



Janeshia A. Grider, Mayor

Mike Grant
Sylvia Apodaca
Englan Sanchez

Maria Lozano
Joe Molina
Dr. Susan Street

**CITY COUNCIL AGENDA
SPECIAL MEETING
MONDAY, FEBRUARY 23, 2026 – 6:00 P.M.
KIRBY SENIOR CENTER
3211 ALAN SHEPARD 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 Senior Center, 3211 Alan Shepard 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. If any members of the governmental body attend by videoconference, they will have two-way audio and video communication during the entire meeting and remain visible and audible. 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. Attendance by Other Elected or Appointed Officials: It is anticipated that members of other City boards, commissions and/or committees may attend the open meeting in numbers that may constitute a quorum. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of any other boards, commissions and/or committees of the City, whose members may be in attendance in numbers constituting a quorum. These members of other City boards, commissions, and/or committees may not deliberate or act on items listed on the agenda. [Attorney General Opinion – No. GA-0957 (2012)].

Topic: Special Meeting

Date and Time: Monday, February 23, 2026, at 6:00 P.M. (Central Time)

1. Call Meeting to Order

2. Invocation and Pledge of Allegiance to the Flag

3. Mission Statement

- i. "The City of Kirby is dedicated to delivering excellent municipal services to our community in a fiscally responsible manner."*

4. Roll Call

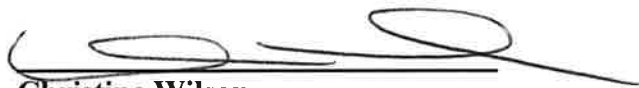
5. Citizens Participation

Citizens Participation is for the City Council to receive information on issues that may be of concern to the public. Citizens should limit their comments to three (3) minutes. Should a member of the public bring an item to City Council for which the subject was not posted on the agenda of that meeting, the City Council may receive the information, but it cannot act upon it at that meeting.

6. Items for Individual Consideration

- a. Discussion and Possible Action Adopting Ordinance 2026 – 8100 to place a moratorium on the development of new automobile dealerships and storage facilities for a period of 90 days to allow the City of Kirby infrastructure to develop accordingly in these businesses; publication and codification; declaring that the meeting at which this ordinance was adopted was conducted in compliance with the Texas open meetings act; providing for severability; and providing an effective date

7. Adjournment



Christine Wilson
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; Texas Government Code Section 551.076, Security Devices or Security Audits; and Section 551.087 of the Texas Government Code, Deliberation about Economic Development.

This meeting is wheelchair parking accessible at the main entrance located at 3211 Alan Shepard, Kirby TX 78219. 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).

*The notice for the upcoming City Council meeting was posted on Friday, February 13, 2026, which is more than **three (3) business days** prior to the scheduled meeting on Monday, February 23, 2026*

ORDINANCE NO. 2026 - 8100

AN ORDINANCE OF THE CITY OF KIRBY, TEXAS, TO PLACE A MORATORIUM ON THE DEVELOPMENT OF NEW AUTOMOBILE DEALERSHIPS AND STORAGE FACILITIES FOR A PERIOD OF 90 DAYS TO ALLOW THE CITY OF KIRBY INFRASTRUCTURE TO DEVELOP ACCORDINGLY IN THESE BUSINESSES; PUBLICATION AND CODIFICATION; DECLARING THAT THE MEETING AT WHICH THIS ORDINANCE WAS ADOPTED WAS CONDUCTED IN COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Kirby has followed the H.B. 2559, codified as Texas Local Government Code Subchapter E, Moratorium on Property Development in Certain Circumstances, Section 212.131, et. seq. to enact a 90-day moratorium for the development of new automobile dealerships and storage facilities in the City of Kirby; and

WHEREAS, the City of Kirby needs time to develop its infrastructure for these businesses; and

WHEREAS, the City Council finds that enacting the 90-day moratorium will allow the City of Kirby to develop its infrastructure and will be able to better serve these businesses; and

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

SECTION 1. TO PLACE A MORATORIUM ON THE DEVELOPMENT OF NEW AUTOMOBILE DEALERSHIPS AND STORAGE FACILITIES FOR A PERIOD OF 90 DAYS TO ALLOW THE CITY OF KIRBY INFRASTRUCTURE TO DEVELOP ACCORDINGLY IN THESE BUSINESSES

The City of Kirby hereby enacts this Ordinance so that the City of Kirby may develop its infrastructure accordingly to better serve these businesses.

