



Janeshia A. Grider, Mayor

Mike Grant
Sylvia Apodaca
Englan Sanchez

Maria Lozano
Joe Molina
Susan Street

**CITY COUNCIL AGENDA
REGULAR MEETING
THURSDAY, APRIL 16, 2026 – 7:00 P.M.
CITY HALL
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 at 112 Bauman, 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: Regular Meeting

Date and Time: Thursday, April 16, 2026, at 7:00 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. Consideration and Action on Meeting Minutes

- a. Special Meeting Minutes April 6, 2026

7. Updates

- a. Ackerman Rd. Project

8. Presentation

- a. Texas Police Chiefs Association (TPCA)
- b. 2025 Annual Report
- c. Free Rides Program - Mr. Rick Veley

9. Items for Individual Consideration

- a. Discussion and Possible Action Adopting Ordinance No. 2026-100001 a purchasing policy for the City of Kirby; 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.
- b. Second Reading Discussion and Possible Action Adopting Ordinance 2026-50201 amending the garbage rates fee schedule; adopting new garbage rates; reflecting the agreement with Republic Services; implementing a rate change; authorizing the City Manager to order the implementation of the amended rate schedule; declaring a public purpose; providing for severability; setting an effective date. First Reading April 9, 2026.
- c. Discussion and Possible Action to initiate the Charter Review process; establish a Charter Review timeline; and appoint a seven-member Charter Review Commission pursuant to Section 12.11 of the City Charter.
- d. Discussion and Possible Action Adopting Resolution No. 2026-0700 approving the cost for publication of the official notice of the May 2026 General Election for three (3) City Council positions; and providing an effective date.
- e. Discussion and Possible Action to Approve the Resolution finding that Council Member Susan Street made admissions during the investigation and requires further training.

10. City Manager Update:

- Community Townhall Wednesday, April 15, 2026, at 6:00pm
- State of the City Saturday, April 18, 2026
- Early Voting April Monday – Thursday April 20-23, 2026 & April 25-28, 2026
- Battle of the Flowers April 24, 2026, City Hall Closed
- National Denim Day for Sexual Assault Awareness and Prevention Month April 29, 2026
- Election Day May 2, 2026

-Beautification and Recycling Committee Meeting Monday, May 11, 2026, 6:00pm

- Community Wide Clean-Up Saturday, May 16, 2026

-Planning and Zoning Commission Meeting Tuesday, May 12, 2026, 6:30pm

-Regular City Council Meeting May 14, 2026, at 7:00pm & May 28, 2026, at 7:00pm

11. Request and Announcements

- a. Requests by Mayor and Council Members for Items to be placed on future City Council Agendas and Announcements on City Events/Community Interest.

12. Adjournment



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 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).

*The notice for the upcoming City Council meeting was posted on the 10th day of April 2026, which is more than **three (3) business days** prior to the scheduled meeting on the 16th day of April 2026.*

<input type="checkbox"/>	DISCUSSION AND
<input type="checkbox"/>	POSSIBLE ACTION ITEMS
<input type="checkbox"/>	SPECIAL CONSIDERATION
<input checked="" 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 16, 2026

AGENDA ITEM: 6. a.

6. Consideration of and Action on Minutes

a. Special Meeting Minutes April 6, 2026



Janeshia A. Grider, Mayor

Mike Grant
Sylvia Apodaca
Englan Sanchez

Maria Lozano
Joe Molina
Susan Street

**CITY COUNCIL AGENDA
SPECIAL MEETING MINUTES
MONDAY, APRIL 6, 2026 – 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. 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, April 6, 2026, at 7:00 P.M. (Central Time)

1. Call Meeting to Order 7:06pm

2. Invocation and Pledge of Allegiance to the Flag
Mayor Grider Prayed Invocation of Pledge of Allegiance

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

	<u>Here</u>	<u>Absent</u>
Council Member Mike Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Maria Lozano	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Englan Sanchez	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Susan Street	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Joe Molina	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Pro-Tem Sylvia Apodaca	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Janeshia Grider	<input checked="" type="checkbox"/>	<input type="checkbox"/>

You have a quorum

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.

Todd Melissa
 Todd Jonathan
 Roger Romans
 McNeice Erin
 Shaw Harold
 Bass Jeff

Staff

Senior Center Kathy Gomez
 Public Works Armando Marquez
 Fire Captain Blake Ferrell
 Police Chief Roxanne Cardona
 Senior Attorney Daniel Jones
 City Secretary Christine Wilson
 City Manager Dr. Brian Rowland

Motion to enter Closed Session made by Mayor Pro-Tem Apodaca and Seconded by Council Member Molina.

	<u>1st/2nd</u>	<u>Aye</u>	<u>Nay</u>
Council Member Grant	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Lozano	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Sanchez	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Street	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Council Member Molina	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Pro-Tem Apodaca	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Grider	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion Passes (6/1)

6. Closed Session 10:51pm: The City of Kirby City Council will convene in executive session on the following items.

The City Council will convene in closed session pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code for one or more of the following authorized reasons to hear the results of the Investigation against Councilwoman Susan Street by City Manager Dr. Rowland and the findings of said investigation:

A. The City Council will meet in closed session pursuant to the Texas Open Meetings Act, Chapter 551.074, Personnel Matters for Councilwoman Susan Street,

(a) This chapter does not require a governmental body to conduct an open meeting:

(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or

(2) to hear a complaint or charge against an officer or employee.

(b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

B. The City Council will meet in closed session pursuant to the Texas Open Meetings Act, Chapter 551.071, regarding the investigation against Councilwoman Susan Street (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

Motion to enter Open Session made by Council Member Grant and Seconded by Council Member Lozano.

	<u>1st/2nd</u>	<u>Aye</u>	<u>Nay</u>
Council Member Grant	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Lozano	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Sanchez	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Street	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Molina	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Pro-Tem Apodaca	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Grider	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion Passes (7/0)

7. Open Session Tuesday, April 7, 2026, 12:16 am: 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.

Consider possible action(s) resulting from items posted and legally discussed in Executive Session:

1. Consider and take possible action regarding the investigation against Councilwoman Susan Street by City Manager Dr. Rowland, pursuant to Section 551.074.

No Action Taken

2. Consider and take possible action regarding Councilwoman Susan Street pursuant to Kirby City Charter Section 2.06, the removal of a councilmember who has been found by at least five (5) members of the Council to have violated any express provision of the City Charter, pursuant to Section 551.074.

No Action Taken

3. Discuss and take possible action to accept applications to appoint a person to fulfill Councilwoman Susan Street's term that expires on May 1, 2027, pursuant to Kirby City Charter Section 2.06.

No Action Taken

Mayor Grider read the following statement from the body: We recognize the problems that were exposed by this report. Councilmember Street made some admissions, and we have concerns that need to be addressed by her. We would like to bring back a resolution to likely include anger management, leadership training, civility training, and other trainings. The City Council will bring back in the next thirty (30) days. We also understand that City Council will hold Council Member Street to these trainings and that it is not okay to act the way she has acted towards employees. This will also hold true to the other Council Members.

8. **Adjournment** Tuesday, April 7, 2026, 12:24am

Janeshia Grider
Mayor

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.

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*The notice for the upcoming City Council meeting was posted on the 30th day of March 2026, which is more than **three (3) business days** prior to the scheduled meeting on 6th day of April 2026.*

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

**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 16, 2026

AGENDA ITEM: 7. a.

7. Updates

a. Ackerman Rd. Project

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

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

DATE: APRIL 16, 2026

AGENDA ITEM: 8.

8. Presentation

- a. Texas Police Chiefs Association (TPCA)
- b. 2025 Annual Report
- c. Free Rides Program - Mr. Rick Veley

	DISCUSSION AND
<u> X </u>	POSSIBLE ACTION ITEMS
<u> </u>	SPECIAL CONSIDERATION
<u> </u>	CONSIDERATION OF MINUTES
<u> </u>	PUBLIC HEARING
<u> </u>	PRESENTATION
<u> </u>	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 16, 2026

AGENDA ITEM: 9.

