

**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  
APRIL 8, 2024**

Notice is hereby given that a Regular Meeting of the governing body of the City of Navasota will be held on the 8th of April, 2024 at 6:00 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/@NavasotaTx>

1. Call to Order.
2. Invocation - Rev. Matt Cecil  
Pledge of Allegiance
3. Remarks of visitors: Any citizen may address the City Council on any matter. Registration forms are available on the podium and/or table in the back of the city council chambers. This form should be completed and delivered to the City Secretary by 5:45 p.m. Please limit remarks to three minutes. The City Council will receive the information, ask staff to look into the matter, or place the issue on a future agenda. Topics of operational concerns shall be directed to the City Manager.
4. **Staff Report:**
  - (a) Introduction of K9 Officer Andrew Drake and Diego. [Michael Mize, Chief of Police]
  - (b) Update on all CIP Projects. [Jon MacKay, Graduate Engineer]
  - (c) Board and Commissions update. [City Council] and
  - (d) Reports from City Staff or City Officials regarding issues of community interests, including expressions of thanks, congratulations or condolence; information regarding holiday schedules; honorary or salutary recognition of public officials, public employees, or other citizens; reminds about upcoming events organized or sponsored by the City; information attended by the City Officials or employees; and announcements involving imminent threats to the public health and safety of people in the City that has arisen after the posting of the agenda. [Jason Weeks, City Manager]
5. Conduct a public hearing for the purpose of receiving public comments and testimony regarding a zoning change application submitted to the City of Navasota by PWP Land Co., LLC, for the property located in the A0055-0 D Tyler Abstract adjacent to State Highway 105 W. The zoning change application requests to change the zoning from A/O: Agriculture/Open Space District to B-1: General Business District. The property affected is legally described as A0055-0 D Tyler, Tract 4-6, Acres 7.251, (R77990) located in Navasota, Grimes County, Texas 77868; Consideration and possible action on the first reading of Ordinance No. 1044-24, amending the official zoning map of the City of Navasota, Texas to rezone the following property from A/O: Agriculture/Open Space District to B-1: General Business District: A0055-0 D Tyler, tract 4-6, acres 7.251, (R7790) in Navasota, Grimes County, Texas 77868. [Lupe Diosdado, Development Services Director]

6. Consideration and possible action on the first reading of Ordinance No. 1043-24, Amending Chapter 3 Building Regulations, Article 3.02 Technical and Construction Codes and Standards, Division 5. Electricity, Part V. Electrical Code and Technical Requirements, of the code of ordinances, City of Navasota, Texas. [Nicholas Koski, Building Official]
7. **Consent agenda items may be acted upon with one motion and vote. No separate discussion or action is necessary unless requested by the Mayor or City Councilmember, in which event the item will be removed from the Consent Agenda for separate discussion and/or action by the City Council as part of the regular agenda. [City Council]**

**Consent agenda items are:**

- A. Approve the minutes for the month of March 2024.
- B. Approve the Municipal Court Report for the month of March 2024; and
- C. Approve the second reading of Ordinance No. 1041-24, amending Chapter 10, Subdivision Regulation, Article 10.02 Subdivision Ordinance, Exhibit 10A Subdivision Development Ordinance, Article 7, Requirements for improvement, reservations, and design of the Code of Ordinances of the City of Navasota, Texas by amending Section 7.03 Streets, 7.08.04 Utility Location Standards and 7.13 Regulation of cluster mailbox units.

8. Adjourn

**DATED THIS THE 5TH DAY OF APRIL, 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 5th day of April, 2024 at 10:30 a.m. 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 5TH DAY OF APRIL, 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 #4.

Agenda Date Requested	04/08/2024
Requested By	Susie Homeyer, City Secretary
Department	Administration
Type	Report

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### Agenda Item Staff Report:

- (a) Introduction of K9 Officer Andrew Drake and Diego. [Michael Mize, Chief of Police]
- (b) Update on all CIP Projects. [Jon MacKay, Graduate Engineer]
- (c) Board and Commissions update. [City Council] and
- (d) Reports from City Staff or City Officials regarding issues of community interests, including expressions of thanks, congratulations or condolence; information regarding holiday schedules; honorary or salutary recognition of public officials, public employees, or other citizens; reminds about upcoming events organized or sponsored by the City; information attended by the City Officials or employees; and announcements involving imminent threats to the public health and safety of people in the City that has arisen after the posting of the agenda. [Jason Weeks, City Manager]

### Summary & Recommendation

- a. Michael Mize, Chief of Police, will introduce the new K9 Officer Andrew Drake and Diego.
- b. Jon MacKay, Graduate Engineer, will give the City Council an update on all CIP Projects.
- c. If applicable, the City Council will provide Board and Commission updates
- d. Staff and the City Council will provide updates on other upcoming events.

### Action Requested by Council

No action required.

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### Attachments

Strategic Plan  
Planning Calendar



So much, so close.

