vote

11. City Manager Announcements

City Manager Martinez announced updates on stop signs, brush and bulk event and utility covers

12. Request And Announcements

Council Member Lozano thanked everyone who attended

Council Member Garza requested to see budget and budget amendments and requested a cost on incode ERP pro 10

Council Member Molina thanked everyone who attended

Mayor Pro-Tem thanked everyone who attended and wished everyone a happy easter

Council Member Hitt thanked everyone who attended

Council Member Martin thanked everyone and welcomed Mr. Martinez

Mayor Grider thanked everyone discussed friendship park event and brush and bulk

13. Adjournment

Meeting Adjourned at 2:30 A.M.

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: March 25, 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 |

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

DATE: April 11, 2024

AGENDA ITEM: 7 a.

Announcement 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 |

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

DATE: April 11, 2024

AGENDA ITEM: 8 a.

a. Discussion and Update: Fire Department



City of Kirby Fire
Department
5560 Duffek Drive
Kirby, Tx 78219



Staffing Needs: 1 Paramedics.

17 days of the month of February, there was no Paramedic on the Ambulance, however the EMS units were up and running as a Basic Life Support Vehicles, and Mutual Aid Services were being utilized for patients that needed Advances Life Support Measures.

Medic 131 and Medic 131B had heater cores replaced.

Medic 131B had a battery replaced on the stretcher power system.

ISO Survey was completed the 7th of April, awaiting results. ISO Surveys are completed every five years now, last one done was in 2016.

Mr. Graf submitted his request to move to part-time, from a full-time position.

All shifts have been doing classroom, and hands on training at the Kirby Station.

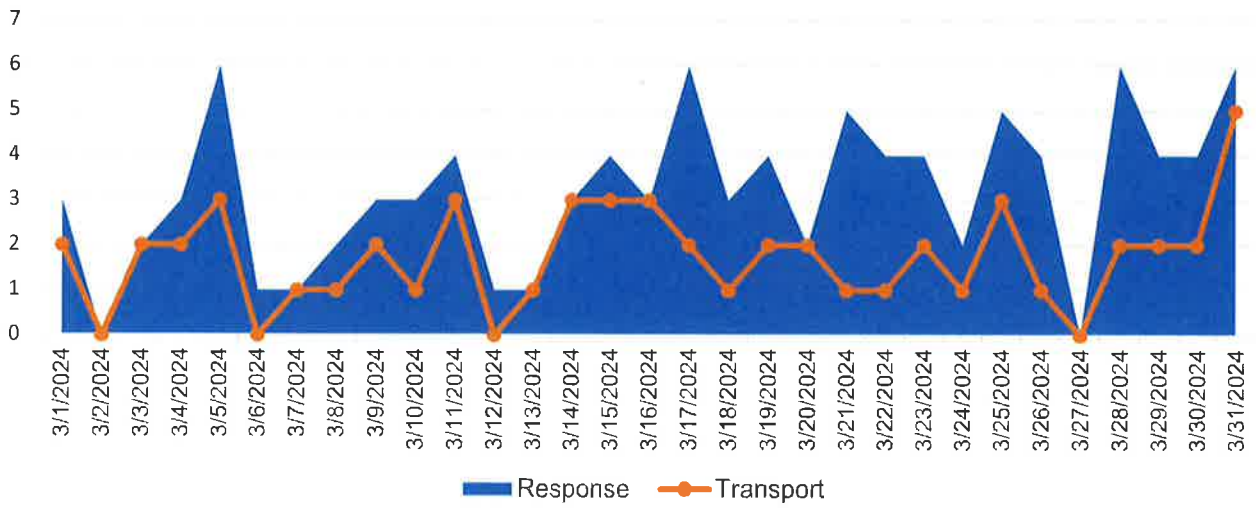
Kirby Fire Department Monthly Report

Month of March 2024

Call Volume:

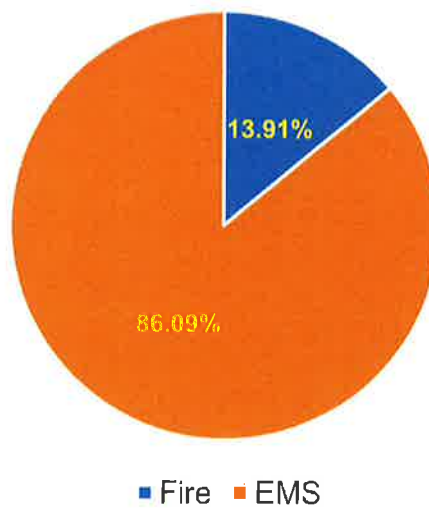
Medical: 99

| | |
|----------------------------|----|
| Abdominal Pain | 4 |
| Active Shooter | 0 |
| Allergic Reaction | 0 |
| Animal Bite | 1 |
| Assaults | 3 |
| Back Pain | 0 |
| Breathing Problems | 11 |
| Burns | 0 |
| Cardiac Arrest | 0 |
| Cardiac Problems | 3 |
| Childbirth | 2 |
| Choking | 0 |
| COVID-19 Response | 0 |
| Deceased Party | 0 |
| Diabetic Problems | 2 |
| Electrocution | 0 |
| EMS Mutual Aid | 0 |
| Eye Injury | 0 |
| Fall | 11 |
| Fire Response | 6 |
| General Bleeding | 1 |
| Headache | 0 |
| Lift Assistance | 9 |
| Medical Alarm | 3 |
| Motor Vehicle Accident | 13 |
| Nausea / Vomiting | 0 |
| Possible Drowning | 0 |
| Possible Stroke | 1 |
| Pregnancy Complications | 0 |
| Psychiatric Problems | 0 |
| Seizure | 4 |
| Sick Person | 6 |
| Toxic Ingestion | 3 |
| Traumatic Injury | 3 |
| Unresponsive / Unconscious | 3 |
| Unknown Medical | 6 |
| Weak and Dizzy | 4 |



Fire: 16

| | |
|---------------------------------|---|
| Fire Alarm | 4 |
| Grass Fire | 1 |
| Haz-Mat Response | 0 |
| Mutual Aid | 0 |
| Motor Vehicle Accident Response | 5 |
| Rescue | 1 |
| Service / Odor / Smoke | 4 |
| Structure Fire | 0 |
| Unauthorized Burning | 0 |
| Vehicle Fire | 1 |



City Avg Response Time: **5.51 Minutes.**

Staffing Needs: 1 Paramedics.

Employment opportunities continued to be advertised on City Website, Texas Municipal League, the Texas Commission of Fire Protection, and Facebook, for Paramedic.

17 days of the month of March, there was no Paramedic on the Ambulance, however the EMS units were up and running as a Basic Life Support Vehicles, and Mutual Aid Services were being utilized for patients that needed Advances Life Support Measures.

Mr. Graf submitted his resignation from full-time to part time at the end of March.

Medic 131 and Medic 131 had heater cores replaced in the patient compartment.

Both A-Shift and B-Shift helped with stuffing Easter Eggs, or the Easter Egg Hunt itself.

One smoke detector was installed in a resident of Kirby's home.

Distributed between City Hall, Fire Station, and public events 5,597 Solar Eclipse glasses to citizens of Bexar County.

Engine 131 was in the shop for half of a day, for a mechanical issue.

Power Load system on Medic 131B, had to have a battery replaced. Unit and stretcher remained in service, just was not at 100%.

A-Shift with part-time Paramedic, and two dedicated volunteers delivered a healthy baby girl, in the back of Medic 131 upon arrival at the hospital.

A few department personnel attended a Lithium-ION Response Awareness class in San Marcos Texas, sponsored by TEEX, and San Marcos Fire Department.

All shifts remain doing classroom, and hands on training at the Kirby Station.

Department personnel built a training prop for Mayday Training, to simulate exiting a building in an emergency out of the window.

ISO Survey was completed the 7th of April, awaiting results. ISO Surveys are completed every five years now, last one done was in 2016.

Respectfully Submitted,

Chief William R. Hilburn Jr

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| <input checked="" type="checkbox"/> | DISCUSSION AND POSSIBLE ACTION ITEMS |
| <input type="checkbox"/> | SPECIAL CONSIDERATION |
| <input type="checkbox"/> | CONSIDERATION OF MINUTES |
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| <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: April 11, 2024

AGENDA ITEM: 8 b.

Discussion and Update: Finance Department- Water Utility Update



(Interim) CITY MANAGER REPORT TO COUNCIL

FINANCE DEPARTMENT

April 11, 2024

2023 Audit Preparation

The Interim Finance Director and Accountant consultant were contracted by a prior City Manager to ready the City financial records for the pending external audit. They have remedied all delinquent payroll reports, grant reports, insurance reports, government filings i.e. TMRS, AARPA, workers compensation etc. and bank account reconciliations for the 2023 fiscal year, while also serving as a back-up payroll administrator. But they have yet to begin on auditor checklists due to constantly fielding requests for financial and payroll information and data outside of the scope of their initial employment. No other staff are qualified with the expertise nor the financial credentials to perform any of these tasks and reports. The 2023 audit is required for the 2024 CDBG Grant and others.

Vacant Positions

We are actively recruiting for the Finance Director and Accounting Clerk positions. The city's reputation has often been cited in professional circles as a deterrent. We have received some applications and will begin interviewing next week. Filling the Finance Director position is time sensitive as she has stated she will be vacating the position in mid-May, if not sooner. At this time, no staff member can address the full-time responsibility of budget preparation.

Utility Billing Update

Billing Refunds – We are in the process of catching up on utility deposit refunds.

Utility billing staff doesn't have workday time to address almost 800 emails/ phone back logged inquiries. Modest overtime (1 – 1.5 hours) is necessary to close out daily deposits.

ACH issue – A resident recently brought to our attention that a water payment she had made via ACH in November has never been deducted from her bank account. When the resident called the city to inquire about her water bill, she was told her account is current and up to date with her payments. Billing and payments need to be reconciled to determine if this was an isolated instance or if there is an ACH batch that did not get processed. However, as

mentioned each request seeking financial and or payroll information takes time way from the audit.

Disconnections – We delayed water disconnections until Tuesday, April 9th. This was to ensure we had the staff for implementation and to allow office staff additional to make sure all accounts were updated, to the best of our ability.

Adjustments – All adjustments are being processed individual with two levels of approval: the Interim Finance Director, (IFD) Jenise Diaz- Best, CPA and Interim City Manager, (ICM) Bobby J Martinez, MPA, MA.

Sanitation Accounts – We are auditing accounts to ensure proper billing for the types of containers. We recently found some commercial accounts that weren't being billed as such for over a year. This process is also time-intensive.

It also appears there may be some accounts with excessive sewer charges starting in March 2023. It will take someone proficient in the Incode system to explain why it happened.

Credit Card

We are moving forward in applying for a City of Kirby credit card for the City Manager with a limit of \$10,000. As stated, prior, both the City Manager and Interim Finance Director have concerns involving the financial risks of a Debit card versus a Credit card. Based on our professional experience and industry “best practices” this would minimize the financial risk to the city.

CDBG Grant Extension: (Friday 4-5-24 6pm)

Regretfully, the Interim Finance Director was not able to assist the ICM this weekend nor on Monday (4-8-24) with the Friday (6PM) CDBG grant extension request. Upon review of the CDBG application, the process is clearly more than a full weekend effort, even if all the documents were available, which they are not, due to the unavailability of prior City Manager email files.

2023- 2024 Budget:

The Interim Finance Director and Accountant are not available to prepare the annual budget.

The IFD is not available for City Council meetings as discussed with the ICM.

Prepared by: Jenise Best, CPA Interim Finance Director

Reviewed and Approved by: Bobby J. Martinez, MA. MPA, Interim City Manager

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| <input checked="" type="checkbox"/> | DISCUSSION AND POSSIBLE ACTION ITEMS |
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| <input type="checkbox"/> | PRESENTATION |
| <input type="checkbox"/> | WORKSHOP |

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

DATE: April 11, 2024

AGENDA ITEM: 8 c.

Discussion and Update: Police Department

CC 4 11 24 PD REPORT

Bobby J. Martinez

From: Roxanne Cardona
Sent: Monday, April 8, 2024 4:21 PM
To: Public Works Director
Cc: City Manager; William Hilburn
Subject: Fireworks at the Park

Armando,

So I'm going over the checklist for our event on June 29th, from 2-10 PM. I wanted to go over it with you to make sure we are on the same page. If you have completed most of this, just let me know (There are some questions).

- Order New Fencing and Posts
- Order Gas Lights for the parking area
- Reminder to cut grass and weed removal to all areas.
- The Pavilion needs to be painted properly. The back board has white on it, it needs to be all the same color.
- Clean and Paint the Restrooms at the Park
- Are we in need of new picnic tables?
- Replace any Damaged equipment at the playground at Friendship Park
- Check that all lights and street lights are working
- How many portable fans do we have?
- Do we have enough Electrical Covers for chords to prevent falling or tripping? (Electrical covers for the ground, last year we were limited)
- We need at least 3 or 4 Public Works employees to help with the event. They will be assigned locations to help with trash collection, restroom cleaning, and monitoring all equipment and functionality.

Chief Hillburn,

- Is it possible to make a Medic available for the day? With a tent? We don't need the box, just a medic present, other than yourself. It can be you of course.
- Is the Volunteer Fire Department wanting to be a part of the event as well?

Respectfully,

Roxanne Cardona
Chief of Police
Kirby Police Department
4130 Ackerman Road
Phone (210)-547-3560
Dispatch (210) 661-8515

"There are two ways of spreading light: to be the candle or the mirror that reflects it." – Edith Wharton.

| | |
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| <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 |
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| <input type="checkbox"/> | WORKSHOP |

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

DATE: April 11, 2024

AGENDA ITEM: 8 d.

Discussion and Update: Public Works

| | |
|-------------------------------------|-----------------------------------------|
| <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: April 11, 2024

AGENDA ITEM: 9 a.

Discussion and Possible Action to Authorize the City Manager to enter into a contract with Bexar County Elections Administrator for Election Services, (Katelyn Ueckert, Interim City Secretary.)

**THE STATE OF TEXAS §
 § CONTRACT FOR ELECTION SERVICES
COUNTY OF BEXAR §**

This Contract is entered into by and between the BEXAR COUNTY ELECTIONS ADMINISTRATOR (“ADMINISTRATOR”) on behalf of Bexar County, a political subdivision of the State of Texas, and the CITY OF KIRBY (“CITY”)(also, individually, a “Party” or, collectively, the “Parties”), pursuant to Texas Election Code Section 31.092.

RECITALS

CITY, by appropriate action of its governing body acting in accordance with all applicable laws, has called a general election to be conducted by Bexar County on Saturday, May 4, 2024 and desires that certain election services be provided by ADMINISTRATOR through her Elections Department.

ADMINISTRATOR has provided cost estimates for election services to be rendered by her office pursuant to the terms of this Contract that are set out on Exhibits “A” and “B,” attached and incorporated into this Contract.