9. Items for Individual Consideration

Discussion and Possible Action Adopting Ordinance No. 2026-100001 a purchasing policy for the City of Kirby; 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.

ORDINANCE NO. 2026 - 100001
AN ORDINANCE OF THE CITY OF KIRBY, TEXAS, TO ADOPT A PURCHASING
POLICY FOR THE CITY OF KIRBY; 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 adopts the Purchasing Policy pursuant to Texas Local Government Code Chapter 252; and

WHEREAS, the City Council recognizes the necessity to obtain needed goods, services, professional services, and public works at the best possible price, of the highest quality and at the right time; and

WHEREAS, the City of Kirby adopts the Purchasing Policy ensuring compliance with local, state, and federal laws applicable to procurement and contracting; and

WHEREAS, the City Council wishes to be good stewards of public trust by spending tax dollars wisely, efficiently and with integrity; and

WHEREAS, the City Council seeks to provide all suppliers, including Historically Under-utilized Businesses, equal access to the City's competitive processes for the acquisition of goods, services, professional services, and public works; and

WHEREAS, the City Council seeks to protect the interests of Kirby's taxpayers by avoiding any undue influence, political pressures and protecting the integrity of the procurement process; and

WHEREAS, to accomplish the above, the City Council desires for the officials, directors and employees of the City to strive to provide equitable and competitive access to the City's procurement process for all responsible suppliers, and furthermore, all procurement will be conducted in a manner that promotes and fosters public confidence in the integrity of the City's procurement process; and

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

SECTION 1. THE CITY OF KIRBY ADOPTS THE PURCHASING POLICY FOR THE CITY OF KIRBY, TEXAS PURSUANT TO TEXAS LOCAL GOVERNMENT CODE CHAPTER 252.

The City of Kirby hereby enacts this Ordinance so that the City of Kirby may comply with all local, state, and federal laws applicable to procurement and contracting.

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.

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

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

CITY OF KIRBY, TEXAS

Janeshia Grider
Mayor

APPROVED AS TO FORM:

ATTEST:

Christine Wilson
City Secretary

DNRBSZ
City Attorney

City of Kirby

Purchasing Policy

May 2026

DRAFT

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Section 1: Introduction

1.1 Purpose

This Policy is designed to provide City of Kirby (hereinafter referred to as the “City”) departments with critical information and to assist them through all phases of the procurement process, including planning, sourcing, contracting, contract administration and surplus disposition. The City adheres to the public procurement values of accountability, ethics, impartiality, professionalism, service, and transparency by:

- Ensuring compliance with local, state, and federal laws applicable to procurement and contracting.
- Obtaining needed goods, services, professional services, and public works at the best possible price, of the highest quality and at the right time.
- Serving as stewards of the public trust by spending tax dollars wisely, efficiently and with integrity.
- Providing all suppliers, including Historically Under-utilized Businesses, equal access to the City’s competitive processes for the acquisition of goods, services, professional services, and public works.
- Protecting the interests of City taxpayers by avoiding any undue influence, political pressures and protecting the integrity of the procurement process. To accomplish the above, officials, directors and employees of the City will strive to provide equitable and competitive access to the City’s procurement process for all responsible suppliers. Further, procurement will be conducted in a manner that promotes and fosters public confidence in the integrity of the City’s procurement process. The City is a Home Rule Municipality.

Disclosure of Certain Relationships by Government Officials and Vendors

A local government official must disclose certain relationships with vendors to the City. The official must file a disclosure statement if the vendor who is contracting or has contracted with the City has:

1. a familial relationship with the official,
2. an employment of other business relationship with the official or a family member of the official that results in receiving over \$2,500 of taxable income over a 12-month period, or
3. given the official or family member of the official one or more gifts that have an aggregate value over \$100 in the 12-month period preceding the date the official becomes aware of the contract or potential contract with the City.

Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ found on the Texas Ethics Commission’s website (ethics.state.tx.us/forms/conflict), the vendor or person’s affiliation or business relationship that may cause a conflict of interest with the City.

By law, this questionnaire must be filed with, not later than the seventh business day after the date, the person becomes aware of facts that require the statement to be filed.

A person commits a class C misdemeanor offense if the person violates Section 176.006, Texas Local Government Code. By submitting a response to a quote, bid or other request, vendors declare compliance with the requirements of Chapter 176 of the Texas Local Government Code.

1.2 Manual

This Purchasing Manual (hereinafter referred to as the “Manual”) is the official purchasing policy document for the City. This Manual is intended for use as a guide to the City’s purchasing needs. City employees

involved in the purchase process should be familiar with, and adhere to, the guidelines set forth in this manual as they work to achieve the purpose and objectives set by the City.

The Manual includes all current purchasing policies that have been developed by the City through the time of issuance, unless otherwise noted. The policies herein apply to all employees and other individuals involved in all City purchasing processes.

Wherever possible, written procedures will also be established and maintained by the Finance Director for functions involving purchasing throughout the City. The Manual is subject to revision to meet the often rapidly changing developments encountered in the field of purchasing and in the economy.

1.3 Policy Maintenance

The Manual is available to the City Council and staff of Falls. It is the responsibility of the Finance Director to implement and enforce compliance with the Manual. It is the responsibility of all employees associated with the City to be aware of and abide by these policies and to exercise sound business judgment in the application of these policies.

It is the responsibility of the Finance Director to establish and review the initial version of the Manual, as well as create and review subsequent changes. It is the responsibility of the City Council to approve and adopt this Manual and subsequent major revisions.

Annually, as a part of the budget adoption process, the policies in the Manual will be reviewed and updated as needed, to align the policies with current and desired practices. The appendices contain material that may change more often and should be updated on an as-needed basis.

All change requests related to the Manual must be submitted in writing to the Finance Director. The Finance Director is responsible for reviewing and incorporating all change requests, as well as making changes to the official Manual and posting changes in a timely manner. All revisions to policy language must be approved by the City Council.

1.4 Revision History

Date	Version #	Changes Made	Author
05/2026	01	Initial document	

1.5 Competitive Bidding Requirements

The Texas Local Government Code requires competitive bidding on proposals for all City purchases exceeding \$100,000 in amount, and prohibits a City employee from making 'separate, sequential, or component purchases to avoid the competitive bidding requirements.' A violation is a Class B misdemeanor.

The Texas Local Government Code does not require competitive bidding for purchases exceeding \$100,000 if the purchase is made through a State of Texas approved contract or cooperative; or in certain other limited circumstances defined in such Texas Local Government Code.

These requirements strongly encourage anticipating City needs for an entire budget year for supplies, equipment, and services. If the City anticipates purchasing several like items the total cost of which would be over \$100,000 in a budget year, the City must combine the purchases and use competitive bidding in order to comply with state law.

Section 2: Methods & Thresholds for Good and Services

The following sections outline the methods of source selection available to procure goods and services for the City. They also establish when each method may be used, the key requirements of each method, the manner of award and the authority to award. Purchase requirements shall not be divided to constitute a Micro Purchase or under \$100,000 purchase under this Section.

General Purchasing Guidelines

- Before starting the Request for Quotation process, active contracts should be reviewed to verify desired products or services are not available to purchase on contract.
- The using department is strongly encouraged to consult with the Finance Department for guidance if the purchase is a sole source or an emergency.