SECTION 2. SEVERABILITY

If any section, subsection, clause, or phrase of this Ordinance is found to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the Ordinance.

SECTION 3. PUBLICATION AND CODIFICATION

The City of Kirby shall publish this Ordinance in the newspaper designated as the official newspaper of the City as required by Section 10.14 of the City Charter.

SECTION 4. OPEN MEETING COMPLIANCE

The City Council finds that the meeting at which this Ordinance passed was conducted in compliance with the Texas Open Meetings Act.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect immediately upon its passage, approval, and publication as described above in Section 3 in the corporate city limits of the City of Kirby, Texas.

PASSED AND APPROVED this ___ day of _____, 2026, by the City Council of the City of Kirby, Texas.

CITY OF KIRBY, TEXAS

Janeshia Grider
Mayor

ATTEST:

APPROVED AS TO FORM:

Christine Wilson
City Secretary

DNRBSZ
City Attorney

Ordinance 2026-8100 Timeline



PROPOSED MORATORIUM-HB2559 A development moratorium is a temporary halt on residential or commercial development applications, allowing a city to pause new growth while it addresses inadequate public facilities or prepares new regulations. Traditionally, cities have used this tool to prevent growth from outpacing essential services such as water, sewer, storm drainage, or street capacity. [House Bill 2559](#) makes major changes to how cities may impose development moratoria.

Publish Dates & Public Hearing Dates. Used and New Car Lots and Storage Facility Moratorium	Publish in Newspaper November 3, 2025 First Public Hearing December 4, 2025	Publish in Newspaper January 10, 2026 Second Public Hearing February 12, 2026
Council sets date for first reading of Ordinance 2026-8100	First Reading of Ordinance within 12 days of Second Public Hearing Monday, February 23, 2026, 6:00 pm	
Second Reading of Ordinance (28 days from first publication notice to first reading/institution of proceedings)	March 26 City Council Second reading and Vote	

Publication date - 30-day notice for first Public Hearing

More than 30-day Notice for Second Public Hearing

Moratoria are capped at 180 days and cannot be repeated in the same area for two years.

First Ordinance Reading Monday, February 23, 2026

Notice and Hearing Requirements

Under prior law, a city could publish notice four days before a public hearing, at which point a temporary moratorium would take effect. H.B. 2559 eliminates this temporary moratorium and requires much longer notice. A city must now hold two public hearings, separated by at least thirty days, before adopting a moratorium. These hearings must be preceded by notice published in a newspaper at least thirty days before the first hearing, along with certified mail notice to anyone who has requested mailed notice within the past two years.

Adoption and Voting Thresholds

The process for adopting a moratorium has also become more protracted. Previously, a city council could adopt a moratorium ordinance within twelve days after the first hearing, with two readings separated by four days. Under the new law, the governing body must begin the adoption process within twelve days after the second hearing, give the ordinance two readings separated by at least twenty-eight days. Of particular significance for cities, H.B. 2559 requires approval by a three-fourths vote of all council members on second reading in order for the moratorium to take effect.

Unlike the prior system, where a temporary moratorium could take effect just four days after initial council action, the new extended notice and waiting periods mean a moratorium will take at least about ninety days to take effect following publication of the initial hearing notice.

Expiration and Extensions

H.B. 2559 also repeals prior provisions that allowed moratoria to remain in effect for up to 120 days. Instead, all moratoria—residential, commercial, or mixed—now expire after 90 days unless extended by the governing body. An extension requires a new public hearing and updated written findings that identify the problem requiring extension, describe the progress made to address it, specify a definite renewal period, and show that the problem will be resolved during the extended period. However, no moratorium may remain in effect for more than 180 days in the aggregate. Additionally, H.B. 2559 restricts repeat use. A city may not impose a new moratorium in the same geographic area affecting the same type of property until two years after the expiration of a prior moratorium.