CITY and ADMINISTRATOR want to enter into this Contract setting out the respective responsibilities of the Parties.

Accordingly, the Parties agree as follows:

**ARTICLE I
PURPOSE**

1.01. The Parties have entered into this Contract for election services described in Article II to be provided to CITY for its election to be held on May 4, 2024.

**ARTICLE II
SERVICES**

2.01. ADMINISTRATOR agrees to provide to CITY the following general services:

- (A) Procure and distribute election supplies, including, but not limited to, the preparation, printing and distribution of ballots and sample ballots;**
- (B) Procure election judges and clerks for early voting and election day voting;**
- (C) Procure early voting polling places and election day vote centers as agreed by entities;**
- (D) Procure, prepare, and distribute adequate election equipment and transport equipment to and from the polling locations, including early voting substations,**

for CITY;

- (E) Distribute the lists of registered voters to be used in conducting the election, as provided by Bexar County Voter Registration pursuant to the request by CITY;
- (F) Pay election day and early voting judges and clerks;
- (G) Pay the judges for election night returns and early voting returns;
- (H) Provide information for election officers;
- (I) Provide training and general overall supervision of the election and advisory services;
- (J) Prepare writ of election to election officers and notice of appointment to Presiding and Alternate judges, as required by law;
- (K) Conduct early voting, in person and by mail, for CITY;
- (L) Establish an Early Ballot Board for the purpose of qualifying mail ballots;
- (M) Establish a Central Counting Station for the purpose of tabulating ballots;
- (N) Provide such incidental related services as may be necessary to effect the election;
- (O) Meet ADA requirements as the law relates to polling locations and voter assistance, etc; and
- (P) Provide for Central Count Tabulation (s):
 - a. Preparation and programming of the ballots on the AIS 850 and 450 Optical Scanners
 - b. Preparation and tabulation of votes from the ExpressVote Voting System, including the Express Touches.

ARTICLE III
SCHEDULE FOR PERFORMANCE OF SERVICES

3.01. Specific services to be provided related to the general services identified in Article II will be performed in accordance with the time requirements set out in the Texas Election Code.

ARTICLE IV
SERVICES NOT PROVIDED BY COUNTY

4.01. ADMINISTRATOR shall have no responsibility for insuring the passage of the appropriate Election Order by the CITY, posting the election notice as required by the Texas Election Code Section 4.003, or canvassing election results. ADMINISTRATOR shall have no responsibility as custodian of CITY'S election records.

ARTICLE V
TERM

5.01. Except as hereinafter set out, the term of this Contract will be from the time of execution until all items with respect to this Contract and the election held hereunder have been completed.

ARTICLE VI
COST OF SERVICE AND BILLING

6.01. In consideration for the services provided hereunder by ADMINISTRATOR, CITY shall pay ADMINISTRATOR the actual cost of performing the services, including any overtime incurred by ADMINISTRATOR'S employees. CITY shall deposit with ADMINISTRATOR _____ no later than April 15, 2024 to cover the estimated pro rata cost.

6.02. If the actual election costs exceed CITY'S deposit, the difference between the actual costs and the deposit will be paid by DISTRICT within 30 days after receiving an itemized invoice from ADMINISTRATOR. Payment must be made by check payable to the Bexar County Clerk and mailed to:

**Jacquelyn F. Callanen
Bexar County Elections Administrator
1103 S. Frio St., Ste. 100
San Antonio, Texas 78207**

6.03. Any monies remaining after the payment of all costs of elections bills, will be the property of the CITY and returned to it.

ARTICLE VII
GENERAL PROVISIONS

7.01. This Contract will be construed under and in accordance with the laws of the State of Texas, and all obligations of the Parties created hereunder are performable in Bexar County, Texas.

7.02. If any one or more of the provisions contained in this Contract is for any reason be held to be invalid, illegal or unenforceable in any respect, that invalidity, illegality or

unenforceability will not affect any other provision, and this Contract will be construed as if the invalid, illegal or unenforceable provision had never been contained in the Contract.

7.03. This Contract constitutes the sole and only agreement of the Parties and supersedes any prior understanding or written or oral agreement between the Parties respecting the written subject matter.

7.04. No amendment, modification, or alteration of this Contract will be binding unless it is in writing, dated subsequent to the date hereof and executed by the Parties.

ARTICLE VIII
BACKGROUND CHECKS

8.01 ADMINISTRATOR has conducted all criminal background checks required by Texas Election Code § 129.051(g).

SIGNED this ____ day of _____, 2024.

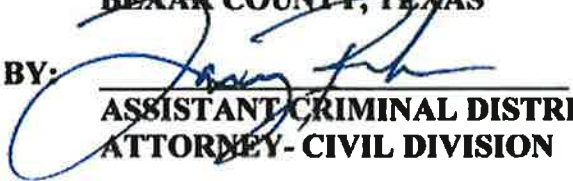
ELECTIONS ADMINISTRATOR

CITY OF KIRBY

BY: 
JACQUELYN F. CALLANEN

BY: _____
PRINT: _____
TITLE: _____

APPROVED AS TO LEGAL FORM:
JOE GONZALES
CRIMINAL DISTRICT ATTORNEY
BEXAR COUNTY, TEXAS

BY: 
ASSISTANT CRIMINAL DISTRICT
ATTORNEY- CIVIL DIVISION

THE STATE OF TEXAS §
 § **CONTRACT FOR ELECTION SERVICES**
COUNTY OF BEXAR §

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RECITALS

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ADMINISTRATOR has provided cost estimates for election services to be rendered by her office pursuant to the terms of this Contract that are set out on Exhibits “A” and “B,” attached and incorporated into this Contract.

CITY and ADMINISTRATOR want to enter into this Contract setting out the respective responsibilities of the Parties.

Accordingly, the Parties agree as follows:

ARTICLE I
PURPOSE

1.01. The Parties have entered into this Contract for election services described in Article II to be provided to CITY for its election to be held on May 4, 2024.

ARTICLE II
SERVICES

2.01. ADMINISTRATOR agrees to provide to CITY the following general services:

- (A) Procure and distribute election supplies, including, but not limited to, the preparation, printing and distribution of ballots and sample ballots;
- (B) Procure election judges and clerks for early voting and election day voting;
- (C) Procure early voting polling places and election day vote centers as agreed by entities;
- (D) Procure, prepare, and distribute adequate election equipment and transport equipment to and from the polling locations, including early voting substations,

for CITY;

- (E) **Distribute the lists of registered voters to be used in conducting the election, as provided by Bexar County Voter Registration pursuant to the request by CITY;**
- (F) **Pay election day and early voting judges and clerks;**
- (G) **Pay the judges for election night returns and early voting returns;**
- (H) **Provide information for election officers;**
- (I) **Provide training and general overall supervision of the election and advisory services;**
- (J) **Prepare writ of election to election officers and notice of appointment to Presiding and Alternate judges, as required by law;**
- (K) **Conduct early voting, in person and by mail, for CITY;**
- (L) **Establish an Early Ballot Board for the purpose of qualifying mail ballots;**
- (M) **Establish a Central Counting Station for the purpose of tabulating ballots;**
- (N) **Provide such incidental related services as may be necessary to effect the election;**
- (O) **Meet ADA requirements as the law relates to polling locations and voter assistance, etc; and**
- (P) **Provide for Central Count Tabulation (s):**
 - a. **Preparation and programming of the ballots on the AIS 850 and 450 Optical Scanners**
 - b. **Preparation and tabulation of votes from the ExpressVote Voting System, including the Express Touches.**

ARTICLE III
SCHEDULE FOR PERFORMANCE OF SERVICES

3.01. Specific services to be provided related to the general services identified in Article II will be performed in accordance with the time requirements set out in the Texas Election Code.

ARTICLE IV
SERVICES NOT PROVIDED BY COUNTY

4.01. ADMINISTRATOR shall have no responsibility for insuring the passage of the appropriate Election Order by the CITY, posting the election notice as required by the Texas Election Code Section 4.003, or canvassing election results. ADMINISTRATOR shall have no responsibility as custodian of CITY'S election records.

ARTICLE V
TERM

5.01. Except as hereinafter set out, the term of this Contract will be from the time of execution until all items with respect to this Contract and the election held hereunder have been completed.

ARTICLE VI
COST OF SERVICE AND BILLING

6.01. In consideration for the services provided hereunder by ADMINISTRATOR, CITY shall pay ADMINISTRATOR the actual cost of performing the services, including any overtime incurred by ADMINISTRATOR'S employees. CITY shall deposit with ADMINISTRATOR _____ no later than April 15, 2024 to cover the estimated pro rata cost.

6.02. If the actual election costs exceed CITY'S deposit, the difference between the actual costs and the deposit will be paid by DISTRICT within 30 days after receiving an itemized invoice from ADMINISTRATOR. Payment must be made by check payable to the Bexar County Clerk and mailed to:

**Jacquelyn F. Callanen
Bexar County Elections Administrator
1103 S. Frio St., Ste. 100
San Antonio, Texas 78207**

6.03. Any monies remaining after the payment of all costs of elections bills, will be the property of the CITY and returned to it.

ARTICLE VII
GENERAL PROVISIONS

7.01. This Contract will be construed under and in accordance with the laws of the State of Texas, and all obligations of the Parties created hereunder are performable in Bexar County, Texas.

7.02. If any one or more of the provisions contained in this Contract is for any reason held to be invalid, illegal or unenforceable in any respect, that invalidity, illegality or

unenforceability will not affect any other provision, and this Contract will be construed as if the invalid, illegal or unenforceable provision had never been contained in the Contract.

7.03. This Contract constitutes the sole and only agreement of the Parties and supersedes any prior understanding or written or oral agreement between the Parties respecting the written subject matter.

7.04. No amendment, modification, or alteration of this Contract will be binding unless it is in writing, dated subsequent to the date hereof and executed by the Parties.

ARTICLE VIII
BACKGROUND CHECKS

8.01 ADMINISTRATOR has conducted all criminal background checks required by Texas Election Code § 129.051(g).

SIGNED this ____ day of _____, 2024.

ELECTIONS ADMINISTRATOR

CITY OF KIRBY

BY: 
JACQUELYN F. CALLANEN

BY: _____
PRINT: _____
TITLE: _____

APPROVED AS TO LEGAL FORM:

JOE GONZALES
CRIMINAL DISTRICT ATTORNEY
BEXAR COUNTY, TEXAS

BY: 
ASSISTANT CRIMINAL DISTRICT
ATTORNEY- CIVIL DIVISION

THE STATE OF TEXAS §
 §
COUNTY OF BEXAR §

CONTRACT FOR ELECTION SERVICES

This Contract is entered into by and between the BEXAR COUNTY ELECTIONS ADMINISTRATOR (“ADMINISTRATOR”) on behalf of Bexar County, a political subdivision of the State of Texas, and the CITY OF KIRBY (“CITY”)(also, individually, a “Party” or, collectively, the “Parties”), pursuant to Texas Election Code Section 31.092.

RECITALS

CITY, by appropriate action of its governing body acting in accordance with all applicable laws, has called a general election to be conducted by Bexar County on Saturday, May 4, 2024 and desires that certain election services be provided by ADMINISTRATOR through her Elections Department.

ADMINISTRATOR has provided cost estimates for election services to be rendered by her office pursuant to the terms of this Contract that are set out on Exhibits “A” and “B,” attached and incorporated into this Contract.

CITY and ADMINISTRATOR want to enter into this Contract setting out the respective responsibilities of the Parties.

Accordingly, the Parties agree as follows:

**ARTICLE I
PURPOSE**

1.01. The Parties have entered into this Contract for election services described in Article II to be provided to CITY for its election to be held on May 4, 2024.

**ARTICLE II
SERVICES**

2.01. ADMINISTRATOR agrees to provide to CITY the following general services:

- (A) Procure and distribute election supplies, including, but not limited to, the preparation, printing and distribution of ballots and sample ballots;**
- (B) Procure election judges and clerks for early voting and election day voting;**
- (C) Procure early voting polling places and election day vote centers as agreed by entities;**
- (D) Procure, prepare, and distribute adequate election equipment and transport equipment to and from the polling locations, including early voting substations,**

for CITY;

- (E) **Distribute the lists of registered voters to be used in conducting the election, as provided by Bexar County Voter Registration pursuant to the request by CITY;**
- (F) **Pay election day and early voting judges and clerks;**
- (G) **Pay the judges for election night returns and early voting returns;**
- (H) **Provide information for election officers;**
- (I) **Provide training and general overall supervision of the election and advisory services;**
- (J) **Prepare writ of election to election officers and notice of appointment to Presiding and Alternate judges, as required by law;**
- (K) **Conduct early voting, in person and by mail, for CITY;**
- (L) **Establish an Early Ballot Board for the purpose of qualifying mail ballots;**
- (M) **Establish a Central Counting Station for the purpose of tabulating ballots;**
- (N) **Provide such incidental related services as may be necessary to effect the election;**
- (O) **Meet ADA requirements as the law relates to polling locations and voter assistance, etc; and**
- (P) **Provide for Central Count Tabulation (s):**
 - a. **Preparation and programming of the ballots on the AIS 850 and 450 Optical Scanners**
 - b. **Preparation and tabulation of votes from the ExpressVote Voting System, including the Express Touches.**

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TERM

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**Jacquelyn F. Callanen
Bexar County Elections Administrator
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7.03. This Contract constitutes the sole and only agreement of the Parties and supersedes any prior understanding or written or oral agreement between the Parties respecting the written subject matter.

7.04. No amendment, modification, or alteration of this Contract will be binding unless it is in writing, dated subsequent to the date hereof and executed by the Parties.

ARTICLE VIII
BACKGROUND CHECKS

8.01 ADMINISTRATOR has conducted all criminal background checks required by Texas Election Code § 129.051(g).

SIGNED this ____ day of _____, 2024.