Dollar Amount	Purchase Method	Required Documents	Approval Requirements
Under \$3,000	Request for Quotation process (RFQ) or City-Issued Credit Card	Itemized and signed receipt or invoice.	Must be approved by the department head. For purchases over \$1,000, notify the Finance Department prior to purchase.
Between \$3,000 and \$100,000	Request for Quotation (RFQ) process	Acquire at least 3 quotes. Need to maintain quote documentation and written decision-making rationale. <i>If you cannot obtain 3 quotes, consult with Finance.</i>	Must be approved by the City Administrator and reviewed by the Finance Department prior to reaching out for quotes. Best value quote should be selected. Purchases over \$3,000: department heads must check to see if there are any HUBs providing solicited items/services and reach out to them.
Over \$100,000	<u>Competitive proposal</u> <ul style="list-style-type: none"> • Sealed Bid • Request for Qualification • Request for Proposal <u>Noncompetitive proposal</u> <ul style="list-style-type: none"> • Sole source procurement • Emergency purchase 	Documents required depend on the source method. Please see the purchasing policy or consult with Finance to verify what documents need to be maintained.	Prior to going out for a bid, the bidding method must be discussed with and approved by the City Administrator. Prior to purchase, the City Council's approval is required.

2.1 Micro Purchases (Under \$3,000)

The purchase of goods and services under \$3,000 is an informal purchase and may be solicited through a Request for Quotation process or by using a City-Issued Credit Card. For purchases over \$1,000, the department head shall notify the Finance Department prior to purchase.

The department head may exercise discretion for the acquisition of such purchases as authorized in the current fiscal budget. Purchases in this category may be made by department heads or City employees designated by department heads. It is the responsibility of each department head to ensure complete

control over this purchasing process. Department heads should designate employees who are allowed to make purchases and provide internal control procedures to ensure that all purchases are for legitimate public purposes.

Itemized invoices and receipts should be directed to the Finance Department. The invoices or receipts should be in the original document and must be signed and given an account code by the department head. Department heads shall visit the Finance Department weekly for invoice review and coding.

Statements from vendors should be reconciled monthly by the Finance Department so that all purchases are accounted for.

2.2 Small Purchases (between \$3,000-\$5,000)

Purchases for goods and services between \$3,000 and \$100,000 are informal purchases and may be solicited through a Request for Quotation process. A minimum of three quotations are required for purchases of goods or services within this threshold. If the department head cannot obtain at least three quotes, they should consult with the Finance Department for further assistance.

The using department may issue a Request for Quotations to vendors with the approval of the City Administrator and a review from the Finance Director.

It is the responsibility of the department head to obtain the quotes and determine the best value for the goods and services requested. Once a decision has been made, the quote documentation and decision shall be submitted to the City Administrator or designee for final approval. An explanation will be required if the quote for the lowest cost was not chosen.

For purchases over \$3,000, the following requirements will apply:

- Opportunity to quote should be extended to at least two HUBs inside or outside of Falls County. The state maintains a database of HUBs at <https://mycpa.cpa.state.tx.us/tpasscmbsearch/tpasscmbsearch.do>.
- If no HUBs are registered in Falls County for the good/service needed, the purchase is exempt from this requirement, but the practice is still encouraged.
- A non-response quotation is considered a quotation for this purpose provided the HUB was given a reasonable time (3-5 business days) to respond.
- Quotations received from vendors shall not be divulged to other bidders until after the award has been made.

2.3 Large Purchases (over \$100,000)

The purchase of goods and services over \$100,000 is a formal purchase and requires approval from the City Council prior to purchase. The purchase of goods and services over \$100,000 shall be made through one of the following sourcing methods:

- Competitive proposal
 - Sealed Bid
 - Request for Qualification
 - Request for Proposal
- Noncompetitive proposal
 - Sole source
 - Emergency purchase

Note: Sourcing method must be discussed with and approved by the City Administrator.

Competitive Proposal

If a purchase is anticipated to exceed \$100,000 regardless of the method of purchase the sealed bid or proposal procedures must be used. Bid specifications or a request for proposal shall be prepared and mailed to vendors. The bid is advertised in the local newspaper. The user department shall be responsible for establishing and providing a complete written set of specifications along with a requisition. Specifications shall be written on a technical or functional basis. Brand names are to be avoided to ensure a fair competitive environment.

Sealed bids or proposals are received and tabulated by the user department. If the competitive sealed bidding requirement applies to the contract, notice of the time and place at which the bids will be publicly opened and read aloud must be published at least once a week for two consecutive weeks in a newspaper published in the City. The date of the first publication must be before the 14th day before the date set to publicly open the bids and read them aloud.

The lowest and best responsible bid or proposal will be recommended to the Council for their approval. In determining the best value for the City, the City may consider:

- The purchase price;
- The reputation of the bidder and of the bidder's goods or services;
- The quality of the bidder's goods or services;
- The extent to which the goods or services meet the City's needs;
- The bidder's past relationship with the City;
- The impact on the ability of the City to comply with laws and rules relating to contracting with historically underutilized businesses and nonprofit organizations employing persons with disabilities;
- The total long-term cost to the City to acquire the bidder's goods or services; and
- Any relevant criteria are specifically listed in the request for bids or proposals.

The Council will evaluate the recommended vendor and decide to approve or disapprove. If the recommended vendor is not approved the Council may award the bid to another vendor; bids may be rejected altogether. If the recommendation is approved and the Council awards the bid, the Purchaser may submit an award letter to the vendor or may prepare a purchase voucher. If an award letter is sent to the vendor, a copy of the letter should be sent to the Finance Department along with a copy of the approved bid or proposal.

Sole Source Procurement

Sole source procurement is defined as the acquisition of a good, service, professional service, or public work in which there is only one possible vendor. The department requesting a sole source procurement shall provide and retain a written justification to support a sole source determination. The sole source written justification, signed by the department head and the City Administrator, should explain and fully describe the conditions which make the supplier the only source for a given commodity or service. Sole source procurement shall be avoided, except when no available alternative sources exist. The sole source written justification shall be maintained as a public record.

Emergency or Public Health and Safety Purchases

Emergency purchases are defined as those purchases caused by an unforeseen and dangerous or public health and safety situation requiring immediate action to preserve the health or safety of people or

property. When such purchases are made, the user department will make the purchase at the best possible price. The use of such purchase authority by reason of failure to anticipate normal needs should be avoided.

2.4 Closing Out the Purchase

1. After the purchase is placed, the vendor provides ordered goods or services and submits an invoice to the City.
2. The user department will inspect the goods upon delivery, or the services upon completion, to see if specifications have been met.
3. The user department will sign and code the invoice or receipt prior to submitting it to Finance.
4. The vendor invoice will be submitted to the Finance Department for payment before noon on Monday.

Section 3: Historically Underutilized Businesses

Pursuant to §252.0215, Local Government Code, the City, in making an expenditure of more than \$3,000 but less than \$100,000, shall contact at least two historically underutilized businesses (hereinafter referred to as "HUBs") in the county in which the City is situated on a rotating basis, based on information provided by the comptroller pursuant to Chapter 2161, Government Code. For state or federally funded purchases such as some grants, outreach to historically underutilized businesses may be required above the \$100,000 threshold.

The City should actively contact at least two (2) HUBs for any expenditure more than \$3,000. However, if the online database fails to identify a historically underutilized business in the county in which the City is situated, the City is exempt from this section.

The Texas Comptroller's website has an online database to search for HUBs in Hays County. This database can be accessed at <https://mycpa.cpa.state.tx.us/tpasscmbsearch/>. Historically Underutilized Business Outreach Certification Form must be filled out for each qualifying purchase (see [Appendix A](#)). This form will serve as documentation of the City's compliance with state HUB laws.

Section 4: Rental and Lease Equipment

Sealed bids or State of Texas contracts will accomplish all lease agreements if the amount of the lease is expected to be \$100,000 or more over the term of the lease agreement. Leases should never be used to avoid or circumvent the requirements for competition that would apply to outright purchases. The soundest rule is that any lease of equipment be subject to the requirements for competition that apply to outright purchases.

The City Secretary should be notified of the date the equipment is rented/leased and the date the equipment is returned so that an insurance certificate can be obtained and cancelled.

