

**William A. 'Bert' Miller, III**  
Mayor  
**Bernie Gessner**  
Mayor Pro-Tem  
**Josh M. Fultz**Councilmember



**James Harris**  
Councilmember  
**Pattie Pederson**  
Councilmember

**NOTICE OF MEETING OF THE GOVERNING BODY OF THE  
CITY OF NAVASOTA, TEXAS  
FEBRUARY 13, 2024**

Notice is hereby given that a Special Meeting of the governing body of the City of Navasota will be held on the 13th of February, 2024 at 12:00 PM at the City Hall in the City Council Chambers, Room No. 161, located at 200 E. McAlpine Street, Navasota, Texas 77868, at which time the following subjects will be considered, to wit:

To watch the City Council meeting live please visit the City of Navasota's Youtube here: <https://www.youtube.com/channel/UCltnx7BQt0TCIYJRiZ14g5w>

- 1 Call to Order.
- 2 Consideration and possible action on approval of the second reading of Ordinance No. 1040-24, ordering a special election on proposed amendments to the Home Rule City Charter of the City of Navasota to be held on May 4, 2024. [Susie Homeyer, City Secretary]

Consideración y posible acción sobre la aprobación de la segunda lectura de la Ordenanza No. 1040-24, que ordena una elección especial sobre las enmiendas propuestas a la Carta Autónoma de la Ciudad de Navasota que se llevará a cabo el 4 de mayo de 2024.

- 3 Adjourn.

**DATED THIS THE 9TH OF FEBRUARY, 2024**

**/JW/**

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**BY: JASON WEEKS, CITY MANAGER**

**I, the undersigned authority, do hereby certify that the above notice of meeting of the governing body of the CITY OF NAVASOTA, is a true and correct copy of said notice and that I posted a true and correct copy of said notice in the glass bulletin board, in the foyer, on the south side of the Municipal Building as well as in the bulletin board on the north side of the Municipal Building of the City of Navasota, Texas, a place convenient and readily accessible to the general public at all times, and said notice was posted on the 9th of February, 2024 at 03:21 PM and will remain posted continuously for at least 72 hours preceding the scheduled time of said meeting. Agendas may be viewed at [www.navasotatx.gov](http://www.navasotatx.gov).**

***The City Council reserves the right to convene in Executive Session at any time deemed necessary for the consideration of confidential matters under the Texas Government Code, Sections 551.071-551.089.***

**DATED THIS THE 9TH OF FEBRUARY, 2024**

**/SMH/**

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**BY: SUSIE M. HOMEYER, CITY SECRETARY**

**THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT(936) 825-6475 OR (936) 825-6408 OR BY FAX AT (936) 825-2403.**



## REQUEST FOR CITY COUNCIL AGENDA ITEM #2

Agenda Date Requested: <u>February 13, 2024</u>	<b>Appropriation</b>	
Requested By: <u>Susie Homeyer, City Secretary</u>	Source of Funds: <u>NA</u>	
Department: <u>Administration</u>	Account Number: <u>NA</u>	
<input type="radio"/> Report <input type="radio"/> Resolution <input checked="" type="radio"/> Ordinance	Amount Budgeted: <u>NA</u>	
	Amount Requested: <u>NA</u>	
<b>Exhibits:</b> <u>Ordinance No. 1024-24</u>	Budgeted Item: <input checked="" type="radio"/> Yes <input type="radio"/> No	

### AGENDA ITEM #2

Consideration and possible action on approval of the second reading of Ordinance No. 1040-24, ordering a special election on proposed amendments to the Home Rule City Charter of the City of Navasota to be held on May 4, 2024.

Consideración y posible acción sobre la aprobación de la primera lectura de la Ordenanza No. 1040-24, que ordena una elección especial sobre las enmiendas propuestas a la Carta Autónoma de la Ciudad de Navasota que se llevará a cabo el 4 de mayo de 2024.

### SUMMARY & RECOMMENDATION

Two readings of an ordinance are required when presenting proposed amendments to the Home Rule Charter of the City of Navasota for voter consideration. The ordinance outlines election day information, early voting, custodian of election records as well as required notices to be published.

### ACTION REQUIRED BY CITY COUNCIL

Approve or deny the second reading of Ordinance No. 1040-24, regarding amendments to the City of Navasota Charter.

Aprobar o denegar la segunda lectura de la Ordenanza N° 1040-24, relativa a enmiendas a la Carta de la Ciudad de Navasota.

Approved for the City Council meeting agenda.

*Jason Weeks*

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**Jason B. Weeks, City Manager**

2/9/24

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**Date**

**ORDINANCE NO. 1040-24**

**AN ORDINANCE OF THE CITY OF NAVASOTA, TEXAS, ORDERING A SPECIAL ELECTION ON PROPOSED AMENDMENTS TO THE HOME RULE CITY CHARTER OF THE CITY OF NAVASOTA TO BE HELD ON MAY 4, 2024; PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICE; PROPOSING AMENDMENTS TO THE HOME RULE CITY CHARTER OF THE CITY OF NAVASOTA; PROVIDING FOR EARLY VOTING AND ELECTION DAY VOTING; MAKING PROVISIONS FOR THE CONDUCT OF SUCH ELECTION; PROVIDING FOR OTHER MATTERS RELATED TO SUCH ELECTION; PROVIDING FOR A REPEALER AND SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE OF MEETINGS.**

**WHEREAS**, the City Council appointed a Charter Review Committee to review the City Charter for the purpose of making recommendations to the City Council for appropriate amendments to cause the Charter to be approved by the voters at an election called for such purpose on May 4, 2024; and

**WHEREAS**, the Charter Review Committee completed its review and provided a report of recommendations to the City Council for appropriate amendments to the City Charter; and

**WHEREAS**, the City Council after due consideration desires to conduct an election on proposed amendments to the Charter on the uniform election date of May 4, 2024;

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

**SECTION 1**  
**ELECTION DAY**

**Election Officers.** The City Council hereby appoints the Grimes County Elections Administrator and the Navasota City Secretary as the Election Day Officers for the City of Navasota.