ELECTIONS ADMINISTRATOR


CITY OF KIRBY

BY: 
JACQUELYN F. CALLANEN

BY: _____
PRINT: _____
TITLE: _____

APPROVED AS TO LEGAL FORM:

JOE GONZALES
CRIMINAL DISTRICT ATTORNEY
BEXAR COUNTY, TEXAS

BY: 
ASSISTANT CRIMINAL DISTRICT
ATTORNEY - CIVIL DIVISION

| | | | | | | |
|----------|---------------------------------|-----|----------|--|--------------------|--|
| D | TEMPORARY WORKERS | | | | | |
| | NUMBER OF TEMP EMPLOYEES/MAIL | 5 | | | | |
| | HOURS WORKED | 360 | \$17.00 | | \$30,600.00 | |
| | | 3 | | | | |
| | WORKMANS COMP UNEMPLOYEMENT | | \$49.33 | | \$739.95 | |
| | WAREHOUSE | | | | | |
| | NUMBER OF TEMPORARY EMPLOYEES | 4 | | | | |
| | HOURS WORKED | 360 | \$17.00 | | \$24,480.00 | |
| | WORKMANS COMP UNEMPLOYEMENT | | \$49.33 | | | |
| | NUMBER OF MONTHS | 2 | | | \$394.64 | |
| | FICA | | | | \$4,213.62 | |
| | TOTAL TEMP EMPLOYEE COST | | | | \$60,428.21 | |
| E | RENTAL | | | | | |
| | NUMBER OF SITES | 42 | | | \$1,500.00 | |
| | NUMBER OF SITES COSTS | 3 | \$500.00 | | \$1,260.00 | |
| | NUMBER OF EXPRESSVOTES | 252 | \$5.00 | | \$210.00 | |
| | NUMBER OF DS200 | 42 | \$5.00 | | \$215.00 | |
| | NUMBER OF EXPRESS TOUCH | 43 | \$5.00 | | \$336.00 | |
| | NUMBER OF PROV. BAGS AND SEAL | 42 | \$8.00 | | \$2,100.00 | |
| | NUMBER OF COMPUTERS | 42 | \$50.00 | | \$120.00 | |
| | NUMBER OF TABLES | 12 | \$10.00 | | \$100.00 | |
| | NUMBER OF CHAIRS | 40 | \$2.50 | | \$205.00 | |
| | NUMBER LOCKS , CHAINS, | 41 | \$5.00 | | \$6,046.00 | |
| | TOTAL RENTAL | | | | \$6,046.00 | |
| F | STAFFTIME | | | | | |
| | DAILY RETURNS | | | | | |
| | NUMBER OF EMPLOYEES | 20 | \$30.00 | | \$17,400.00 | |
| | HOURS WORKED (DAYS X NO. HOURS | 29 | | | \$90.22 | |
| | FICA 7.65 | | | | \$17,490.22 | |
| | TOTAL WAGES | | | | | |
| | PRO RATA COST | 1 | | | | |
| | TOTAL STAFFTIME | | | | \$17,490.22 | |
| G | E.B.AND S.V.C. | | | | | |
| | EARLY BALLOT BOARD | | | | | |

| | | | | | | |
|----------|-------------------------------------|--|-----|-------------|--|--------------------|
| | NUMBER OF BOARD MEMBERS | | 12 | | | |
| | HOURS WORKED | | 48 | \$17.00 | | \$9,792.00 |
| | SIGNATURE VERIFICATION COMM. | | | | | |
| | NUMBER OF MEMBERS | | 0 | | | |
| | HOURS WORKED | | 0 | \$0.00 | | \$0.00 |
| | TOTAL WAGES | | | | | \$9,792.00 |
| | UNEMPLOYMENT | | | | | \$0.08 |
| | FICA 7.65 | | | | | \$749.09 |
| | PRO RATA COST | | 1 | | | |
| | TOTAL E.B.B. AND S.V.C. COST | | | | | \$10,541.17 |
| H | PUBLICATION POLLING PLACES | | | | | |
| | EXPRESS NEWS | | 1 | \$24,000.00 | | \$24,000.00 |
| | LA PRENSA | | 1 | \$6,000.00 | | \$6,000.00 |
| | PRO RATA COST | | 1 | | | \$0.00 |
| | TOTAL PUBLICATION | | | | | \$30,000.00 |
| I | MISCELLANEOUS | | | | | |
| | NUMBER OF LABELS | | 52 | \$15.00 | | \$780.00 |
| | NUMBER OF CELL PHONES | | 42 | \$35.00 | | \$1,470.00 |
| | TRAINING CLASS FOR E.V. JUDGES | | | | | |
| | NUMBER OF JUDGES | | 0 | | | |
| | NUMBER OF HOURS | | 4 | \$20.00 | | \$80.00 |
| | WRITS AND MAILOUTS TO JUDGES | | | | | |
| | ENVELOPES AND POSTAGE | | 150 | \$0.66 | | \$99.00 |
| | NUMBER OF KITS | | 42 | \$55.00 | | \$2,310.00 |
| | TOTAL MISCELLANEOUS | | | | | \$4,739.00 |
| K | SUMMARY OF E.V. COST | | | | | |
| | REMUNERATION | | | | | \$267,156.87 |
| | PRINTING OF E.V. SUPPLIES | | | | | \$55,350.00 |
| | MAIL | | | | | \$23,500.00 |
| | TEMPORARY EMPLOYEE COST | | | | | \$60,428.21 |
| | RENTAL | | | | | \$6,046.00 |
| | STAFFTIME | | | | | \$17,490.22 |
| | E.B.B.AND S.V.C. COST | | | | | \$10,541.17 |
| | MISCELLANEOUS | | | | | \$4,739.00 |

| | | | | | |
|---------------------------------|--|--|--|---------------------|---------------------|
| PUBLICATION | | | | \$30,000.00 | \$30,000.00 |
| EARLY VOTING COST SUBTOTAL | | | | \$475,251.47 | \$475,251.47 |
| TOTAL EARLY VOTING COST | | | | | |
| 10% CONTRACT FEE EARLY VOTING | | | | \$47,525.15 | \$47,525.15 |
| Grand Total Early Voting | | | | \$522,776.61 | \$522,776.61 |

Kirby EXHIBIT "B" 4-May-24

| Election Day | Units | Cost Per Unit | Estimated | TOTALS |
|---------------------------------|-------|---------------|---------------------|---------------------|
| II | | | | |
| REMUNERATIONS | | | | |
| A | | | | |
| NUMBER OF JUDGES | 1 | | | |
| HOURS WORKED | 15 | \$17.00 | \$255.00 | |
| NUMBER OF CLERKS | 2.5 | | | |
| HOURS WORKED | 15 | \$15.50 | \$581.25 | |
| FICA 7.65 FOR JUDGES AND CLERKS | | | \$63.97 | |
| TOTAL WAGES JUDGES and CLERKS | | | \$900.22 | |
| NUMBER OF SITES | 252 | \$900.22 | \$226,856.23 | |
| SECURITY | 8 | | | |
| HOURS WORKED | 18 | \$35.00 | \$5,040.00 | |
| FICA 7.65 FOR SECURITY | | | \$385.56 | |
| TOTAL WAGES SECURITY | | | \$5,425.56 | |
| TOTAL REMUNERATION | | | \$232,281.79 | |
| REMUNERATIONS TOTAL | | | \$232,281.79 | \$232,281.79 |
| B | | | | |
| ELECTION NIGHT RETURNS | | | | |
| NUMBER OF SITES RETURNS | 252 | \$25.00 | \$6,300.00 | |
| NUMBER OF KITS | 252 | \$45.00 | \$11,340.00 | |
| TOTAL KITS AND RETURNS | | | \$17,640.00 | \$17,640.00 |
| C | | | | |
| RENTAL | | | | |
| NUMBER OF EXPRESSVOTES | 1080 | \$5.00 | \$5,400.00 | |

| | | | | |
|----------|---------------------------------------------------|-----|-------------|--------------------|
| | NUMBER OF DS200 | 252 | \$5.00 | \$1,260.00 |
| | NUMBER OF EXPRESS TOUCH | 252 | \$5.00 | \$1,260.00 |
| | NUMBER OF PROVISIONAL BAGS USE | 252 | \$6.00 | \$1,512.00 |
| | TABLES | 50 | \$10.00 | \$500.00 |
| | CHAIRS | 40 | \$2.50 | \$100.00 |
| | TRAFFIC CONES | 25 | \$1.20 | \$30.00 |
| | SHRINK WRAP COST | 0 | \$50.00 | \$0.00 |
| | NUMBER OF BALLOT BOXES | 25 | \$1.45 | \$36.25 |
| | COST OF LOCKS AND SEALS | 251 | \$1.50 | \$376.50 |
| | TOTAL RENTAL | | | \$10,474.75 |
| D | TRANSPORTATION | | | |
| | MOVERS | 294 | \$232.84 | \$68,454.96 |
| | TRUCK RENTAL | 5 | \$793.68 | \$3,968.40 |
| | PRO RATA COST | 1 | | |
| | TRANSPORTATION | | | \$72,423.36 |
| | TRANSPORTATION TOTAL | | | \$0.00 |
| E | PROGRAMMING, EQUIPMENT, TECHNICAL SERVICES | | | |
| | PERSONEL COST ON SITE TECHS | 60 | \$300.00 | \$18,000.00 |
| | TEMP AGENCY MARKUP | | 20.00% | \$2,806.20 |
| | ES&S TECHNICAL SUPPORT | 2 | \$ 5,200 | \$10,400.00 |
| | PROGRAMMING | 0 | \$1,500.00 | \$0.00 |
| | VOICE FILES | 0 | \$2,500.00 | \$0.00 |
| | CENTRAL COUNTING STATION JUDGE | 15 | \$25.00 | \$375.00 |
| | REGIONAL SENDING SITES | 5 | \$560.00 | \$2,800.00 |
| | CENTRAL COUNTING STATION MGR H | 25 | \$40.00 | \$1,000.00 |
| | TABULATION SUPERVISOR HOURS | 12 | \$35.00 | \$420.00 |
| | ASST TO TAB. SUPERVISOR HOURS | 12 | \$25.00 | \$300.00 |
| | COMPUTER COST | 0 | \$40,500.00 | \$0.00 |
| | TABULATION SOFTWARE | 0 | \$25,800.00 | \$0.00 |
| | AIS 850 OPTICAL SCANNERS | 1 | \$17,000.00 | \$17,000.00 |
| | PUBLIC TEST | 1 | \$50.00 | \$50.00 |
| | PREVENTIVE MAINT. INSP | 1 | \$2,600.00 | \$2,600.00 |
| | PRO RATA COST | 1 | | |
| | INFORMATION SERVICES | | | \$55,751.20 |

| | | | | | |
|--------------------------|--|--|--|--------------|--------------|
| TEMPORARY EMPLOYEE COST | | | | \$2,355.37 | \$2,355.37 |
| PUBLICATION | | | | \$375.00 | \$375.00 |
| TRANSPORTATION | | | | \$72,423.36 | \$72,423.36 |
| MISCELLANEOUS | | | | \$102,426.52 | \$102,426.52 |
| ELEC. DAY COST SUBTOTAL | | | | \$509,190.83 | \$509,190.83 |
| TOTAL ELECTION DAY | | | | \$509,190.83 | \$509,190.83 |
| 10% CONTRACT FEE | | | | \$50,919.08 | \$50,919.08 |
| Grand Total Election Day | | | | \$560,109.92 | \$560,109.92 |

| | Total | ESTIMATE |
|-----------------------------------------|----------------|----------------|
| Early Voting Grand Total | \$522,776.61 | \$522,776.61 |
| Election Day Grand Total | \$560,109.92 | \$560,109.92 |
| Total For Early Voting and Election Day | \$1,082,886.53 | \$1,082,886.53 |
| Pro Rata Share 005% | \$5,414.43 | \$5,414.43 |
| Amount of Deposit | \$5,414.43 | \$5,414.43 |
| (Overpaid)/Underpaid | | |

| I | Early Voting | Units | Cost Per Unit | Estimated | TOTALS | |
|-------------------------------|-----------------------------------|---------------------------|---------------|--------------|-------------|--|
| A | REMUNERATION | | | | | |
| | REMUNERATION SUMMARY | | | | | |
| | NUMBER OF JUDGES | 1 | | | | |
| | HOURS WORKED | 80 | \$17.00 | \$1,360.00 | | |
| | HOURS WORKED OVERTIME | 35 | | \$0.00 | | |
| | NUMBER OF CLERKS | 3 | | | | |
| | HOURS WORKED | 80 | \$15.50 | \$3,720.00 | | |
| | HOURS WORKED OVERTIME | 35 | | \$0.00 | | |
| | JUDGES DAILY RETURN FEE | | | | | |
| | NUMBER OF TRIPS | 2 | | | | |
| | COST PER TRIP | | \$7.50 | \$570.00 | | |
| | COST PER CREW | CC | | \$5,650.00 | | |
| | NUMBER OF SITES | 38 | | | | |
| | WAGES | | | \$214,700.00 | | |
| | TOTAL FICA | | | \$16,424.55 | | |
| TEMP AGENCY MARKUP | | 20.00% | \$36,032.32 | | | |
| TOTAL REMUNERATION | | | \$267,156.87 | \$267,156.87 | | |
| B | PRINTING | | | | | |
| | PRINTING OF EARLY VOTING SUPPLIES | | | | | |
| | FORMATTING STYLE | 37 | \$50.00 | \$1,850.00 | | |
| | NUMBER OF MAIL BALLOTS | 25,000 | \$0.50 | \$12,500.00 | | |
| | BALLOT CARDS | 200,000 | \$0.18 | \$36,000.00 | | |
| | NUMBER OF SAMPLE BALLOTS | 50,000 | \$0.10 | \$5,000.00 | | |
| | Freight | | \$0.00 | \$0.00 | | |
| | TOTAL PRINTING | | | \$55,350.00 | \$55,350.00 | |
| | C | MAIL | | | | |
| | | NUMBER OF WHITE ENVELOPES | 25,000 | \$0.09 | \$2,250.00 | |
| NUMBER APPLICATIONS | | 5,000 | \$0.05 | \$250.00 | | |
| NUMBER OF CARRIER ENVELOPES | | 25,000 | \$0.09 | \$2,250.00 | | |
| NUMBER OF TRANSPORT ENVELOPES | | 25,000 | \$0.09 | \$2,250.00 | | |
| NUMBER OF POSTAGE STAMPS | | 25,000 | \$0.66 | \$16,500.00 | | |
| TOTAL MAIL | | | | \$23,500.00 | \$23,500.00 | |

| | |
|-------------------------------------|-----------------------------------------|
| <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: April 11, 2024

AGENDA ITEM: 9 b.

Discussion and Possible Action regarding a Resolution Authorizing the City Manager to submit an application for funding from the Bexar County Community Block Grant Program Year 2024 Allocation of Bexar County's CDBG Program. (Councilmembers Hitt, Molina, City Manager Martinez)

**RESOLUTION AND SIGNATURE AUTHORIZATION REQUIREMENTS
FOR CDBG, HOME, and ESG APPLICATION PROCESS**

RESOLUTION

A resolution authorizing the submission of an application for funding from the PY 2024 allocation of Bexar County's CDBG, HOME, and ESG Programs.

Whereas, the governing body of the City of Kirby is in urban county or in a participating city in Bexar County's CDBG, HOME, and ESG Program eligible areas.

BE IT RESOLVED by the governing body of the City of Kirby as follows:

The following governing body the Kirby City Council has reviewed and hereby approves an application(s) for up to \$319,927.30 for the following activities:

List all activities/ application requests by priority and include funding breakdown

| | |
|----------------------------------------------------|--------------|
| Projects: | |
| Swann Lane Reconstruction - Priority 1 | \$209,600.00 |
| Boatman Intersection Reconstruction – Priority 2 | \$9,527.30 |
| Friendship Park Restroom Construction – Priority 3 | \$100,800.00 |

The following governing body the Kirby City Council hereby approves the use of local funding sources (listed below) in the amount of \$79,981.98 to be used as the cash match for the activities listed in the grant application.

| | |
|--------------------------|--------------------|
| Project Matching Funds: | |
| General Funds Cash Match | <u>\$79,981.98</u> |

The governing body hereby authorizes and directs the City Manager (title of designated officials), or designees to sign this application and act on the governing body's behalf in all matters pertaining to this application.