When renting/leasing is the only viable answer to an equipment need, care should be exercised to provide cancellation options that are favorable to the City. The department should identify the source of funding to cover the payments of equipment rental/lease for the entire period of the contract.

Section 5: Professional Services

"Professional Services" include services which involve mental or intellectual skills, often accompanied by formal certification or licensing by a state agency, such as accounting, architecture, engineering, medicine, planning, economics, law, financial advisory services and scientific or laboratory consulting services.

State laws exempt the procurement of these services from competitive bidding requirements. The City Council should select professional service consultants based on demonstrated competence and qualifications and should negotiate fees based on what is fair and reasonable for the type of services, rather than on a "low bid" basis. Except for architects, engineers, and land surveyors, both price and qualifications can be considered in selecting consultants.

In the case where Federal funding will be used for professional non-engineering, architectural, or land surveying services, a cost comparison competitive proposal taking cost and qualifications into account will be followed. Where a project is being funded by a federal grant, the City's procurement process will also comply with the federal laws applicable to the City and the respective grant.

In the case of architectural, engineering services or land surveying services a two-step process can be followed, according to §2254, Texas Government Code, the Professional Services Procurement Act. The steps include:

1. The initial selection of the most highly qualified provider of those services on the basis of demonstrated competence and qualifications (and not considering price); and
2. The negotiation of a fee with the selected consultant. If a satisfactory contract cannot be negotiated with the most highly qualified provider of architectural, engineering, or land surveying services, the second most qualified consultant may be undertaken, and so forth until a contract is entered into.

Note: For engineers, architects, and surveyors, price may not be considered in the initial selection of the consultant. For professional services procurement involving an anticipated fee of \$25,000 or less, the process described may be followed in an informal manner by the elected official/department head but must be approved by the City Council. For procurements involving an anticipated fee exceeding \$25,000, the department head in coordination with the City Administrator may make a formal request for proposal procedures.

All contracts for equipment maintenance, equipment lease/rental and professional services should be approved by the City Attorney and brought before the City Council for approval and signed by the City Administrator.

When a user department wishes to initiate an RFP or RFQ to procure professional services, it should have the approval of the City Council. The user department will evaluate proposals, or a committee appointed by the City Council. A contract should be approved by the City Attorney based on the RFP or RFQ and the consultant's proposal prior to being presented to City Council for approval.

Section 6: Annual Contracts (With Unit Prices)

Departments will request authorization from the City Council to request bids for goods and/or services such as petroleum products, road materials, work uniforms etc. These contracts include a unit price and not a total price. The following statement should be included in the terms and conditions of each request for bids that require an annual contract:

- If this bid is accepted and approved by City Council, then this bid becomes the contract and there are no oral agreements either expressed or implied.

References

- Texas Local Government Code
 - 252.021 - over \$100,000 threshold for competitive bids
 - 252.0215 - expenditures \$3,000-\$100,000 require municipality to actively contact at least two (2) HUBs
 - 252.022 - emergency purchases can be made in situations of public calamity when there is an immediate need to relieve necessity of the municipality's residents or to preserve the property of the municipality; to preserve or protect the public health or safety of the municipality's residents; and to pay for unforeseen damage to public machinery, equipment, or other property.
 - 252.043 - Award of contract
 - 252.0436 – Contract with person indebted
 - 252.044 – Bonds for full contract price are required
 - Notice requirement: once a week for two (2) consecutive weeks and fourteen (14) total days
- Texas Government Code
 - 2254.004 - requires contracts to select by qualifications then, negotiate price but do not choose solely based on price
- 2 CFR 200
 - <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR45ddd4419ad436d>

Appendix A – HUB Form

Historically Underutilized Business (HUB)

Outreach Certification Form

(for purchases above \$3,000)

REQUESTING DEPT:
Department Name
Contact Staff Name

REQUIRED HUB CONTACT #1			
Vendor Name		Contact Person (Phone or Email)	
Contact Date		Price Quoted	\$
Description of Goods/Services		Relevant Documentation	

REQUIRED HUB CONTACT #2			
Vendor Name		Contact Person (Phone or Email)	
Contact Date		Price Quoted	\$
Description of Goods/Services		Relevant Documentation	

IMPORTANT:

All purchasing policies must be followed when contacting HUBs for quotations. If you cannot obtain 3 quotes, please consult with the Finance Department.

Appendix B – Federally Funded Procurements

(Current as of May 2025)

Procurements and contracts utilizing federal funds require additional elements to be in compliance with federal laws and regulations. Below are detailed the federal procurement standards and the contract provisions in their entirety. Not all standards and contract provisions will be applicable in every situation, but they should be reviewed for any situation where federal funds are involved. The primary requirement is that jurisdictions must follow their own procurement policies and procedures, so in cases where thresholds in the federal rules are higher than state or city thresholds, the lowest thresholds should be used.

The following sections are from the Code of Federal Regulations, Title 2, Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

§ 200.318 General procurement standards.

- (a) The non-Federal entity must have and use documented procurement procedures, consistent with State, local, and tribal laws and regulations and the standards of this section, for the acquisition of property or services required under a Federal award or subaward. The non-Federal entity's documented procurement procedures must conform to the procurement standards identified in [§§ 200.317](#) through [200.327](#).
- (b) Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
- (c)
 - (1) The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.
 - (2) If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

- (d) The non-Federal entity's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.
- (e) To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. Competition requirements will be met with documented procurement actions using strategic sourcing, shared services, and other similar procurement arrangements.
- (f) The non-Federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.
- (g) The non-Federal entity is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.
- (h) The non-Federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. See also [§ 200.214](#).
- (i) The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: Rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.
- (j)
- (1) The non-Federal entity may use a time-and-materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time-and-materials type contract means a contract whose cost to a non-Federal entity is the sum of:
- (i) The actual cost of materials; and
- (ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.
- (2) Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the non-Federal entity awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.
- (k) The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and

claims. These standards do not relieve the non-Federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.

[[85 FR 49543](#), Aug. 13, 2020, as amended at [86 FR 10440](#), Feb. 22, 2021]

§ 200.319 Competition.

- (a) All procurement transactions for the acquisition of property or services required under a Federal award must be conducted in a manner providing full and open competition consistent with the standards of this section and [§ 200.320](#).
- (b) In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:
 - (1) Placing unreasonable requirements on firms in order for them to qualify to do business;
 - (2) Requiring unnecessary experience and excessive bonding;
 - (3) Noncompetitive pricing practices between firms or between affiliated companies;
 - (4) Noncompetitive contracts to consultants that are on retainer contracts;
 - (5) Organizational conflicts of interest;
 - (6) Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and
 - (7) Any arbitrary action in the procurement process.
- (c) The non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.
- (d) The non-Federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations:
 - (1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to

define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and

(2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

(e) The non-Federal entity must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the non-Federal entity must not preclude potential bidders from qualifying during the solicitation period.

(f) Noncompetitive procurements can only be awarded in accordance with [§ 200.320\(c\)](#).

§ 200.320 Methods of procurement to be followed.

The non-Federal entity must have and use documented procurement procedures, consistent with the standards of this section and [§§ 200.317, 200.318, and 200.319](#) for any of the following methods of procurement used for the acquisition of property or services required under a Federal award or sub-award.

(a) **Informal procurement methods.** When the value of the procurement for property or services under a Federal award does not exceed the *simplified acquisition threshold (SAT)*, as defined in [§ 200.1](#), or a lower threshold established by a non-Federal entity, formal procurement methods are not required. The non-Federal entity may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the SAT include:

(1) *Micro-purchases*

(i) **Distribution.** The acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (See the definition of *micro-purchase* in [§ 200.1](#)). To the maximum extent practicable, the non-Federal entity should distribute micro-purchases equitably among qualified suppliers.

(ii) **Micro-purchase awards.** Micro-purchases may be awarded without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly. Purchase cards can be used for micro-purchases if procedures are documented and approved by the non-Federal entity.