**Election Date.** A General Election shall be held jointly, with participating Grimes County political entities/subdivisions, on Saturday, May 4, 2024.

**Polling Place.** The designated polling places for said Election Day shall be open from 7:00 am until 7:00 pm. Said locations are the Grimes County Courthouse, 100 S. Main, Anderson, Texas 77830 and the Navasota Center, 101 Stadium Drive, Navasota, Texas 77868.

**Election Judges.** The Grimes County Elections Administrator will conduct said election for the City pursuant to the terms of an approved Election Services Contract. The City Council hereby appoints, for the term of such election, the presiding election judge(s) and alternate election

judge(s) as being those designated by the Grimes County Elections Administrator and approved by the Grimes County Commissioners Court.

The Grimes County Elections Administrator is hereby authorized to appoint the number of election clerks necessary to assist in the proper conduct of the election.

**SECTION 2**  
**EARLY VOTING**

**Early Voting Clerk.** The City Council hereby appoints the Grimes County Elections Administrator as the Early Voting Clerk for the City of Navasota. The Grimes County Elections Administrator shall appoint the presiding judge(s) for each of said Early Voting polling places.

**Times for Early Voting.** During the period in which early voting is required or permitted by law, that being April 22, 2024 through April 30, 2024, 8:00 a.m. – 5:00 p.m.

**Times and Places for Early Voting.** Early voting shall be conducted by personal appearance at the following early voting polling places:

**Main Early Voting Location:**

Grimes County Courthouse, 100 S. Main St., Anderson, Texas 77830

**Branch Early Voting Location:**

Navasota Center, 101 Stadium Drive, Navasota, Texas 77868

Early voting shall be conducted by personal appearance April 22, 2024 through April 30, 2024, 8:00 a.m. – 5:00 p.m.

**Applications for Ballots by Mail:** Applications for ballots by mail must be received, in the office of the Grimes County Elections Administrator, not later than 5:00 p.m. on Tuesday, April 23, 2024. The Early Voting Clerk’s mailing address to which ballot applications and ballots to be voted by mail may be sent is as follows:

Early Voting Clerk  
Grimes County Elections Office  
100 S. Main Street  
Anderson, TX 77830

Federal Post Card Applications (FPCAs) must be received no later than 5:00 p.m. on Tuesday, April 23, 2024.

**SECTION 3**  
**CUSTODIAN OF ELECTION RECORDS**

Pursuant to the Texas Election Code and the applicable Election Services Contract, the Grimes County Elections Administrator shall be appointed as custodian of voted ballots and the City Secretary of the City of Navasota will serve as the custodian of all other election records.

**SECTION 4**  
**NOTICE**

That notice of the election on the proposed Charter amendments shall be posted on the bulletin board used to post notice of the City Council meetings, be published in a newspaper of general circulation in the City, and must include a substantial copy of the proposed Charter amendments and include an estimate of the anticipated fiscal impact to the City if the proposed amendments are approved at the election. Said notice must be published on the same day in each of two (2) successive weeks, with the first publication occurring no earlier than the thirtieth (30<sup>th</sup>) day and before the fourteenth (14<sup>th</sup>) day before the date of the election. A copy of the published notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice, and such person posting the notice shall make a record of the time of posting, starting date and the place of posting.

**SECTION 5.**

Each Charter amendment submitted must contain only one subject, and the ballot shall be prepared in a manner that the voters may vote “FOR” or “AGAINST” any amendment or amendments without voting “FOR” or “AGAINST” all of said amendments. Each such proposed amendment, if approved by the majority of the qualified voters voting at said election, shall become a part of the Charter of the City of Navasota, Texas.

**SECTION 6.**

The ballot propositions for the proposed amendments to the Navasota Home Rule Charter are set out in Exhibit “A” attached hereto and incorporated herein for pertinent purposes.

**SECTION 7.**  
**REPEALER AND SAVINGS CLAUSE**

All provisions of any ordinance, resolution or other action of the City in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances, resolutions or other actions shall remain in full force and effect.

**SECTION 8.**  
**SEVERABILITY**

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentences and clauses and phrases remaining should any provision be declared unconstitutional or invalid.

**SECTION 9.**  
**EFFECTIVE DATE**

This Ordinance shall become effective immediately upon and after its enactment in accordance with the Charter of the City of Navasota, Texas.

**SECTION 10.**  
**PROPER NOTICE OF MEETINGS**

It is hereby officially found and determined that the meetings at which this Ordinance was passed were open to the public as required and that public notice of the time, place and purpose of said meetings were given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**PASSED AND APPROVED ON FIRST READING THIS THE 12<sup>TH</sup> DAY OF FEBRUARY, 2024.**

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**BERT MILLER, MAYOR**

**ATTEST:**

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**SUSIE M. HOMEYER, CITY SECRETARY**

**PASSED AND APPROVED ON SECOND AND FINAL READING THIS THE 13<sup>TH</sup> DAY OF FEBRUARY, 2024.**

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**BERT MILLER, MAYOR**

**ATTEST:**

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**SUSIE M. HOMEYER, CITY SECRETARY**