PASSED AND ADOPTED at a regular meeting with the governing body's approval on this _____ 11th day of April, 2024 _____.

ATTEST: _____
Name, Title

Bexar County Department of Community Resources

2024 - Bexar County CDBG, HOME, & ESG NOFA

Deadline: 4/8/2024

112 Bauman Street

Jump to: [Application Questions](#) [Documents](#)

\$ 319,927.30 Requested

Project Contact
Bobby J Martinez
citymanager@cityofkirby.org
Tel: 210-237-6318

Additional Contacts
none entered

112 Bauman Street

112 Bauman St
Kirby, TX 78219
United States

Telephone 210-661-3198
Fax
Web citymanager@cityofkirby.org

City Manager
Bobby Martinez
citymanager@cityofkirby.org

Application Questions [top](#)

Some answers will not be presented because they are not part of the selected group of questions based on the answer to #3.

Project Description

All applicants must answer the following questions.

1. Please describe the organization.

Kirby is an independent home-ruled municipality located within the geographic limits of the City of San Antonio, both within Bexar County, Texas.

2. Provide a concise description of the proposed project. What are the goals/objectives of the project?

Please be specific about the scope of work and indicate specifically how County funds will be used. A more detailed project narrative can be attached to the application, if necessary.

The proposed projects include the rehabilitation of part of Swann Lane from Alan Shepard to French Sea; the intersection of Boatman with Ackerman Rd; the building of a new restroom facility at Friendship Park. The city plans to take care of the sanitary sewer repairs along with the street rehabilitation.

3. For which type of grant are you applying?

- Community Development Block Grant (CDBG)

- HOME Investment Partnerships Program (HOME)
- Emergency Solutions Grant (ESG)

4. Please describe the social and/or economic impact of the project on Bexar County. Summarize any statistics and other supporting documentation that demonstrate the importance of addressing this need or problem.

The City of Kirby was incorporated in 1955. We are a primarily residential community that is landlocked. Our property tax rate is the second highest in Bexar County and we have limited commercial tax base so we rely heavily on other sources of revenue such as grants. The majority of our streets are in need of repair and maintenance due to many years of a strained budget that prevented us from being able to fund needed work. We obtained a Street Assessment and 3 year maintenance plan in 2019 and we have been working diligently to reconstruct and maintain streets as identified and categorized in the plan. Our current overall street repair needs are three times our annual City Budget. We are pursuing additional equipment and personnel to be able to address some of our street repair needs internally. Our park restrooms are in dire need of replacement, but budget restraints and other urgent matters have caused us to put off their replacement. Friendship Park is where we stage our large events such as 4th of July Celebrations so having clean, working restroom facilities are necessary for the residents.

5. What is the project address?

1. Swann Lane from Alan Shepard to French Sea; Boatman intersection with Ackerman
2. Friendship Park at 5851 Binz-Engleman Rd

6. Are there any known impediments to the project? For example: pending lawsuits, community objections, fair housing issues, etc.

If yes, please explain.

No

7. Is the project located in a flood plain? Please reference the following map and attach a copy to the application: <https://msc.fema.gov/portal/home>.

No

Project Timeline and Agency Capacity

All applicants must answer the following questions.

8. Discuss the timeline for the project including dates for start and completion and other significant stages, such as hiring staff or securing a site, as applicable to the project.

A more detailed timeline can be attached to the application, if necessary.

City of Kirby staff will work with Bain Medina Bain Engineers on the design, bidding, and construction of these projects to have them completed during our 2024-2025 Fiscal Year.

9. Describe the agency's capacity to implement the proposed project.

The City Council has voted to commit matching funds for street rehabilitation, adding a park restroom, and providing rehabilitation of the Kirby Senior Center. The City Manager, Public Works Director and City Engineer will dedicate time to these projects.

10. Will the project collaborate with any service providers in the community? If yes, list them and briefly describe the collaboration. If there are no collaborative partners, please explain how the agency proposes to coordinate services with other community agencies in order to leverage resources.

We will coordinate with SAWS, CPS Energy and all associated utility providers on the road project design and potential relocation or upgrades. We will also work with VIA and Judson ISD on transportation detours as needed. Swann Lane and Boatman are residential streets so we will work with residents to ensure they

maintain access to their homes throughout this project.

Budget and Financial Capacity

All applicants must answer the following questions.

11. What is the total amount of grant funds requested for the project?

Project 1 Road Repair-\$219,127.30 Project 2 Park Restrooms-\$100,800.00 Project - \$319,927.30

12. What is the total cost to complete the project?

Please attach both an operating budget AND a project budget. If the grant funds will be used to fund a staff position, a job description must be included with the project budget.

Project 1 Road Repair-\$273,909.28 Project 2 Park Restrooms-\$126,000.00 Project Total - \$399,909.28

13. Explain how the estimated project cost was determined and why the cost estimate is accurate and reasonable. Describe the need for grant funds to make the project work financially.

Housing proposals must include a pro forma.

In good faith and in the interest of time we used a previous estimate on a CDBG Grant for Foxcross provided by the County Grant as a starting point and increased by a modest CPI of 20% to arrive at the cost for street rehabilitation and sewer repairs on Swann and Boatman. The City of Kirby will use Water Fund monies for sewer issues and the CDBG will be used for street rehabilitation. The City General Fund will be used for the 20% match for this grant.

14. What is the estimated total number of unduplicated clients/households to be served? What is the estimated cost per client/household?

About 8700 residents and 120 businesses.

15. Briefly describe the agency's financial reporting system/accounting procedures with relevance to the proposed project.

The City of Kirby uses Tyler Technologies InCode accounting system. It is a combination of manual and automatic.

16. Briefly describe the agency's internal controls to minimize opportunities for fraud, waste, and mismanagement.

We have accounts payable procedures and obtain an independent audit annually as well as a single audit for federal funding when applicable.

17. Has the agency had any audit findings within the last three (3) years? If yes, how were they resolved? Are there any outstanding findings which remain unresolved?

Please attach a copy of the most recent audit or financial statement.

No findings or unresolved issues.

Performance Measures/Outcomes

All applicants must answer the following questions.

18. How will the effectiveness or impact of the project be measured in meeting the needs of the persons assisted with these grant funds?

The City of Kirby tracks completion of each project in relation to the Street Assessment and Maintenance Plan. Periodic reports are provided during City Council Meetings to allow citizen participation and feedback.

19. List up to three (3) performance measures or outcomes of the project (at least one is required). Please specify the type of outcome to be achieved, e.g. individuals/households served, affordable housing units constructed or rehabilitated, jobs created, etc. For each performance measure or outcome listed, provide the number of unduplicated beneficiaries.

Improve residential/pedestrian access; provide adequate restroom facilities for park users.

Past Performance

All applicants must answer the following questions.

20. Has the agency received CDBG, HOME, or ESG funds in the past five years?

Yes

21. Has the agency had funding recaptured or returned within the past five years?

If the agency was funded during this period and did not meet its goals or expend its full allocation, please explain why.

No

22. Has the agency had any monitoring findings within the past five years? If yes, how were they resolved? Are there any outstanding findings which remain unresolved?

No

23. Has the agency had any experience administering any other Federal grants or Federal programs? If yes, please describe the grant/program administered, the outcomes, and any issues/findings.

Yes, several completed CDBG projects and two completed MPO projects.

CDBG Applicants Only

CDBG applicants must answer the following questions.

24. Choose the activity that best describes the project:

- Public facility improvement
- Infrastructure
- Removal of architectural barriers
- Public service
- Economic development
- Other:
- Not Applicable

25. Choose the National Objective that best describes the project:

- Benefit low to moderate income individuals/households
- Prevent or eliminate slum or blight
- Community urgent need
- Not Applicable

26. For infrastructure/public facility applicants only: What specific census tract(s) and block group(s) does the project intend to serve? What percentage of the census tract or block group is low to moderate income? Please reference the following map and attach a copy to the application. Note: The project must benefit at least 51% low-moderate income people in order to be eligible.
<https://hud.maps.arcgis.com/apps/webappviewer/index.html?id=ffd0597e8af24f88b501b7e7f326bedd>.

For CDBG Public Service, please enter "Not Applicable".

Project 1- Block Group 3, Tract 1315.04 – 52% low/mod; Block Group 3, Census Tract 1315.04 – 52% low/mod

Project 2- Block Group 1, Tract 1315.07 – 56.4% low/mod

27. Has a governing body (board of directors, city council, etc.) approved a resolution requesting funds for the proposed project? If yes, please attach a copy of the resolution to the application. If no, the resolution must be submitted no later than April 19, 2024 for the application to be considered complete.

Voted yes but need the resolution at the next council meeting.

28. How much does the agency plan to contribute to the project (i.e. match funds)?

Note: CDBG match funds are not required, but CDBG applicants are strongly encouraged to contribute match funds.

\$79,981.98 for all projects.

29. Identify sources and amount of leveraged funding, including in-kind match. Include the status of these funds (e.g. cash on hand, grants received, planned fundraising, in-kind amount for volunteers, staff time, etc.).

City of Kirby General Fund

HOME Applicants Only

HOME applicants must answer the following questions.

30. Choose the activity that best describes the project:

-answer not presented because of the answer to #3-

31. Has a governing body (board of directors) approved a resolution allocating funds for the proposed project? If yes, please attach the resolution to the application. If no, the resolution must be submitted by April 19, 2024 for the application to be considered complete.

-answer not presented because of the answer to #3-

32. Is the project within the limits of the City of San Antonio? If yes, the agency must submit a letter of commitment from the City of San Antonio indicating the amount and source of funds the City has committed to the project.

-answer not presented because of the answer to #3-

33. What are the sources and uses of funds for the project including hard and soft cost items? Include all firm written financial commitments for the project.

-answer not presented because of the answer to #3-

34. How much does the agency plan to contribute towards the project (i.e. match funds)?

-answer not presented because of the answer to #3-

35. Identify sources and amount of match funds. Include the status of these funds (i.e. cash on hand, grants received, planned fundraising, in-kind amount of volunteers, staff time, etc.).

-answer not presented because of the answer to #3-

36. For new construction of homeowner or rental units, describe the evidence of sufficient demand for the proposed units.

-answer not presented because of the answer to #3-

37. For new construction of homeowner units, provide information from the Multiple Listing Service (MLS) pertaining to recent sales in the neighborhood, average time on the market for recent sales,

availability of other product and average "months of supply" currently available, and any other planned projects. Identify the profile of a typical buyer, relationships with homeowner counseling agencies or other sources of buyer referrals, and plans for marketing the new homes. Can the developer demonstrate that a home has been pre-sold to an identified low-income buyer who has, at least, executed a reservation or initial purchase agreement with the developer?

-answer not presented because of the answer to #3-

ESG Applicants Only

ESG applicants must answer the following questions.

38. Choose the activity that best describes the project:

-answer not presented because of the answer to #3-

39. Has a governing body (board of directors) approved a resolution allocating funds for the proposed project? If yes, please attach the resolution to the application. If no, the resolution must be submitted no later than April 19, 2024 for the application to be considered complete. The agency must also submit a letter of support from the local Continuum of Care (CoC).

-answer not presented because of the answer to #3-

40. How has your organization been involved in providing emergency solutions to the homeless population in your community?

-answer not presented because of the answer to #3-

41. How will Bexar County ESG funding be used to support your organization's efforts to address homelessness in your community? How will your organization ensure that the funding is used efficiently and effectively to provide emergency solutions to the homeless population in your community?

-answer not presented because of the answer to #3-

42. How will you ensure that the project complies with all relevant regulations?

-answer not presented because of the answer to #3-

43. Can you discuss any challenges or barriers your organization has faced in addressing homelessness in your community, and how the funding will help address those challenges?

-answer not presented because of the answer to #3-

44. The agency must assist each program participant, as needed, to obtain appropriate supportive services, including assistance in obtaining permanent housing, medical health treatment, mental health treatment, counseling, supervision, and other services essential for achieving independent living; Other Federal, State, local, and private assistance available to assist the program participant in obtaining housing stability (i.e Medicaid, SNAP, SSI/SSDI etc). Describe how your organization assists clients to access mainstream resources and which mainstream resources are most often utilized by your clients.

-answer not presented because of the answer to #3-

45. ESG requires 100% match funds contribution. Identify sources and amount of match funds. Include the status of these funds (e.g., cash on hand, grants received, planned fundraising, an in-kind amount for volunteers, staff time, etc.).

-answer not presented because of the answer to #3-

46. Describe the staffing and resources that will be used to ensure quality services are provided. Please include information on minimum qualifications for staff (including experience) assigned to the program.

-answer not presented because of the answer to #3-

47. Describe the agency's experience providing housing search and placement assistance, including assisting clients with barriers to housing placement. Describe the agency's experience working with area landlords and/or property managers.

-answer not presented because of the answer to #3-

48. ESG regulations require use of Coordinated Entry system and data on all persons served and all activities assisted under ESG are entered into the applicable community-wide HMIS in the area in which those persons and activities are located, or a comparable database, in accordance with HUD's standards on participation, data collection, and reporting under a local HMIS. If the agency is a victim service provider (VSP) or a legal services provider (LSP), it may use a comparable database that collects client-level data over time (i.e., longitudinal data) and generates unduplicated aggregate reports based on the data. Describe and discuss the agency's experience with Coordinated Entry and HMIS or other reporting systems.

-answer not presented because of the answer to #3-

49. The agency must involve homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under ESG, in providing services assisted under ESG, and in providing services for occupants of facilities assisted under ESG. This involvement may include employment or volunteer services. What are the agency's methods of involving homeless persons in the provision of services that the agency is currently using or will be using during this program year?