(iii) **Micro-purchase thresholds.** The non-Federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures. The micro-purchase threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations. Non-Federal entities may establish a threshold higher than the Federal threshold established in the Federal Acquisition Regulations (FAR) in accordance with [paragraphs \(a\)\(1\)\(iv\) and \(v\)](#) of this section.

(iv) **Non-Federal entity increase to the micro-purchase threshold up to \$50,000.** Non-Federal entities may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of this section. The non-Federal entity may self-certify a threshold up to \$50,000 on an annual basis and must

maintain documentation to be made available to the Federal awarding agency and auditors in accordance with [§ 200.334](#). The self-certification must include a justification, clear identification of the threshold, and supporting documentation of any of the following:

(A) A qualification as a low-risk auditee, in accordance with the criteria in [§ 200.520](#) for the most recent audit;

(B) An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or,

(C) For public institutions, a higher threshold consistent with State law.

(v) **Non-Federal entity increase to the micro-purchase threshold over \$50,000.** Micro-purchase thresholds higher than \$50,000 must be approved by the cognizant agency for indirect costs. The non-federal entity must submit a request with the requirements included in [paragraph \(a\)\(1\)\(iv\)](#) of this section. The increased threshold is valid until there is a change in status in which the justification was approved.

(2) **Small purchases** —

(i) **Small purchase procedures.** The acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources as determined appropriate by the non-Federal entity.

(ii) **Simplified acquisition thresholds.** The non-Federal entity is responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk and its documented procurement procedures which must not exceed the threshold established in the FAR. When applicable, a lower simplified acquisition threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations.

(b) **Formal procurement methods.** When the value of the procurement for property or services under a Federal financial assistance award exceeds the SAT, or a lower threshold established by a non-Federal entity, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement can be used in accordance with [§ 200.319](#) or [paragraph \(c\)](#) of this section. The following formal methods of procurement are used for procurement of property or services above the simplified acquisition threshold or a value below the simplified acquisition threshold the non-Federal entity determines to be appropriate:

(1) **Sealed bids.** A procurement method in which bids are publicly solicited and a firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the preferred method for procuring construction if the conditions.

(i) In order for sealed bidding to be feasible, the following conditions should be present:

(A) A complete, adequate, and realistic specification or purchase description is available;

(B) Two or more responsible bidders are willing and able to compete effectively for the business; and

(C) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

(ii) If sealed bids are used, the following requirements apply:

(A) Bids must be solicited from an adequate number of qualified sources, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publicly advertised;

(B) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;

(C) All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;

(D) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and

(E) Any or all bids may be rejected if there is a sound documented reason.

(2) **Proposals.** A procurement method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids. They are awarded in accordance with the following requirements:

(i) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Proposals must be solicited from an adequate number of qualified offerors. Any response to publicized requests for proposals must be considered to the maximum extent practical;

(ii) The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and making selections;

(iii) Contracts must be awarded to the responsible offeror whose proposal is most advantageous to the non-Federal entity, with price and other factors considered; and

(iv) The non-Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby offeror's qualifications are evaluated and the most qualified offeror is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms that are a potential source to perform the proposed effort.

(c) **Noncompetitive procurement.** There are specific circumstances in which noncompetitive procurement can be used. Noncompetitive procurement can only be awarded if one or more of the following circumstances apply:

- (1) The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (see [paragraph \(a\)\(1\)](#) of this section);
- (2) The item is available only from a single source;
- (3) The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation;
- (4) The Federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the non-Federal entity; or
- (5) After solicitation of a number of sources, competition is determined inadequate.

§ 200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

(a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

(b) Affirmative steps must include:

- (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in [paragraphs \(b\)\(1\)](#) through [\(5\)](#) of this section.

§ 200.322 Domestic preferences for procurements.

(a) As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron,

aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award.

(b) For purposes of this section:

- (1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
- (2) "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

§ 200.323 Procurement of recovered materials.

A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at [40 CFR part 247](#) that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

§ 200.324 Contract cost and price.

- (a) The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.
- (b) The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and, in all cases, where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.
- (c) Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under [subpart E of this part](#). The non-Federal entity may reference its own cost principles that comply with the Federal cost principles.

(d) The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

§ 200.325 Federal awarding agency or pass-through entity review.

(a) The non-Federal entity must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.

(b) The non-Federal entity must make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:

- (1) The non-Federal entity's procurement procedures or operation fails to comply with the procurement standards in this part;
- (2) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;
- (3) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;
- (4) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or
- (5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.

(c) The non-Federal entity is exempt from the pre-procurement review in [paragraph \(b\)](#) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part:

- (1) The non-Federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third-party contracts are awarded on a regular basis;
- (2) The non-Federal entity may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-Federal entity that it is complying with these standards. The non-Federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

§ 200.326 Bonding requirements.

For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

- (a) A bid guarantee from each bidder equivalent to five percent of the bid price. The “bid guarantee” must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
- (b) A performance bond on the part of the contractor for 100 percent of the contract price. A “performance bond” is one executed in connection with a contract to secure fulfillment of all the contractor’s requirements under such contract.
- (c) A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

§ 200.327 Contract provisions.

The non-Federal entity’s contracts must contain the applicable provisions described in appendix II to this part.

Appendix II to Part 200—Contract Provisions for Non-Federal Entity Contracts Under Federal Awards

In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the non-Federal entity under the Federal award must contain provisions covering the following, as applicable.

- (A) Contracts for more than the simplified acquisition threshold, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by [41 U.S.C. 1908](#), must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.
- (B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.
- (C) Equal Employment Opportunity. Except as otherwise provided under [41 CFR Part 60](#), all contracts that meet the definition of “federally assisted construction contract” in [41 CFR Part 60–1.3](#) must include the equal opportunity clause provided under [41 CFR 60–1.4\(b\)](#), in accordance with Executive Order 11246, “Equal Employment Opportunity” ([30 FR 12319, 12935, 3 CFR Part, 1964–1965 Comp.](#), p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at [41 CFR part 60](#), “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

- (D) Davis-Bacon Act, as amended ([40 U.S.C. 3141–3148](#)). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act ([40 U.S.C. 3141–3144](#), and [3146–3148](#)) as supplemented by Department of Labor regulations ([29 CFR Part 5](#), “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act ([40 U.S.C. 3145](#)), as supplemented by Department of Labor regulations ([29 CFR Part 3](#), “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.
- (E) Contract Work Hours and Safety Standards Act ([40 U.S.C. 3701–3708](#)). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with [40 U.S.C. 3702](#) and [3704](#), as supplemented by Department of Labor regulations ([29 CFR Part 5](#)). Under [40 U.S.C. 3702](#) of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of [40 U.S.C. 3704](#) are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
- (F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under [37 CFR § 401.2 \(a\)](#) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of [37 CFR Part 401](#), “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.
- (G) Clean Air Act ([42 U.S.C. 7401–7671q.](#)) and the Federal Water Pollution Control Act ([33 U.S.C. 1251–1387](#)), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act ([42 U.S.C. 7401–7671q](#)) and the Federal Water Pollution Control Act as amended ([33 U.S.C. 1251–1387](#)). Violations must

be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see [2 CFR 180.220](#)) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at [2 CFR 180](#) that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(I) Byrd Anti-Lobbying Amendment ([31 U.S.C. 1352](#))—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by [31 U.S.C. 1352](#). Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

The above policy was adopted and voted on the ____ day of April, 2026

Mayor

City Secretary

	DISCUSSION AND
<input checked="" type="checkbox"/>	POSSIBLE ACTION ITEMS
<input type="checkbox"/>	SPECIAL CONSIDERATION
<input type="checkbox"/>	CONSIDERATION OF MINUTES
<input type="checkbox"/>	PUBLIC HEARING
<input type="checkbox"/>	UPDATES
<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 16, 2026

AGENDA ITEM: 9.

9. Items for Individual Consideration

Second Reading Discussion and Possible Action Adopting Ordinance 2026-50201 amending the garbage rates fee schedule; adopting new garbage rates; reflecting the agreement with Republic Services; implementing a rate change; authorizing the City Manager to order the implementation of the amended rate schedule; declaring a public purpose; providing for severability; setting an effective date. First Reading April 9, 2026.

ORDINANCE NO. 2026-50201

AN ORDINANCE OF THE CITY OF KIRBY, TEXAS (CITY) AMENDING THE GARBAGE RATES FEE SCHEDULE; ADOPTING NEW GARBAGE RATES; REFLECTING THE AGREEMENT WITH REPUBLIC SERVICES; IMPLEMENTING A RATE CHANGE; AUTHORIZING THE CITY MANAGER TO ORDER THE IMPLEMENTATION OF THE AMENDED RATE SCHEDULE; DECLARING A PUBLIC PURPOSE; PROVIDING FOR SEVERABILITY; SETTING AN EFFECTIVE DATE

WHEREAS, solid waste services are provided to the City of Kirby by BFI Waste Services of Texas, LP dba Republic Services of San Antonio (“Republic”) by agreement, attached Exhibit A; and

WHEREAS, the Amendment I to the Municipal Materials Management Agreement with Republic Services calls for the City of Kirby to raise garbage rates and authorizes certain fees for invoicing services directly to customers; and

WHEREAS, the City Council has determined the rates for providing solid waste collections services requires adjustment in order to reflect the actual costs of provisions services and such fees are reasonable and necessary for the provision of waste management services; and

WHEREAS, the City Council has determined the rates for providing waste management services requires adjustment in order to reflect its actual costs and to assure the City’s continued financial ability to provide these services; and

WHEREAS, the City Council finds that it is necessary to charge an additional fee to cover the costs of garbage rates, administration costs, postage, and other costs associated with the costs of doing business with Republic Services; and

WHEREAS, the City Council finds it necessary to amend the Fee Schedule of the City of Kirby Code of Ordinances; now

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

Section 1. That the recitals contain in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 2. That the new garbage rates and additional fees shall be effective for immediately upon passage of the Fee Schedule, Garbage Collection Fees of the City of Kirby Code of Ordinances, is hereby amended as set forth said Code of Ordinances.

Section 3. The City Manager or his designee is hereby authorized and directed to implement the applicable utility rates and service charges in conjunction with appropriate billing periods.

Section 4. It is hereby found that that such implementation is necessary to protect public health, safety, and welfare.

Section 5. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance be severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance and the remainder of this ordinance shall be enforced as written.

Section 6. That it is officially found, determined and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 7. This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law, and in accordance with appropriate billing period requirements.

Section 8. The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any rights of the City of Kirby under any section or provisions of any ordinances in effect at the time of passage of this ordinance.

Section 9. The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein.

First reading, PASSED AND APPROVED on _____, 2026.

Second reading, PASSED AND APPROVED on _____, 2026.

CITY OF KIRBY, TEXAS

Janeshia Grider
Mayor

ATTEST:

APPROVED AS TO FORM:

Christine Wilson
City Secretary

DNRBSZ
City Attorney

(CITY SEAL)

DRAFT

DRAFT

Exhibit "A"

	Current City Rate	Proposed Rate Including CPI of 4.89%
<u>Residential</u>		
Residential (one cart)	23.03	24.15
Each Extra Cart	9.90	10.39
<u>Commercial:</u>		
Commercial Hand Pickup	33.63	35.27
Container Service:		
2 Cubic Yard		
1 Pickup Per Week	142.02	148.96
2 Pickups Per Week	264.15	277.07
3 Pickups Per Week	359.89	377.48
4 Pickups Per Week	482.10	505.67
5 Pickups Per Week	600.93	630.31
3 Cubic Yard		
1 Pickup Per Week	161.76	169.67
2 Pickups Per Week	290.58	304.78
3 Pickups Per Week	392.92	412.14
4 Pickups Per Week	538.19	564.50
5 Pickups Per Week	676.81	709.90
4 Cubic Yard		
1 Pickup Per Week	178.34	187.06
2 Pickups Per Week	316.95	332.45
3 Pickups Per Week	422.03	442.66
4 Pickups Per Week	587.68	616.42
5 Pickups Per Week	742.85	779.17
6 Cubic Yard		
1 Pickup Per Week	224.56	235.54
2 Pickups Per Week	392.92	412.14
3 Pickups Per Week	527.45	553.24
4 Pickups Per Week	709.85	744.56
5 Pickups Per Week	888.16	931.59
8 Cubic Yard		
1 Pickup Per Week	254.25	266.69
2 Pickups Per Week	439.12	460.60
3 Pickups Per Week	577.80	606.06
4 Pickups Per Week	822.11	862.31
5 Pickups Per Week	1,040.05	1,090.91
6 Pickups Per Week	1,247.84	1,308.86
<u>Commercial Additional Charges</u>		
Extra lift for any Commercial Container	131.59	138.02
Delivery Fee for any Commercial Container	41.12	43.13
Exchange or Removal Fee for any Commercial Container	65.78	69.00

DRAFT

Additional Cost to City for Republic CPI Increase

	Monthly Cost for CPI Increase	Cost of CPI for June - Sept
Residential	3,138	12,552
Commercial	<u>1,068</u>	<u>4,270</u>
Total Cost for CPI	4,206	16,822

	DISCUSSION AND
<u> X </u>	POSSIBLE ACTION ITEMS
<u> </u>	SPECIAL CONSIDERATION
<u> </u>	CONSIDERATION OF MINUTES
<u> </u>	PUBLIC HEARING
<u> </u>	PRESENTATION
<u> </u>	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 16, 2026

AGENDA ITEM: 9.

9. Items for Individual Consideration

Discussion and Possible Action to initiate the Charter Review process; establish a Charter Review timeline; and appoint a seven-member Charter Review Commission pursuant to Section 12.11 of the City Charter.

- **Section 12.11 - Charter Review Commission:**

At least every six years since the last appointment of a Charter Review Commission, the City Council shall appoint a Charter Review Commission consisting of seven citizens of the City of Kirby.

(a)

Duties of the Commission:

(1)

Inquire into the operation of the city government under the Charter provisions and determine whether any such provisions require revision. To this end, public hearings may be held; and the commission shall have the power to compel the attendance of any officer or employee of the City and require the submission of any of the City records, which it may deem necessary to the conduct of such hearing.

(2)

Propose any recommendations it may deem desirable to ensure compliance with the provisions of the Charter by the several departments of the City government.

(3)

Propose, if it deems desirable, amendments to this Charter to improve the effective application of the Charter to current conditions.

(4)

Report its findings and present its proposed amendments, if any, to the Council.

(b)

Action by the Council: The Council shall receive and have published in the designated official public newspaper of the City and posted on the official website of the City any report presented by the Charter Review Commission; shall consider any recommendations made; and if any amendments be presented as of such report, shall order such amendment or amendments to be submitted to the voters of the City in the manner provided by the laws of the State of Texas, as now or hereafter amended.

(c)

Term of Office: The term of office of such Charter Review Commission shall be six (6) months, or sooner if a report is presented to the City Council prior to said term of office. If during such six (6) month term no report is presented to the City Council, then all records

of the proceedings of such Commission shall be filed with the person performing the duties of the City Secretary and shall become public record.

([Res. No. R-2021-734](#), § 15, 5-6-2021)

DRAFT

<input type="checkbox"/>	DISCUSSION AND
<input checked="" type="checkbox"/>	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 16, 2026

AGENDA ITEM: 9.

9. Items for Individual Consideration

Discussion and Possible Action Adopting Resolution No. 2026-0700 approving the cost for publication of the official notice of the May 2026 General Election for three (3) City Council positions; and providing an effective date.