-answer not presented because of the answer to #3-

Documents [top](#)

Documents Requested *

[List of Board of Directors/City Councilman](#)

[Organization Bylaws \(if applicable\)](#)

[Articles of Incorporation](#)

[Current Organization Chart](#)

[IRS 501\(c\)\(3\) Designation \(if applicable\)](#)

[Tax Exempt Letter \(if applicable\)](#)

[Data supporting program/project](#)

[Organization's Current SAM Status](#)

[Project/program timeline](#)
[download template](#)

[Most recent fiscal year audit or financial statement](#)

[W-9](#)

[Operating Budget](#)
[download template](#)

Required?Attached Documents *



[List of City Council Members](#)



[City Charter](#)



[Organizational Chart](#)



[IRS Ruling 501 c3](#)

[Tax Eexempt](#)



[SAM](#)



[2024-1 Swann ProjImplementSched](#)

[2024-2 Boatman ProjImplementSched](#)

[2024-3 Friendship Park RR
ProjImplementSched](#)



[Goverance Letter](#)



[IRS W-9](#)



[2024-1 Swann Op Bud](#)

[2024-2 Boatman Op Bud](#)

Project Budget
[download template](#)



[2024-3 Fr Pk RR Op Bud](#)
[2024-1 Swann ProjBudget](#)
[2024-2 Boatman ProjBudget](#)
[2024-3 Fr Pk RR ProjBudget](#)

Professional Cost Estimate (if applicable)

Goals, objectives, and performance indicators
[download template](#)



[2024-1 ProjGoalObj](#)
[2024-2 ProjGoalObj](#)
[2024-3 ProjGoalObj](#)

Low-moderate Census Tract/Block Group
Map (required for CDBG infrastructure and
public facility applicants)

[2024-1 Swann Census Block map](#)
[2024-2 Boatman Census Block map](#)
[2024-3 Fr Pk RR Census Block map](#)

Income survey (only if program/project is
qualifying based on a survey)

FEMA flood map



[Flood map 1](#)
[Flood map 2](#)

Environmental documents (if applicable)

Resolution from a governing body/city council
[download template](#)



[Resolution -4-11-24](#)

Approved minutes for Board of Directors/City
Council



[Council Minutes-3-14-24](#)

Letter of support from Continuum of Care
(required for ESG applicants only)

Letter of Commitment from City of San
Antonio (required for HOME applicants only)

Letter(s) of Commitment of Match Funds
(HOME and ESG applicants)

Market analysis (HOME applicants only)

Supplemental Documents (if applicable)

Conflict of Interest Policy
[download template](#)



[Conflict of Interest](#)

Signature Authorization Form
[download template](#)



[Signature Authorization 4-14-24](#)

Statement of Applicant
[download template](#)



[Statement of Applicant](#)

Job Description for Proposed Grant Funded
Positions (if applicable)

** ZoomGrants™ is not responsible for the content of uploaded documents.*

Application ID: 470422

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STATEMENT OF APPLICANT

The undersigned acknowledges the following:

1. That, to the best of its knowledge and belief, all factual information provided is true and correct and all estimates are reasonable.
2. That, no revised proposals/applications may be made in connection with this application once the deadline for applications has passed.
3. That, Bexar County may request or require changes in the information submitted, and may substitute its own figures, which it deems reasonable for any or all figures provided. That the applicant will participate in required interviews for project assessment and cooperatively assist in the review process.
4. That, if the project(s) is recommended and approved by the Judge and Commissioners, Bexar County reserves the right to reduce and/or cancel the allocation if federal entitlements are canceled, reduced, deemed ineligible or rescinded and may require applicant to submit a revised budget and project/activity description with reduced funding prior to the commitment of any funding.
5. That, Bexar County may require applicant to demonstrate that the proposed project/activity is economically feasible, can be implemented in a cost effective manner identified in the completion timeframe.
6. That, Bexar County may require applicant to provide sustainability plan.
7. That, Bexar County reserves the right not to fund any submittals received.
8. That, by submission of this application, the organization agrees to abide by the federal regulations applicable to this program.
9. That, if the project(s) is funded, the organization agrees to abide by the County's locally established policies and guidelines
10. That, past program performance, expenditures and financial performance will be considered in reviewing and evaluating this application.
11. That, services are to be provided at no cost to citizens during the grant period. All program income (i.e.: fees, repayments, foreclosures, etc.) must be remitted to the County.
12. That, if the project(s) is funded, the County or a designated agency may conduct an accounting system inspection to review internal controls, including procurement and uniform administrative procedures, prior to issuance of payments for projected expenditures.
13. That, if project(s) is funded, the County will perform an environmental review prior to the obligation of funds.
14. That, if a construction or rehabilitation project(s) is funded, the organization agrees to comply with Davis Bacon Related Acts and Federal Labor Standards if receiving federal funds. Please be advised that labor costs may increase the project cost by 10-15%.

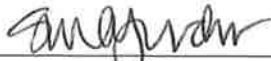
15. That, if project(s) is funded, project(s) must be accessible to persons with disabilities. Information, participation, communications, services and improvements must be accessible to persons with disabilities in compliance with the Americans with Disabilities Act.
16. That, if a construction or rehabilitation project is funded, the County will require the organization to contract an architect or engineer to develop the design, drawings or bid-ready plans and specifications.
17. That, if a project is funded, a written agreement that includes a statement of work, records retention and reporting, program income procedures, local and federal requirements, circumstances that would trigger grant suspensions and terminations, and reversions of assets would be required between the organization and the County.
18. That a project's funding does not guarantee its continuation in subsequent action plans.
19. Provide written signatory authority from the organization's governing body indicating who can execute contracts and amendments on its behalf.
20. Applicant Agrees to abide by Bexar County's Conflict of Interest policy. Items of concern would include staff members serving on the Board of Directors, staff members' families serving on the Board of Directors, governing bodies, council and other matters that may give the appearance of a conflict of interest.

PENALTY FOR FALSE OR FRAUDULENT STATEMENT

U.S. Code Title 18, Section 1001, provides that a fine of up to \$10,000 or imprisonment for a period not to exceed five years, or both, shall be the penalty for willful misrepresentation and the making of false, fictitious statements, knowing same to be false.

By signature below, the applicant acknowledges the above in its name on the 8th day of April, 2024.

City of Kirby, Texas

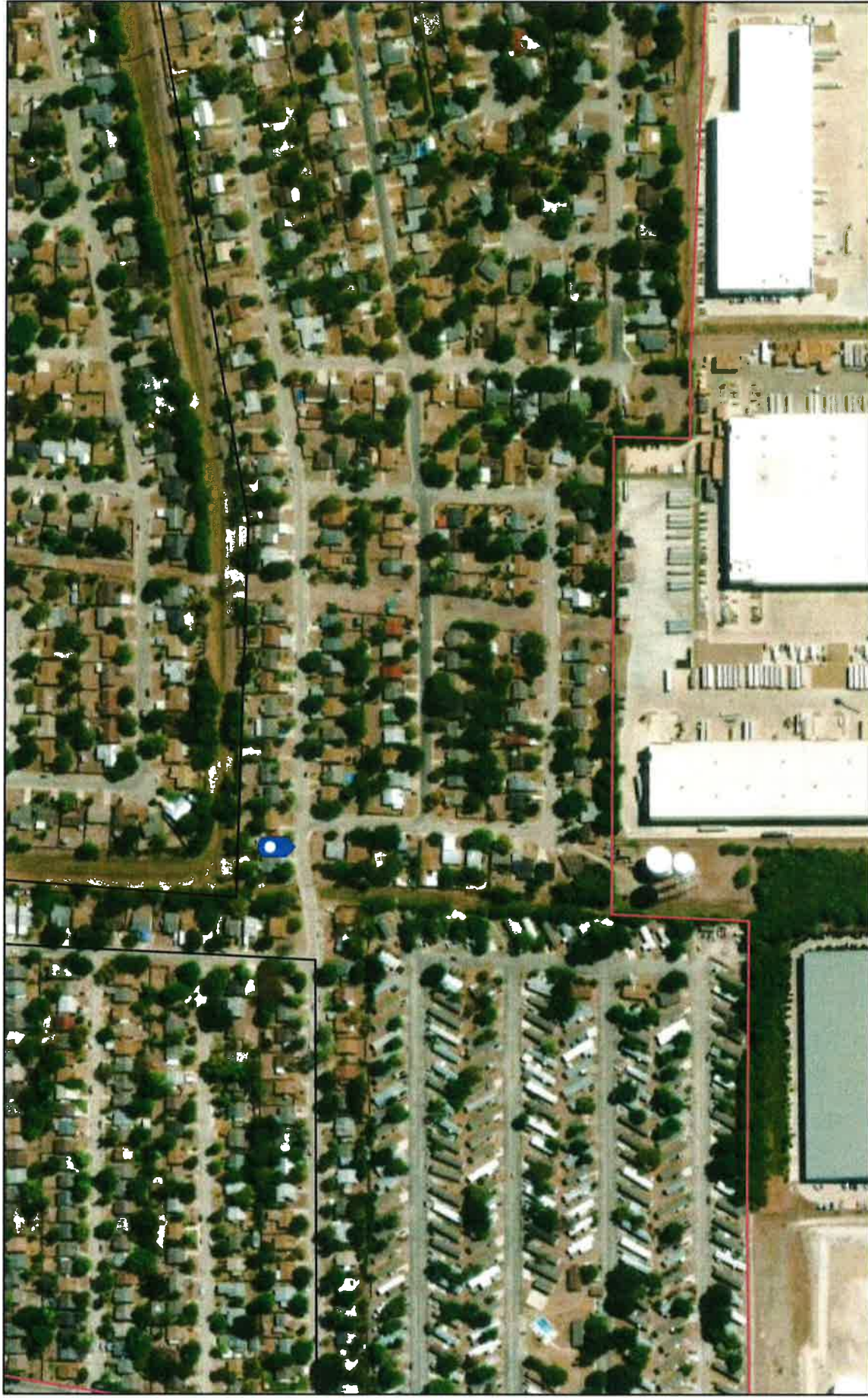


(Signature)


Mayor, Pro-Tem for Mayor City of Kirby, Texas


(Title)


Low- and Moderate-Income Data, based on 2011-2015 ACS 5-year Estimates




4/8/2024, 5:12:00 AM

 LMISD by Block Group

 LMISD by County Subdivision

 LMISD by Place & Consolidated City

 LMISD by County

1:4,514

0 0.03 0.07 0.13 mi
0 0.05 0.1 0.2 km

Maxar

Low- and Moderate-Income Data, based on 2011-2015 ACS 5-year Estimates

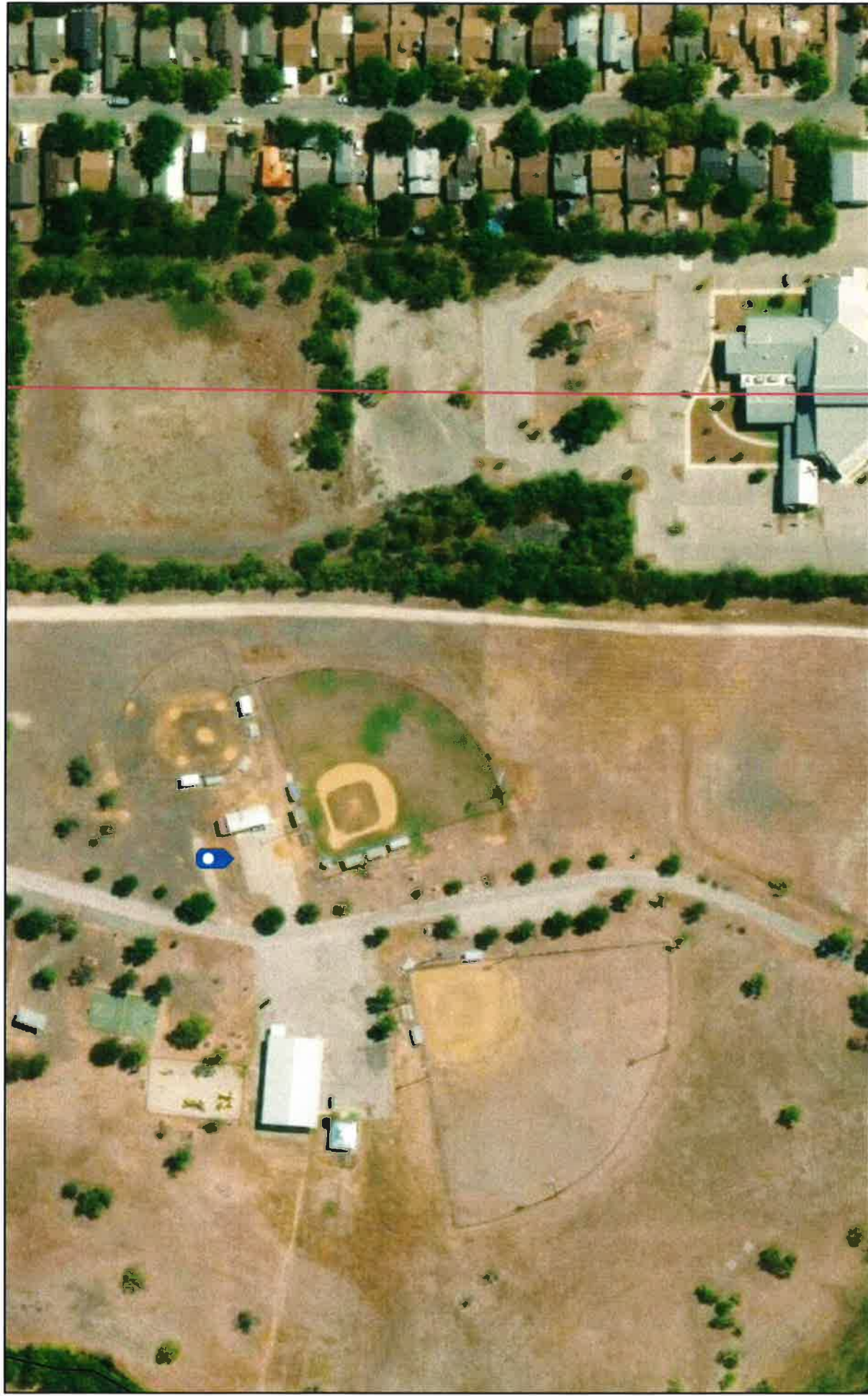


4/8/2024, 5:15:06 AM

-  LMISD by Block Group
-  LMISD by County Subdivision
-  LMISD by Place & Consolidated City
-  LMISD by County

Maxar, Microsoft

Low- and Moderate-Income Data, based on 2011-2015 ACS 5-year Estimates



4/8/2024, 5:16:24 AM

LMISD by Block Group

LMISD by County Subdivision

LMISD by Place & Consolidated City

LMISD by County

1:2,257
0 0.01 0.03 0.06 mi
0 0.03 0.05 0.1 km

Maxar, Microsoft

SIGNATURE AUTHORIZATION FORM

The Board of Directors/City Council of City of Kirby, Texas
does hereby resolve that on April 11, 2024 (date), the Board/City Council
reviewed the Application to be submitted to Bexar County Economic and Community Development
Department- Community Development Division for funding consideration for the program year 2024
and in a proper motion and vote approved this application for submission.

The Board/City Council further certifies that the organization making this application has complied with
all applicable laws and regulations pertaining to the application and is a non-profit organization, tax-
exempt, and incorporated in the State of Texas.

City of Kirby, Texas (Name of organization requesting CDBG/
HOME/ESG funds) hereby proposes to provide services or the project identified in the Scope of Services
in accordance with this application for CDBG/HOME/ESG Funds. If the application is approved and this
organization receives CDBG/HOME/ESG funding from Bexar County, this organization agrees to adhere
to all relevant Federal, State, and local regulations and other assurances as required by the County.
Furthermore, as the duly authorized representative of the organization, I certify that the organization is
fully capable of fulfilling its obligation under this application as stated herein.

I further certify that this application and the information contained herein are true, correct, and
complete.

I also authorize the following person(s) to have signatory authority regarding this grant:

Bobby J. Martinez, MPA, MA (Interim) City Manager

Name Title

Jenise Diaz- Best, CPA Interim Finance Director

Name Title

Jenisha Grider, Mayor, City of Kirby

Date: April 11, 2024

PENALTY FOR FALSE OR FRAUDULENT STATEMENT

U.S. Code Title 18, Section 1001, provides that a fine up to \$10,000 or imprisonment for a period not to
exceed five years, or both, shall be the penalty for willful misrepresentation and the making of false,
fictitious statements, knowing same to be false.

| | |
|-------------------------------------|-----------------------------------------|
| <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: April 11, 2024

AGENDA ITEM: 9 c.

Discussion and Possible Action Authorizing the City Manager and Interim Finance Director as Signature Authority for the city of Kirby for the Bexar County Community Block Grant Program Year 2024 Allocation of Bexar County's CDBG Program. (City Manager, Interim Finance Director)

| | |
|-------------------------------------|-----------------------------------------|
| <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: April 11, 2024

AGENDA ITEM: 9 d.

Discussion and Possible Action on Change Order #5 seeking compensation by the Ackerman Road Street project contractor Austin Bridge and Road, for the extra 61 unforeseen mailboxes needed to replace all the residents' mailboxes in the amount of \$32,025.00 (Interim Public Works Director).

| | |
|-------------------------------------|-----------------------------------------|
| <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: April 11, 2024

AGENDA ITEM: 9 e.

Discussion and Possible Action on Change Order #8 seeking compensation by the Ackerman Road Street project contractor Austin Bridge and Road, related to the adjustment of an existing 12' water main over a proposed 30' RCP as well as the cost for 2 days partial closure and 2 days of off duty police officers to manage traffic at Binz-Engleman in the amount of \$38, 251.00 (Bain Medina Bain, Interim Public Works Director)

| | |
|-------------------------------------|-----------------------------------------|
| <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: April 11, 2024

AGENDA ITEM: 9 f.

Discussion and Possible Action on Change Order #9 which seeks compensation by the Ackerman Road Street project contractor Austin Road and Bridge, for aligning of an existing PVC water line around junction boxes on NB Ackerman Rd. starting at junction box A-3 in the amount of \$25,942.00 (Bain Medina Bain, Interim Public Works Director).

| | |
|-------------------------------------|-----------------------------------------|
| <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: April 11, 2024

AGENDA ITEM: 9 g.

Discussion and Possible Action authorizing the Interim City Manager to issue Request for Qualifications (RFQ) for City Attorney. (Councilmembers Garza and Martin)

CC 4 11 24 CITY ATT RFQ

**REQUEST FOR
QUALIFICATIONS (RFQ)
FOR
CITY ATTORNEY/LEGAL SERVICES FOR THE CITY OF
KIRBY, TEXAS**

On or before 3:00 p.m. on Monday, April 8th, 2024, the City of Kirby will receive qualification statements from interested attorneys or law firms for services related to providing legal assistance to the City. No late responses will be accepted.

Interested individual/firms should submit eight (8) copies of their statement of qualifications to:

**City of Kirby Texas
Attn:
Bobby J Martinez
Interim City Manager
112 Bauman Street Kirby Texas 78219-1098**

Further information may be obtained by contacting the City Manager's office at:

**City of Kirby
112 Bauman Street Kirby Texas 78219-1098
(210)- 661-3198
citymanager@cityofkirby.org**

Release Date: March 15, 2024

Qualifications Due: April 8th, 2024, 3:00 p.m.

Presentation for Appointment: To Be Announced

One complete set of the response must be received no later than this date and time in a sealed envelope or email indicating that its contents are in response to the "City of Jourdanton – Statement of Qualifications for Professional Services – Legal."

PLEASE NOTE: The selection of an attorney or firm to provide the described scope of services will not be made on cost alone but may be made based on the consideration of qualifications- related factors contained in this Request for Qualifications. If selected as a finalist, you will be asked to make a presentation/introduction to the City Council. There is no expressed or implied obligation on the part of the City of Kirby to reimburse responding firms for any expenses incurred in preparing or presenting a Request for Qualifications in response to this request.

I. PURPOSE

The City of Kirby as a home-rule municipality, with a population of approximately 8,765, operates under the city manager form of government. City services include but are not limited to police, fire, public works, code compliance, building inspection, parks, swimming pool. The City Manager directly reports to the Mayor and City Council and is responsible for the day-to-day business and operation affairs of the City.

The city charter, in part states: "the City Council shall appoint a competent and duly licensed attorney practicing law in the State of Texas, who shall be the City Attorney... and shall hold office at the pleasure of the City Council. The City Attorney, or such other attorney selected by him or her with the approval of the City Manager, shall represent the City in all litigation. He or she shall be the City Attorney and counsel for the City and all officers and departments thereof."

In order to be considered, responses must address each of the points requested in this document, including rates and fees.

The individual or firm will be tasked with providing general municipal counsel, basic legal services, advice on special projects, and advice to the Mayor and City Council and City Manager. The city requests that one attorney be designated as the point of contact or lead attorney. Accessibility to and a timely response from the attorney to the City Manager on behalf of the Mayor and City Council is essential.

II. SERVICE REQUIRED

The individual(s) selected must have a Juris Doctorate from an accredited law school, a license to practice law in the State of Texas and be a member in good standing of the State Bar of Texas. Also, evidence experience with Texas municipalities and knowledge of Texas Municipal Law, Texas Open Meetings Act, personnel law, utility law, election law and land use and zoning regulations. Because the City is insured by the Texas Municipal League, the City Attorney represents the City in litigation and/or coordinates the representation of the City by legal specialist or TML- IRP appointed attorney.

Per the city charter Section 3.04: "The City Attorney, or such other attorney selected by him or her with the approval of the City Manager, shall represent the City in all litigation."

Based on the policy direction of the City Council, as recommended by the City Manager, in reviewing and drafting ordinances, resolutions, contracts, agreements, deeds, easements, and addressing other legal issues, basic legal services required include:

- A. Providing advice regarding government operations, elections, open meetings, public information, City Ordinances, State law, personnel matters, property matters, and real estate matters, including annexation, zoning, and condemnation.
- B. Reviewing agendas and materials for the City Manager for Council meetings, anticipating, and preparing legal advice on items to be addressed at the Council meeting, and attending Council meetings. Regular meetings are at 7:00 p.m. on the 2nd and 4th Thursday day of each month plus special meetings upon request. Arrive by 6:00 pm on the day of each council meeting.
- C. Providing legal opinions upon request by the City Manager on behalf of the Mayor and City Council or City Secretary related to Open Records Requests.
- D. Assisting in preparing requests for any necessary Attorney General opinions through an authorized Requestor.
- E. Representing the City as City Attorney in legal matters.

- F. Serving as the City Attorney by prosecuting violations of municipal ordinances when needed.
- G. Upon council policy direction may assist the City Manager with contract negotiations or disputes.
- H. Maintaining an appropriate professional, ethical working relationship with the Mayor, City Council, and City Manager.

In order to avoid any misunderstandings, legal services are billable only upon phone authorization, written request, or directive by the Mayor on behalf of the City Council, the City Manager, or by the City Secretary when an issue is related to Open Records Requests. The firm will be required to provide a detailed, itemized billing monthly to the City Manager for review and approval.

Toward that end, a standing request exists for legal review of contracts, ordinances and resolutions presented to Council for consideration at its Regular Council or Special called meetings in addition to anticipating and preparing legal advice on prospective issues. Attendance at the Regular and Special Called Council meetings is required.

All other requests must have City Manager approval prior to commencement of the service, including citizens' inquiries. Counsel will be required to generally familiarize himself/herself with general municipal law, keep abreast of legislation affecting cities outside the scope of billable services. Pre-authorized reference materials and on-going training and travel expenses will be reimbursable in accordance with City policy.

III. FORMAT FOR STATEMENT OF QUALIFICATIONS

- All pages of the response must be numbered consecutively. The responses shall not exceed fifteen (15) pages in length. Resumes, licenses and work examples shall not count against this page limit.
 - The responses must be organized in accordance with the list of contents.
 - Responses should include the following items herein described. All items must fall within the maximum page count.
- A. **Letter of Transmittal.** All responses must include a cover letter addressed to the Mayor and City Council and City Manager signed by a duly constituted official. The cover letter must include name, address and telephone number of the proposer, and name, title, address, telephone number, fax number and email address of the person, or persons, to contact who are authorized to represent the proposer and to whom correspondence should be directed by the City Manager.
 - B. **Table of Contents.** Include a clear identification of the material by section and by page number.
 - C. **Executive Summary.** The responses shall use this section to introduce the scope of the proposal; (i.e. full city attorney services; general counsel services only; or city prosecutor services only) and to summarize the key provisions of the qualifications. Provide a statement describing why you or the firm is qualified to perform this work. Provide a summary detailing the experience and understanding of the role of providing consulting legal services, including how the City Attorney balances the relationship between the City Manager and City Council. The summary should also include the Firm/Individuals Mission Statement and a Statement of Values.
 - D. **Service Delivery:** A description of how you or your firm propose to provide legal services to the city. This should also address issues such as office location; accessibility to Mayor, Council and City Manager; attendance at city council meetings and occasional other meetings; services, if any, that you would expect to receive from the city; and if a firm, how you propose to manage the firm's provision of services to the city—for example, would there be a lead attorney and, if so, who would that attorney be

and how would other attorneys be involved and related fees.

E. **Proposed Attorney(s), Paralegals and Qualifications.** The responses should include:

- **Background:** Summarize your, or the firm's, background and history; include number of years in business and scope of services you or your firm have provided.
- **Experience:** Describe your municipal legal services, training, experience, and current government clients; include number of years.
- **Responsiveness:** Provide a statement describing the capability to respond to the City Manager regarding time-sensitive or short notice requests and/or complicated issues.
- **Policy Issue Management:** Provide at least two examples of complex issues you or your firm have successfully handled for municipal or other public agency clients.
- **Availability:** Provide the date you would be able to begin providing legal services to the city; including how you propose to familiarize yourself with the laws, rules, regulations, and operating procedures relative to the conduct of business for the city in order to efficiently and effectively assume responsibilities.
- **Resources:** Provide the name and summary of experience of those who will provide legal support and fees for each attorney, paralegal etc. and other fees.
- **Location/Hours:** Identify the address of your office where most services will be rendered; b) provide what days of the week and hours of the day you or your firm will be available for phone conversations and or office visits.

F. **Work Examples.** The response should:

- Provide examples of two memos and letters explaining, interpreting, or applying the law to a client (preferably municipal or public entity).
- Provide two recent examples of filed legal briefs regarding a matter under litigation, preferably litigation involving a municipal or public entity.
- Provide two examples of an ordinance, resolution or other public policy document or rule drafted by you or your firm.

G. **References.** Provide contact information for three municipal clients, current and/or prior, so reference checks can be conducted.

I. **Additional Information.** Any other information that the responder feels applicable to the evaluation of the response or of their qualifications for accomplishing the legal services should be included in this section. You may use this section to address those aspects of your services that distinguish you or your firm from others.

H. **Summary.** Each submittal should also provide a summary detailing the experience and understanding of the role of providing consulting legal services, including how the City Attorney balances the relationship between the City Manager and City Council. The summary should also include the Firm/Individuals Mission Statement and a Statement of Values.

IV. SUBMITTAL INSTRUCTIONS AND DEADLINE

Sealed submittals are required. Eight (8) copies and one (1) original of the response are to be delivered as described below. Responses may be mailed to:

City of Kirby

Attention: City Attorney RFQ

c/o Interim City Manager, 112 Bauman Street Kirby Texas 78219-1098

The deadline for submission of responses is by **3:00 pm on Monday April 8th, 2024.**

Responses received via mail or hand delivered after the deadline will be returned to the sender unopened.

V. EVALUATION

The City Manager on behalf of Mayor and City Council reserves the right to seek clarification of each response submitted. The city also reserves the right to require other evidence of technical, managerial, financial, or other abilities prior to selection.

The city manager will receive all submitted responses. An evaluation committee will be created to review all submitted responses and may select one or more finalists for interviews. Additionally, the city manager on behalf of the evaluation committee may require submission of supplemental materials.

The successful attorney(s) or firm(s) will be the one that in the judgment of the evaluation committee best demonstrates the ability to cover the broadest range of legal services in the most cost-effective manner while demonstrating an understanding of the role of providing consulting legal services, including how the City Attorney balances the relationship between the City Manager and City Council.

Upon completion of the evaluation process by the evaluation committee, the City Council will consider the recommendations of the evaluation committee. The City Council may review responses and conduct interviews with finalists in executive session. No final decision will be made in executive session. Upon completion of the evaluation process, a member designated by the City council will advise the responders of the selection and negotiate the appropriate agreements(s).

The agreement(s) will define the extent of services to be rendered, method and amount of compensation. The city reserves the right to direct the City Manager to negotiate a final contract that is in the best interest of the city. The response to this RFQ will become a part of the agreement. The city attorney serves at the pleasure of the City Council. The contract may be terminated at any time by the City Council. Once a proposed agreement is prepared, it will be presented to the City Council for consideration.

VI. NOTICE/RESERVATION OF RIGHTS

In addition to all other rights granted to it under Texas law, the city reserves the right to waive formalities in the response process; to accept or reject any or all proposals received as a result of this request; to request additional information concerning any proposal; to accept or negotiate modifications to any proposal; to negotiate with qualified attorneys; to interview any proposer; to cancel, in part or in its entirety, the request for qualifications; or to waive any irregularities in any response following the response submission deadline date in order to serve the best interests of the city. The city also reserves the right to negotiate separately with any responder whatsoever, in any manner necessary to serve the best interests of the city. This request for qualifications does not commit the city to pay any costs incurred in the preparation of a response.

- A. **Statement:** The attorney or firm, by submitting a response, certifies that to the best of its knowledge or belief, no elected or appointed official of the City is financially interested, directly or indirectly, in their firm or in the purchase of services as described in this RFQ. They also certify that the information contained in the Statement of Qualifications is correct and complete to the best of their knowledge.

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| <input checked="" type="checkbox"/> | DISCUSSION AND POSSIBLE ACTION ITEMS |
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| <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: April 11, 2024

AGENDA ITEM: 9 h.

Discussion And Possible Action on adopting an Ordinance Amending Code of Ordinances Title III, Administration, Article I, Sections 30.04, 30.07 and 30.10, Agenda, Meetings Regarding Decorum and Debate, Citizen Participation, and Section 30.11 related to Carrying of Firearms on City Owned Premises. (Mayor Grider & Mayor Pro-Tem Apodaca, Police chief Cardona)

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

DATE: April 11, 2024

AGENDA ITEM: 9 i.