CITY OF KIRBY, TEXAS

RESOLUTION NO. 2026-0700

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRBY, TEXAS, APPROVING THE COST FOR PUBLICATION OF THE OFFICIAL NOTICE OF THE MAY 2026 GENERAL ELECTION FOR THREE (3) CITY COUNCIL POSITIONS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Kirby, Texas, will conduct a General Election on May 2, 2026, for the purpose of electing three (3) City Council Members; and

WHEREAS, the Texas Election Code requires that notice of such election be published in a newspaper of general circulation within the municipality; and

WHEREAS, the City has received a quote for publication of the required election notice; and

WHEREAS, the City Council finds that approving the cost for publication of the official election notice is necessary to ensure compliance with state law and proper notice to the public.

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

SECTION 1. The City Council hereby approves the cost for publication of the official notice of the May 2026 General Election for three (3) City Council positions in the amount of \$ 6,854.00 with San Antonio News Express.

SECTION 2. The City Council authorizes the City Secretary to coordinate publication of the election notice and to process payment in accordance with the City's purchasing procedures.

SECTION 3. Funds for this expenditure shall be paid from the appropriate City budget account.

SECTION 4. If any provision of this Resolution is held invalid, such invalidity shall not affect the remaining provisions.

SECTION 5. This Resolution shall take effect immediately upon passage.

PASSED AND APPROVED this ____ day of _____, 2026.

Janeshia Grider, Mayor

ATTEST:

Christine Wilson, City Secretary

City Secretary

From: San Antonio Express-News, Legals <legals@express-news.net>
Sent: Thursday, April 9, 2026 11:09 AM
To: City Secretary
Cc:
Subject: RE: 34387050 2026 Election Newspaper Notice
Attachments: SAE3438705001_lr.pdf

proof in attachment for your approval to run 4-19-26.

Charges are \$ 6,854.00.

Thanks,

PLEASE MAKE SURE TO LOOK OVER EVERY CONFIRMATION WE SEND YOU TO ENSURE EVERYTHING IS CORRECT.

ERIC CARREON

Phone | 210-250-2500 Option 1 San Antonio Express-News

Phone | 866-228-2468 Austin American-Statesmans



Austin American-Statesman | Austin Monthly | Austin Home
San Antonio Express-News | MySA | San Antonio Magazine

From: City Secretary <Citysecretary@cityofkirby.org>
Sent: Wednesday, April 8, 2026 2:31 PM
To: San Antonio Express-News, Legals <legals@express-news.net>
Cc:
Subject: 34387050 2026 Election Newspaper Notice

Hello,

May I have a quote for the following Notice to run in the paper Sunday, April 19, 2026?

Warm Regards,

Excellence is never an accident

Christine Wilson

City Secretary

City of Kirby

112 Bauman

Kirby, TX 78219

(210) 661-3198

citysecretary@cityofkirby.org

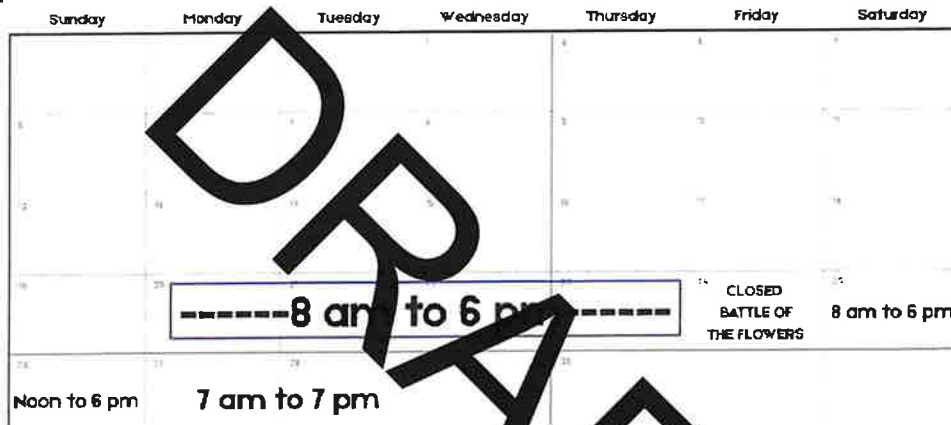
General Election - Saturday, May 2, 2026

BEXAR COUNTY ELECTIONS

Last Day to Register to Vote or Make a Change of Address	April 2, 2026
Last Day to Receive Ballot by Mail Application	April 20, 2026
Mail Ballot Can Be Delivered in Person by 7 PM	May 2, 2026
Last Day to Receive Ballot by Mail	May 4, 2026
Last Day to Receive Military and Overseas Ballots	May 8, 2026
Last Day to Cure Provisional Ballot	May 8, 2026

Early Voting Schedule

April



Bexar County Elections

1103 S Frio, San Antonio 78203

Castle Hills City Hall

209 Lemonwood, Castle Hills 78213

Christian Family Baptist Church

1589 Grossenbacher Rd, San Antonio 78245

Encino Branch Library

2515 E Evans Rd, San Antonio 78203

Fire Station #3 - Schertz

11917 Lower Seguin Rd, Schertz 78154

Helotes City Hall

12951 Bandera Rd, Helotes 78023

Kirby City Hall

112 Bauman St, Kirby 78219

Leon Valley Conference Center

6421 Evers Rd, Leon Valley 78238

Lions Field Adult and Senior Center

2809 Broadway St, San Antonio 78209

Olmos Park City Hall

120 W El Prado Dr, Olmos Park 78212

San Antonio College - Victory Center

1819 N Main Ave, San Antonio 78212

Semmes Branch Library

15060 Judson Rd, San Antonio 78247

Shavano Park City Hall

900 Saddletree Ct, Shavano Park 78231

Somerset City Hall

2515 E Evans Rd, San Antonio 78259

SWISD Administration Building #400

11914 Dragon Ln, San Antonio 78252

Thousand Oaks Branch Library

4618 Thousand Oaks, San Antonio 78233

Tobin Library at Oakwell

4134 Harry Wurzbach, San Antonio 78209

Universal City Library

100 Northview Dr, Universal City 78148

Wonderland of Americas Mall

4522 Fredericksburg Rd, San Antonio 78201

General Election - Saturday, May 2, 2026

BEXAR COUNTY ELECTIONS

Last Day to Register to Vote or Make a Change of Address	April 2, 2026
Last Day to Receive Ballot by Mail Application	April 20, 2026
Mail Ballot Can Be Delivered in Person By 7 PM	May 2, 2026
Last Day to Receive Ballot by Mail	May 4, 2026
Last Day to Receive Military and Overseas Ballots	May 8, 2026
Last Day to Cure Provisional Ballot	May 8, 2026