Discussion and Possible Action on the Mayor and Councils disregard and or violation for the Charter and its rules of policy and procedure. (Councilmembers Garza and Martin)

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

DATE: April 11, 2024

AGENDA ITEM: 9 j.

Discussion and Possible Action to Authorize the City Manager to enter into a agreement with Starlight Fireworks in the amount of \$12,000 for fireworks at Friendship park on July 4, 2024

590-1025

INVOICE

Date: 1/4/2024
Invoice # 06-29-1

STARLIGHT FIREWORKS & FX

1617 Cattle Trail
Austin, TX 78748
(512) 801-5492
tina@starlightfireworks.com
www.starlightfireworks.com

Roxanne Cardona
Interim City Manager
City of Kirby
112 Bauman St.
Kirby, Texas 78219
210-547-3560 (c)
rcardona@cityofkirby.org

| PRODUCER | SERVICE | Payment Terms | Due Date |
|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Tina Warwick, Owner | Saturday, June 29, 2024 Fireworks – City of Kirby Friendship Park, 5745 Binz-Engleman Rd., Kirby, TX 78219 Approx. 9:15-9:30 p.m. start time | Fifty percent (50%) due upon Contract signing by Feb. 1, 2024, with balance due sixty (60) days before event date – April 29, 2024. | Fifty percent due (50%) upon contract signing by Feb. 1, 2024, with balance due by April 29, 2024 (sixty days before event date – also see contract terms |

| Qty | Description | Unit Price | Line Total |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| 1 | Service includes: <ul style="list-style-type: none"> 12 Minute Traditional/Elite fireworks display w/finale <p>Price schedule is inclusive of all service, product and fee expenses.</p> | \$12,000.00 | \$12,000.00 |
| Subtotal | | | \$12,000.00 |
| Total | | | \$12,000.00 |



Make all checks payable to
STARLIGHT FIREWORKS & FX
Thank you for your consideration!

INVOICE CONDITIONS: STARLIGHT FIREWORKS & SPECIAL EFFECTS, AKA STARLIGHT FIREWORKS & FX LLC ("Starlight Fireworks") will provide all services with professionalism and timeliness. Client should keep Starlight Fireworks apprised of any changes in scheduling or services requested, giving enough time so any changes to be made do not result in a loss of effort or time.

Bobby J. Martinez

From: City Manager
Sent: Friday, April 5, 2024 6:32 PM
To: City Manager
Cc: Finance Director
Subject: 4th of July Fireworks Funding Update

In consideration of the Texas Open Meeting Act (TOMA) kindly only respond to the Interim City Manager.

A blind copy is being sent to Council to minimize TOMA violations- Thank You.

In accordance with the Texas City Management Association Code of Ethics **“all matters are handled with fairness and impartiality.... To serve the best interests of all people.”**

Greetings Mayor and Council:

In anticipation of requesting council authorization for the City Manager (on April 11, 2024) to enter into a \$12,000 contract for 4th of July Fireworks I offer the following feedback.

- No HEB grant has been deposited with the city as affirmed by the Interim Finance Director today.
- As of late today, HEB has not responded to our request for a status.
- The \$12,000 expenditure requires council authorization, as affirmed by the City Attorney.
 - As previously stated, regardless of the source of funds council approval is required.
- The \$12,000 expenditure is not funded in the current budget.
- If approved, this expenditure along with unfunded salary related expenditures to date i.e. severance pay, separation agreement compensation, consultant salaries (almost \$2,000 per day) etc. will require a **council approved budget adjustment**- as a paper trail accounting for unfunded expenditures to date..

As you have questions continue to reach out. I'm here in the office.

bjm



Bobby J. Martinez MPA, MA
Interim City Manager

City of Kirby
112 Bauman St, Kirby Tx, 78219
(210) 661-3198

citymanager@cityofkirby.org



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| <input checked="" type="checkbox"/> | DISCUSSION AND POSSIBLE ACTION ITEMS |
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| <input type="checkbox"/> | CONSIDERATION OF MINUTES |
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**CITY OF KIRBY
CITY COUNCIL MEETING
A G E N D A I T E M S U M M A R Y**

DATE: April 11, 2024

AGENDA ITEM: 9 k.

Discussion and Possible Action to replace the Council Chamber Audio Equipment, (Mayor Grider)

From: City Manager
Sent: Tuesday, April 2, 2024 5:36 PM
To: City Manager
Cc: Katelyn Ueckert; Finance Director; Roxanne Cardona; William Hilburn
Subject: Council Chamber Audio Equipment Update

In consideration of the Texas Open Meeting Act (TOMA) kindly only respond to the Interim City Manager.

A blind copy is being sent to Council to minimize TOMA violations- Thank You.

In accordance with the Texas City Manager Association Code of Ethics **“all matters are handled with fairness and impartiality.... To serve the best interests of all people.”**

Greetings Mayor and Council:

We have solicited estimates from vendors to remedy the Council Chamber audio problems.

NOTE: The audio difficulties experienced at the last Council meeting were exacerbated given the audio equipment was turned off by board members attending a meeting in the chamber.

- Given staff’s competing demands on a multitude of projects, and with limited staff, the three vendor proposals we have in the office have not been researched, evaluated nor assessed as to the cost effectiveness and viability.
- The three vendor estimates range from \$18,000- \$52,000.
- The Council Chamber audio replacement expense is not funded in the FY 23/24 Budget.
- A budget adjustment will be required to conform to charter requirements .
- This issue will be placed on the next council agenda for consideration.

As you have questions let me know.

Bobby J. Martinez MPA, MA
Interim City Manager
City of Kirby
112 Bauman St, Kirby Tx, 78219
(210) 661-3198
citymanager@cityofkirby.org



From: Katelyn Ueckert <kueckert@cityofkirby.org>
Sent: Tuesday, April 2, 2024 5:01 PM

To: City Manager <citymanager@cityofkirby.org>

Subject: audio equipment

Good Afternoon,

I tested the audio equipment and tried to problem solve it for the audio issue as to why it suddenly did not work for our non-wired mics and I believe I have solved the issue for now

I believe the issue was someone pushed buttons on the equipment on the rack on the wall; everything was moved around and every button was on the off position and the knobs were moved for the audio as well usually those do not get touched or moved except by an audio technician or IT

The process to turn the equipment off is the switch of only one switch but maybe someone did not know this

Sincerely,

Katelyn Ueckert

City of Kirby

112 Bauman

Kirby, TX 78219

(210) 661-3198



Small City, BIG HEART

| | |
|-------------------------------------|-----------------------------------------|
| <input checked="" type="checkbox"/> | DISCUSSION AND POSSIBLE ACTION ITEMS |
| <input type="checkbox"/> | SPECIAL CONSIDERATION |
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**CITY OF KIRBY
CITY COUNCIL MEETING
A G E N D A I T E M S U M M A R Y**

DATE: April 11, 2024

AGENDA ITEM: 9 I.

Discussion and Action on Open Records Request policy and procedure. (Mayor Grider)

Bobby J. Martinez

CC AGENDA MAYOR GRIDER CC 4 11 24 MAYOR 9 L -M

From: Bobby J. Martinez
Sent: Friday, April 5, 2024 6:05 PM
To: 'bobbyjmartinez@sbcglobal.net'
Cc: 'bjmartinez@alumni.tcu.edu'
Subject: FW: RSVP- Draft Council Agenda- April 11, 2024- 106 pm- Draft #2 4-4-24 446 pm
Attachments: CC Agenda-April 11 2024-TH.docx

From: City Manager
Sent: Friday, April 5, 2024 4:43 PM
To: Janeshia Grider <jgrider@cityofkirby.org>
Cc: Katelyn Ueckert <kueckert@cityofkirby.org>; Clarissa Rodriguez <cmrodriguez@rampagelaw.com>; 'Adolfo Ruiz' <aruiz@rampagelaw.com>; Finance Director <financedirector@cityofkirby.org>; 'Esmeralda Casarez' <ecasarez@rampagelaw.com>
Subject: RSVP- Draft Council Agenda- April 11, 2024- 106 pm- Draft #2 4-4-24 446 pm

Greetings:

Received.

As best as I can tell your references pertain to one of several working drafts- specifically, Draft #1 was intended to be sent to the entire Council- Wednesday, April 3, 2024 at 106pm- as a work in progress.

Draft #2 (attached) was previously distributed to the full council Thursday April 4th, 2024 at about 4:46 pm.- as a work in progress.

Meanwhile, Katelyn witnessed our collective attempts to clear "certain" unknown back logged emails.

Draft #3 will be distributed to Council upon review by the City Attorney

From: Janeshia Grider <jgrider@cityofkirby.org>
Sent: Friday, April 5, 2024 10:38 AM
To: City Manager <citymanager@cityofkirby.org>
Cc: City Secretary <citysecretary@cityofkirby.org>; Katelyn Ueckert <kueckert@cityofkirby.org>; Clarissa Rodriguez <cmrodriguez@rampagelaw.com>; Adolfo Ruiz <aruiz@rampagelaw.com>; Sylvia Apodaca <sapodaca@cityofkirby.org>
Subject: Re: Draft Council Agenda- April 11, 2024- 106 pm

Good Morning,

The majority of the items on the current agenda are the same items that had to come back from last agenda. I counted 10 out of 12 action items are.

As previously stated before I never received the first draft by yourself or interim city secretary. I stated last Council meeting the process publicly of how I would receive the draft or notified that deadline approaching.

7e - Are we not going to vote on this? If we are please place under action items.

- As mentioned, in previous communications no staff review or analysis for a recommendation has been conducted. However, it will be placed on the agenda for action as well as direction as to a funding source given it was not funded.

8a. - Take off she is not coming.

- We had not been advised.. Thank you. Beatification Committee item will be removed.

8c. Wouldn't that be in executive session.

- Based on our discussion that you didn't support any staff, in an Acting CM capacity this matter is at a standstill. It can be placed in Executive session.. This matter is under legal review.

8i - This was discussed and voted on last meeting. Why is it back on the agenda?

- This item was taken off for Draft #2 upon reviewing the minutes.

8j - This was discussed last meeting. Why is it back on agenda?

- The minutes do not reflect action taken. It will be taken off unless requested by the Councilmembers.

Please add below:

1. Discussion and Action on Open Records Request policy and procedures

Reason: It was brought up by former CM Dr. Rowland and City attorneys office that the city needed to get a handle on ORR. Council has mentioned in the past issues as well. I recently have asked basic questions about ORR policy/process and have not received direct answers.

- Information has been provided and discussed on several occasions based on the "best" information provided to me by staff.
- Regretfully, in light of respect for the entire Council's collective priorities, at this time, respectfully, we don't have the staff or time for a detailed deep dive as to who did what when?.
- As often discussed, all involved staff have been informed of my years of experienced conformance with the law without a single incident which is our intended practice.
- Regretfully, I am not able to defend or explain previous Public Information Act Request practices.
- Per the City Attorney: "*certain stipulations allow Open Records Request access by staff- under the authority of the city manager- in certain cases. Everything is a public record. **No advanced** elected official permission is required. However, the elected official should be notified.*" The City Attorney advises consultation by the City Manager.

2. Discussion and Possible Action on staff salary overpayments and adjustments

Reason: Staff members past and present has received salary pay that was not owed to them. Everyone on council is aware including ICM but no immediate action has been taken. With overpayment of their salary that means retirement, and even overtime would have significantly went up.

- As previous discussed and communicated with all Council this proposal involves legal review to avoid the potential for legal action against the city. Federal laws define what can and can't be recovered. This matter has been referred to the City Attorney "as t may contemplate litigation, per the City Attorney . By copy of this communication an opinion is welcomed. City Attorney recommends an executive session due to potential liability to the city

3. Discussion and Update on pending city legal cases and investigations.

Reason: ICM made a statement "We also have several legal issues pending with the City Attorney." I do not know what that means or what he is referring to. Possibly some other council members do because the ICM speaks with them regularly but not myself. We can get everyone updated.

- As previous discussed and communicated with all Council proposed personnel adjustment proposal involves legal review to avoid the potential for legal liability against the city. This pending legal issue has been referred to the City Attorney.

4. Discussion and Possible Action regarding upcoming Pool Opening Day event 25 May and Back to School Pool Party or Event 10 Aug.

Reason: To plan ahead and also Crime Control would like to support Back to School Event.

- Received

5. Discussion and Possible Action regarding biweekly two or three Councilmember information session with City Manager.

Reason: In the past the City Manager would send calendar invite and set up one hour time block once a month to meet with two or three council members at a time. This meeting would update them on any possible issues and also would allow the council to address concerns.

- The ICM has been available- in the office- anytime any Councilmember has stopped by. Although Council can evidence my exceptional busy schedule, Council's unannounced visits have always been welcomed and received.

v/r
Janeshia

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

From: Bobby J. Martinez <bjmartinez@cityofkirby.org>
Sent: Thursday, April 4, 2024 6:25:18 PM
To: City Manager <citymanager@cityofkirby.org>
Cc: Janeshia Grider <jgrider@cityofkirby.org>
Subject: FW: Draft Council Agenda- April 11, 2024- 106 pm

This was the **first draft** of the agenda that was intended to go to Council.
The second draft was sent today.

Bobby J. Martinez

From: Bobby J. Martinez
Sent: Tuesday, March 12, 2024 1:20 PM
To: City Manager
Cc: Janeshia Grider; Sylvia Apodaca; 'Clarissa Rodriguez'
Subject: Confidential Payroll Information- Payroll Audit Underway

In consideration of the Texas Open Meeting Act (TOMA) kindly only respond to the Interim City Manager.

A blind copy is being sent to Council to minimize TOMA violations- Thank You.

In accordance with the Texas City Manager Association Code of Ethics ***“all matters are handled with fairness and impartiality.... To serve the best interests of all people.”***

In response to the mayors' inquiry, we are discreetly investigating payroll adjustments with the help of the Interim Finance Director.

Just know, at this time, her obligations involve legally mandated deadlines associated with audit preparations, monthly sales tax report, and the monthly TMRS report that no one else is qualified to prepare.

While we can produce a detailed year to date comparison of individual employee salary adjustments- since February 2023- will take a little more time to collect the documents and prepare the comparative information- from two different salary logs. But we can do it.

Meanwhile, under separate cover I have asked the Interim Finance Director to address what we can this time given our other deadlines.

I have directed the Interim Finance Director to immediately begin to assume responsibility for generating the payroll and positioning herself to eventually train new employee(s)- an **Accounts Payable and Human Resources Analyst** position(s)- *(to be funded from vacant positions)*- to permanently handle the payroll function.

These are both highly critical and essential roles that should be staffed in a city of our size.

As you know, as the mayor affirmed, other than myself we don't have any staff that has any professional experience nor education to handle personnel administration or human resource issues- *which I have supervised at various cities and taught at the university level.*

As I have stated to council, I too share concerns about the October 1, 2023 salary adjustments which lack a clear authoritative paper trail and/or involve staff promotions involving staff that lack critical skills sets.