Election Day Vote Centers - OPEN 7 AM - 7 PM

AGNES COTTON ACADEMY 1616 BLANCO RD, SAN ANTONIO 78212	LUCKEY RANCH ELEMENTARY SCHOOL 12045 LUCKEY RIVER, SAN ANTONIO 78245
ALAMO CONVOCATION CENTER 110 TULETA, SAN ANTONIO 78212	MADISON HIGH SCHOOL 5005 STAHL RD, SAN ANTONIO 78247
ALAMO HEIGHTS CITY HALL 6116 BROADWAY, ALAMO HEIGHTS 78209	MOUNT CALVARY LUTHERAN EVANGELIC CHURCH 208 MT CALVARY, SAN ANTONIO 78209
ALAMO HEIGHTS ISD ADMIN. BLDG. 7101 BROADWAY, ALAMO HEIGHTS 78209	MITZ MIDDLE SCHOOL 5426 BLANCO RD, SAN ANTONIO 78216
BEXAR COUNTY ELECTIONS 1103 S FRIO ST, SAN ANTONIO 78207	NORTHEAST LAKEVIEW COLLEGE 1111 KERRY HAWK RD. LIVE OAK 78148
BIG COUNTRY ELEMENTARY SCHOOL 2250 PUE RD, SAN ANTONIO 78245	NORTHERN HILLS ELEMENTARY SCHOOL 1390 HIGGINS LN, SAN ANTONIO 78217
BULVERDE CREEK ELEMENTARY SCHOOL 3839 CANYON PKWY, SAN ANTONIO 78259	OAK GROVE ELEMENTARY SCHOOL 3250 N. JUDSON RD, SAN ANTONIO 78217
CASTLE HILLS CITY HALL 209 LEMONWOOD DR, CASTLE HILLS 78213	OLMOS ELEMENTARY SCHOOL 1103 ALLENA DR, SAN ANTONIO 78213
CHRISTIAN FAMILY BAPTIST CHURCH 1589 GROSENBACHER, SAN ANTONIO 78245	PRE-K ACADEMY AT WEST AVENUE 3915 WEST AVE, SAN ANTONIO 78213
CITY OF OLMO PARK CITY HALL 120 W EL PRADO, OLMO PARK 78212	RIDGEVIEW ELEMENTARY SCHOOL 8223 MCCULLOUGH AVE, SAN ANTONIO 78216
DELLVIEW ELEMENTARY SCHOOL 7235 DEWHURST RD, SAN ANTONIO 78213	ROAN FOREST ELEMENTARY SCHOOL 22710 ROAN PARK, SAN ANTONIO 78259
EISENHOWER MIDDLE SCHOOL 8231 BLANCO RD, SAN ANTONIO 78216	ROYAL RIDGE ELEMENTARY SCHOOL 5933 ROYAL RIDGE DR, SAN ANTONIO 78239
EL DORADO ELEMENTARY SCHOOL 12634 EL SENDERO, SAN ANTONIO 78233	SAN ANTONIO COLLEGE VICTORY CENTER 1819 N MAIN AVE, SAN ANTONIO 78212
ENCINO BRANCH LIBRARY 2515 E EVANS RD, SAN ANTONIO 78259	SEMMES BRANCH LIBRARY 15060 JUDSON RD, SAN ANTONIO 78247
FIELDS ELEMENTARY SCHOOL 9570 FM 1560 N, SAN ANTONIO 78254	SHAVANO PARK CITY HALL 900 SADDLETREE CT, SHAVANO PARK 78231
FIRE STATION #3 - SCHERTZ 11917 LOWER SEGUIN RD, SCHERTZ 78154	SOMERSET CITY HALL 7360 E SIXTH ST, SOMERSET 78069
GREY FOREST COMMUNITY CENTER 18249 SHERWOOD TRL, GREY FOREST 78023	SOUTHWEST ISD Admin. Bldg. #400 11960 DRAGON LN, SAN ANTONIO 78252

General Election - Saturday, May 2, 2026

HARMONY HILLS ELEMENTARY SCHOOL

10727 MEMORY LN, SAN ANTONIO 78216

HELOTES CITY HALL

12951 BANDERA RD, HELOTES 78023

HELOTES ELEMENTARY SCHOOL

13878 RIGGS RD, HELOTES 78023

HENDERSON ELEMENTARY SCHOOL

14605 KALLISON BEND, SAN ANTONIO 78254

HOLLYWOOD PARK CITY HALL

2 MECCA DR. HOLLYWOOD PARK 78232

KIRBY CITY HALL

112 BAUMAN ST, KIRBY 78219

KRUEGER MIDDLE SCHOOL

438 LANARK DR, SAN ANTONIO 78218

LARKSPUR ELEMENTARY SCHOOL

1802 LARKSPUR DR, SAN ANTONIO 78213

LEON VALLEY CONFERENCE CENTER

6427 EVERS RD, LEON VALLEY 78240

LIONS FIELD ADULT AND SENIOR CENTER

2809 BROADWAY, SAN ANTONIO 78209

LONGS CREEK ELEMENTARY SCHOOL

15806 O'CONNOR RD, SAN ANTONIO 78247

STAHL ELEMENTARY SCHOOL

5222 STAHL RD, SAN ANTONIO 78247

STEBING RANCH ELEMENTARY SCHOOL

5100 KNOLL CREEK, SAN ANTONIO 782447

TERRELL HILLS CITY HALL

5100 N NEW BRAUNFELS AVE, TERRELL HILLS 78209

THOUSAND OAKS ELEMENTARY SCHOOL

16080 HENDERSON PASS, SAN ANTONIO 78232

THOUSAND OAKS LIBRARY

4618 THOUSAND OAKS DR, SAN ANTONIO 78233

TOBIN LIBRARY AT OAKWELL

4134 HARRY WURZBACH, SAN ANTONIO 78209

UNIVERSAL CITY HALL

2150 UNIVERSAL CITY BLVD, SAN ANTONIO 78148

UNIVERSAL CITY LIBRARY

100 NORTHVIEW DR, UNIVERSAL CITY 78148

WETMORE ELEMENTARY SCHOOL

3250 THOUSAND OAKS DR, SAN ANTONIO 78247

WONDERLAND OF THE AMERICAS

4522 FREDERICKSBURG RD, BALCONES HEIGHTS 78201

WOOD MIDDLE SCHOOL

14800 JUDSON RD, SAN ANTONIO 78233

BEXAR COUNTY ELECTIONS

1113 S FRIO STREET

SAN ANTONIO, TX 78207

(210) 335-VOTE (8683)

Applications for ballot by mail shall be mailed to:
(Las solicitudes para boletas que se votarán adelantada por correo deberán enviarse a:)

Bexar County Elections Department

Name of Early Voting Clerk
(Nombre del Secretario/a de la Votación Adelantada)

1103 S. Frio Suite 100

Address (Dirección)

San Antonio

78207

City (Ciudad) Zip Code (Código Postal)

(210) 335-8683

Telephone Number (Número de teléfono)

BexarCountyElections@bexar.org

Email Address (Dirección de Correo Electrónico)

<https://www.bexar.org/1568/Elections-Department>

Early Voting Clerk's Website (Sitio web del Secretario/a de Votación Adelantada)

Applications for Ballots by Mail (ABBMs) must be received no later than the close of business on:
(Las solicitudes para boletas que se votarán adelantada por correo deberán recibirse no más tardar de las horas de negociación.)

04 / 20 / 2026

(date)(fecha)

Federal Post Card Applications (FPCAs) must be received no later than the close of business on:
(La Tarjeta Federal Postal de Solicitud deberá recibirse no más tardar de las horas de negocio el.)

04 / 20 / 2026

(date)(fecha)

Issued this _____ day of _____, 20____.
(day) (month) (year)

(Emitada este día _____ de _____, 20____.
(día) (mes) (año)

Signature of Mayor (Firma del Alcalde)

	DISCUSSION AND
<input checked="" type="checkbox"/>	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 16, 2026

AGENDA ITEM: 9

9. Items for Individual Consideration

Discussion and Possible Action to Approve the Resolution finding that Council Member Susan Street made admissions during the investigation and requires further training.

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

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

DATE: APRIL 16, 2026

AGENDA ITEM: 10.

10. City Manager Update

- Community Townhall Wednesday, April 15, 2026, at 6:00pm
- State of the City Saturday, April 18, 2026
- Early Voting April Monday – Thursday April 20-23, 2026 & April 25-28, 2026
- Battle of the Flowers April 24, 2026, City Hall Closed
- National Denim Day for Sexual Assault Awareness and Prevention Month April 29, 2026
- Election Day May 2, 2026
- Beautification and Recycling Committee Meeting Monday, May 11, 2026, 6:00pm
 - Community Wide Clean-Up Saturday, May 16, 2026
- Planning and Zoning Commission Meeting Tuesday, May 12, 2026, 6:30pm
- Regular City Council Meeting May 14, 2026, at 7:00pm & May 28, 2026, at 7:00pm