In that regard, I'm copying our City Attorney so that they have a "heads up" concerning the potential need to:

- 1) Guide the city to understand the legal consequences associated with possible salary roll backs;
- 2) Advise the city in addressing underlying relevant factors involving inexperienced staff under probation that were not fully vetted for their roles.
- 3) Affirm the potential organization staff impact- which the city has recently experienced- in addressing such appropriate salary matters.

As you have questions, let me know.

Bobby J. Martinez MPA, MA
Interim City Manager
City of Kirby
112 Bauman St, Kirby Tx, 78219
(210) 661-3198
citymanager@cityofkirby.org



From: Janeshia Grider <jgrider@cityofkirby.org>
Sent: Tuesday, March 12, 2024 9:19 AM
To: Bobby J. Martinez <bjmartinez@cityofkirby.org>; City Manager <citymanager@cityofkirby.org>
Cc: Sylvia Apodaca <sapodaca@cityofkirby.org>
Subject: Re: Confidential Payroll Information

Good Morning

FY24 pay raises was intended for staff who has been employed for over one year with the city. The only exception was the law enforcement officers from my understanding.

Law enforcement officers received a higher raise FY24 than dispatchers and admin assistant within KPD. Please verify that dispatchers did not receive same raise as officers.

Katelyn Ueckert pay rate was originally \$18 and it was not \$22. That was stated when she submitted her complaint against Dr. Rowland because she stated she deserved more money. He thought for her lack of experience she was being overpaid at the time. Plus she has been with the city less than a year. So I am confused on how she went from \$18 then \$22 and now 25.

Katelyn Ueckert title is not Assistant City Manager.

Mariana Ramirez received a \$6 raise from court clerk to Program Supervisor that also is not valid.

Micelez Aguirre has not been employed with the city for over a year. Employed and intern are two completely different positions. What was her original rate before FY24 when she was officially hired? I wonder did Chief Cardona start her at a higher rate than budgeted.

Listed in your email below is the only payroll changes for those three individuals. Fire recently readjusted pay rates with temporary promotions so that spread sheet should have more staff names listed.

Every time pay is adjusted a form is filled out. The easiest way to see what has been happening since 01 Mar 2023 to present is to pull all the payroll adjustment forms. It seems to be a different pay scenario presented by staff every week. It is concerning that Chief Cardona, Chief Hilburn, Katelyn Ueckert and Mariana Ramirez is familiar with what is allowed and not allowed as far as pay adjustments is concerned. After everything that happened with this summer complaints concerning pay. Even the investigator stated it all started over pay when Dr. Rowland adjusted staff pay back to its correct amount.

So after Dr. Rowland's departure I am not understanding why the staff decided to take those pay raises and dept heads were aware but did not say anything. Also Chief Hilburn does the city payroll but did not say anything.

I would like council to receive breakdown from 01 Feb 2023 - present on all staff pay changes? If the staff cannot present breakdown please set files in conference room table and I will compile breakdown.

When will staff back go back to correct hourly rate? How and when will the money they should not have received be repayed to the City.

I know I am not the only one concerned and have now even more questions. Please forward my email to all council.

Thank you

v/r
Janeshia

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

From: Bobby J. Martinez <bjmartinez@cityofkirby.org>
Sent: Monday, March 11, 2024 5:03:50 PM
To: City Manager <citymanager@cityofkirby.org>
Cc: Janeshia Grider <jgrider@cityofkirby.org>; Sylvia Apodaca <sapodaca@cityofkirby.org>
Subject: Confidential Payroll Information

In consideration of the Texas Open Meeting Act (TOMA) kindly only respond to the Interim City Manager.

A blind copy is being sent to Council to minimize TOMA violations- Thank You.

As requested by Council- complied by Finance Director- Consultant

Payroll

Analysis of pay rates found three employees, listed below, with increases after October 1, 2023.

| Employee | Effective Date | Original Pay Rate | Current Pay Rate | Reason | Approved by |
|-----------------|----------------|-------------------|------------------|-------------------------------------------------------------------------|--------------------------------------|
| Mariana Ramirez | 1/8/2024 | 17.00 | 23.08 | Promoted to Programs Director | Ken Roberts |
| Katelyn Ueckert | 1/8/2024 | 22.00 | 25.00 | Promoted to Assistant City Manager | Ken Roberts |
| Micelez Aguirre | 10/1/2023 | 18.32 | 20.32 | Increase approved by Council (Micelez had been an intern since 2021) | William Hilburn (acting City Mgr) |

Bobby J. Martinez MPA, MA
Interim City Manager
City of Kirby
112 Bauman St, Kirby Tx, 78219
(210)661-3198
citymanager@cityofkirby.org



Bobby J. Martinez

From: Bobby J. Martinez
Sent: Tuesday, April 2, 2024 3:52 PM
To: Adolfo Ruiz
Subject: FW: Council Authorized FY23-24 Salary Adjustments- Confirmation Pending- Only Full Time- 1 year Service

From: City Manager
Sent: Thursday, March 28, 2024 12:43 PM
To: Roxanne Cardona <rcardona@cityofkirby.org>
Cc: Finance Director <financedirector@cityofkirby.org>; William Hilburn <WHilburn@cityofkirby.org>; Clarissa Rodriguez <cmrodriguez@rampagelaw.com>
Subject: RE: Council Authorized FY23-24 Salary Adjustments- Confirmation Pending- Only Full Time- 1 year Service

*In consideration of the Texas Open Meeting Act (TOMA) kindly only respond to the Interim City Manager.
A blind copy is being sent to Council to minimize TOMA violations- Thank You.*

In accordance with the Texas City Manager's Association Code of Ethics "***all matters are handled with fairness and impartiality.... To serve the best interests of all people.***"

Greetings Chief Cardona:

Note: *This communication includes Council. I have been tasked to investigate the October 1, 2023 city-wide Council authorized salaries adjustments for appropriateness by Council.*

As follows, is my updated matrix reflecting the **correct salary information**- from **Incode**- (and feedback and clarification from both the Interim Finance Director and Fire Chief Hilburn) which I requested, per Council direction, to determine the qualification of the PD Administrative Assistant for the **\$2.00** per salary increase- effective October 1, 2023 which applied to "employees with **one year of full-time service while exempting 'new' employees**"

Qualification Requirement for \$2.00 per hour Salary Adjustment- Not for New Employees- One Year of Service

As previously stated, "an employee's prior service as an intern, temporary, contractual or seasonal role does not qualify as permanent full-time service, prior service - which was Council's intent to exclude. In that regard, the City Attorney has affirmed an Intern does not qualify as an (existing) employee under FLSA regulations

- The employee was not eligible for the \$2.00 p/hour salary adjustment- given that until June 12, 2023 she was an employee of **Alamo Colleges**- not the City of Kirby.
- As such, clearly, she wasn't an employee until June 12, 2023- her appointment date as a full-time **NEW** employee.

For clarification:

- According to the Incode payroll records the PD Administrative Assistant was **first hired** as a **“NEW”** employee by the city on **June 12, 2023** at an hourly rate of **\$18.32-** not \$20.32 as reported on the previous matrix.
- The PD Administrative Assistant was not eligible, qualified nor authorized for a city-wide council authorized salary to **\$20.32** on October 4, 2023.

| Hire/ Salary Adjustment Date? | Position- Title | Employment Status Part- Time, Seasonal, Contractual or Temporary or Permanent | TMRS Qualified Yes, or No? Based on Full-Time Employment | Hourly Salary | Signature Approval of Hire/Salary Adjustment By: Department Head / ICM/CM |
|----------------------------------------------|-----------------------------------------------------|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| 10/04/23 | PD Administrative Assistant | Full-Time | Yes | \$20.32 p/ hour | Employee is considered new with only 4 months of full-time service. Authorized by PD Chief and ICM |
| Hire Date 06/12/2023 to current | PD Administrative Assistant | Full-time | YES | \$18.32 p/ hour <u>Not</u> \$20.32 as reported | Adjustment Completed and Approved Under Direction of ICM. Unfortunately, I don't recall who was the ICM in June of last year. |
| Since 2022-2023 | Intern -College Evidence Technician/Admin Assistant | Part-Time | No. The intern was not on the city payroll. The intern was not full-time as required to qualify for TMRS. | Don't Recall. Paid by College. Not paid by city | Approved by CM Monique Vernon |

I too have done contractual undergraduate internships, graduate fellowships, and doctoral practicums with employers that eventually hired me. In no case did I receive prior service credit for contractual work.

Based on consultation with the City Attorney I will visit with you as to how we remedy this unauthorized salary adjustment.

Thank you for understanding my professional responsibility to do right by Council policy direction.

Bobby J. Martinez MPA, MA
 Interim City Manager
 City of Kirby
 112 Bauman St, Kirby Tx, 78219
 (210) 661-3198
citymanager@cityofkirby.org



From: Roxanne Cardona <rcardona@cityofkirby.org>

Sent: Thursday, March 28, 2024 6:53 AM

To: City Manager <citymanager@cityofkirby.org>

Cc: Janeshia Grider <jgrider@cityofkirby.org>; Clarissa Rodriguez <cmrodriguez@rampagelaw.com>

Subject: Re: Council Authorized FY23-24 Salary Adjustments- Confirmation Pending- Only Full Time- 1 year Service

Yes, sir...

I think you missed it. The matrix was already completed below with my email yesterday.

On Mar 27, 2024, at 5:19 PM, City Manager <citymanager@cityofkirby.org> wrote:

Chief Cardona

Kindly complete the previously provided (attached) matrix so that the ICM can determine if the PD Administrative Assistant qualifies as a "permanent employee with **one year of full-time permanent service,**" thus eligible for the \$2.00 per hour increase which has been questioned.

That is clearly Council's intent. That is what I have been told.

As stated, an employee's prior service as an intern, temporary, contractual or seasonal role does not qualify as permanent full-time service- which was Council's intent.

Council made this policy decision which I professionally must implement or remedy as determined.

bjm

Bobby J. Martinez MPA, MA
Interim City Manager
City of Kirby
112 Bauman St, Kirby Tx, 78219
(210) 661-3198
citymanager@cityofkirby.org

<image001.png>

From: Roxanne Cardona <rcardona@cityofkirby.org>

Sent: Wednesday, March 27, 2024 2:47 PM

To: City Manager <citymanager@cityofkirby.org>

Cc: Joe brown <jbrown@cityofkirby.org>

Subject: RE: Council Authorized FY23-24 Salary Adjustments- Confirmation Request

Good Afternoon,

Lt. Brown reviewed September 27th, 2023 YouTube Council Meeting. The determination of the council was the following:

1. Council voted for option 3 which included, \$4.00 pay raise for all uniformed employees (Law Enforcement)
2. Included \$2.00 increase for all other employees "except for new employees"
3. No determination was found as to what constitutes a "new employee" meant.
4. The conclusion showed the council forwarding the decision to the City Manager at the time. (Unknown)
5. William was presenting budget during this particular council.

Please see below.

Respectfully,

Roxanne Cardona
Chief of Police
Kirby Police Department
4130 Ackerman Road
Phone (210)-547-3560
Dispatch (210) 661-8515

"There are two ways of spreading light: to be the candle or the mirror that reflects it." – Edith Wharton.

From: Bobby J. Martinez <bjmartinez@cityofkirby.org>
Sent: Tuesday, March 26, 2024 8:51 AM
To: Roxanne Cardona <rcardona@cityofkirby.org>
Cc: Finance Director <financedirector@cityofkirby.org>; Janeshia Grider <jgrider@cityofkirby.org>
Subject: Council Authorized FY23-24 Salary Adjustments- Confirmation Request

Greetings Chief Cardona:

As mentioned, the mayor asked that I research the appropriateness of FY 2023-24 city-wide salary adjustments.

As discussed, I interpret council's authorization- *and have since received Council affirmation-* "to increase salaries by **\$2.00** per hour for only permanent full-time employees who had been employed with the city as permanent, fulltime employees for at least a year."

Part-time, seasonal, contractual and or temporary employee's status does not qualify as permanent full-time employment.

The mayor has questioned the eligibility of the Police Department Administrative Assistant as well as other city positions.

Based on conversations with the mayor regarding information you have provided questions remain.

In the spirit of my due diligence, kindly provide the following information regarding the Police Department Administrative Assistant.

| Hire/ Salary Adjustment Date? | Position- Title | Employment Status Part- Time, Seasonal, Contractual or Temporary or Permanent | TMRS Qualified Yes, or No? | Hourly Salary | Signature Approval of Hire/Salary Adjustment By: Department Head / ICM/CM |
|-------------------------------|-----------------------------------------------------|----------------------------------------------------------------------------------|---------------------------------------|-------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| 06/05/2023 to current | Administrative Assistant/ Police | Full-time | YES | 20.32 | Adjustment Completed and Approved Under Direction of ICM. Unfortunately I don't recall who was the ICM in June of last year. |
| Since 2022-2023 | Intern -College Evidence Technician/Admin Assistant | Part-Time | YES, MAY 2023 (don't understand this) | Don't Recall, paid by College | Approved by CM Monique Vernon |
| | | | | | |
| | | | | | |

Thank you kindly,
bjm

Bobby J. Martinez MPA, MA
Interim City Manager
City of Kirby
112 Bauman St, Kirby Tx, 78219
(210) 661-3198
citymanager@cityofkirby.org

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| | |
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| <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: April 11, 2024

AGENDA ITEM: 9 m.

Discus Discussion and Possible Action on staff overpayments and adjustments. (Mayor Grider)

| | |
|-------------------------------------|-----------------------------------------|
| <input checked="" type="checkbox"/> | DISCUSSION AND POSSIBLE ACTION ITEMS |
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| <input type="checkbox"/> | PRESENTATION |
| <input type="checkbox"/> | WORKSHOP |

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

DATE: April 11, 2024

AGENDA ITEM: 9 n.

Discussion and Update on pending legal cases and investigations. (Mayor Grider)

| | |
|-------------------------------------|-----------------------------------------|
| <input checked="" type="checkbox"/> | DISCUSSION AND POSSIBLE ACTION ITEMS |
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| <input type="checkbox"/> | WORKSHOP |

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

DATE: April 11, 2024

AGENDA ITEM: 9 o.

Discussion and Possible Action regarding Pool Opening Day event 25 May and Back to School Party or Event 10 Aug. (Mayor Grider)

| | |
|-------------------------------------|-----------------------------------------|
| <input checked="" type="checkbox"/> | DISCUSSION AND POSSIBLE ACTION ITEMS |
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| <input type="checkbox"/> | CONSIDERATION OF MINUTES |
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| <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: April 11, 2024

AGENDA ITEM: 9 p.

Discussion and Possible Action regarding bi-weekly two or three Councilmembers information session with the City Manager (Mayor Grider).

| | |
|-------------------------------------|-----------------------------------------|
| <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: April 11, 2024

AGENDA ITEM: 9 q.

Discussion and Possible Action to consider a new application for Beautification and Recycle