# Core Values

<b>T</b>	<b>Teamwork &amp; Collaboration</b>	<ul style="list-style-type: none"><li>• We believe in the power of collective effort and cooperation.</li><li>• Foster a culture of collaboration among residents, businesses, and government.</li><li>• Together, we can achieve greater outcomes and overcome challenges.</li></ul>
<b>H</b>	<b>Honor &amp; Integrity</b>	<ul style="list-style-type: none"><li>• Uphold honesty, transparency, and ethical conduct in all endeavors.</li><li>• Demonstrate integrity in decision-making and actions for the greater good.</li><li>• Earn and maintain the trust of our community through principled leadership.</li></ul>
<b>R</b>	<b>Resilience &amp; Adaptability</b>	<ul style="list-style-type: none"><li>• Embrace change and remain agile in a constantly evolving world.</li><li>• Build resilience to face adversity and bounce back stronger.</li><li>• Learn from experiences to continuously improve and innovate.</li></ul>
<b>I</b>	<b>Inclusivity &amp; Diversity</b>	<ul style="list-style-type: none"><li>• Celebrate and embrace the richness of our diverse community.</li><li>• Promote inclusivity, ensuring that all voices are heard and valued.</li><li>• Create an environment where everyone feels welcome and respected.</li></ul>
<b>V</b>	<b>Vision &amp; Progress</b>	<ul style="list-style-type: none"><li>• Pursue a forward-thinking vision for the city's growth and development.</li><li>• Encourage innovation and progressive ideas that benefit our residents.</li><li>• Strive to be a model city that sets new standards and inspires others.</li></ul>
<b>E</b>	<b>Empowerment &amp; Engagement</b>	<ul style="list-style-type: none"><li>• Empower individuals to participate in shaping the city's future.</li><li>• Encourage active citizenship and engagement in local decision-making.</li><li>• Support initiatives that enhance community involvement and civic pride.</li></ul>



# 2023-2024 Strategic Plan

## Mission Statement

To guide Navasota's growth in a way that maintains our heritage, culture and uniqueness while maximizing our economic and social development.

## Vision Statement

Navasota 2027: What America wants to be — A beautiful, progressive, vibrant, service-oriented, close-knit community filled with historical charm and promise for people and business.

## Core Values: THRIVE

Teamwork &  
Collaboration

Honor &  
Integrity

Resilience &  
Adaptability

Inclusivity &  
Diversity

Vision &  
Progress

Empowerment &  
Engagement

## Goals

Planning &  
Economic  
Development

Marketing/  
Communications

Quality of Life

Staffing

Human  
Resources

Facilities/  
Buildings

Infrastructure

## AGENDA PLANNING CALENDAR

### **APRIL 8, 2024** – DEADLINE FOR SUBMITTING ITEMS AND COVER SHEETS FOR THIS MEETING IS 03/25/2024

1. Called to order
2. Invocation/Pledge of Allegiance
3. Remarks of visitors
4. Staff Report: (a) Introduction of K9 Officer Andrew Drake and Diego; (b) Update of all CIP projects; (c) Board and Commission update; and (d) Reports from staff and City Council
5. Public hearing – zoning change by PWP Land Co from A/O to B-1 General Business
6. 1<sup>st</sup> reading of Ordinance No. 1043-24, amending Chapter 3 Building Regulations, Electrical Code
7. Consent agenda: (a) Minutes for the month of March 2024, (b) Municipal Court Report for March 2024 and (c) 2<sup>nd</sup> reading of Ordinance No. 1041-24, amending subdivision regulations
8. Adjourn

### **APRIL 22, 2024** – WORKSHOP @ 4:30 p.m.

1. Called to order
2. Revisions to cemetery ordinance
3. Horlock House discussion
4. Adjourn

### **APRIL 22, 2024** – DEADLINE FOR SUBMITTING ITEMS AND COVER SHEETS FOR THIS MEETING IS 04/08/2024

1. Called to order
2. Invocation/Pledge of Allegiance
3. Remarks of visitors
4. Staff Report: (a) Election update – Early voting 04/22-04/30; (b) Update of all CIP projects; (c) Proclamations: Economic Development Week (05/06/24-05/10/24) and Public Service Week (05/05/24-05/11/24); (d) Board and Commission update; and (e) Reports from staff and City Council
5. Appointments to Boards and Commission (Board of Adjustments)
6. Proposal award for water well
7. Proposal award for water tower
8. Consent agenda: (a) Expenditures for the month of March 2024 and (b) 2<sup>nd</sup> reading of Ordinance No. 1043-24, amending Chapter 3 Building Regulations, Electrical Code
9. Adjourn

### **MAY 13, 2024** – DEADLINE FOR SUBMITTING ITEMS AND COVER SHEETS FOR THIS MEETING IS 04/29/2024

1. Called to order
2. Invocation/Pledge of Allegiance
3. Remarks of visitors
4. Staff Report: (a) Library update; (b) Update of all CIP projects; (c) Board and Commission update; and (d) Reports from staff and City Council
5. Resolution No. \_\_\_\_\_, canvassing the election results
6. Certificate of Election, statement of elected officer and oath of office administered to elected Councilmembers
7. Elect a Mayor
8. Elect a Mayor Pro-Tem
9. Consent agenda: (a) Minutes for the month of April 2024, (b) Municipal Court Report for April 2024; and (c) Expenditures for the month of April 2024
10. Adjourn



## REQUEST FOR CITY COUNCIL AGENDA ITEM #5.

Agenda Date Requested	04/08/2024
Requested By	Lupe Diosdado, Development Services Director
Department	Development Services
Type	Ordinance

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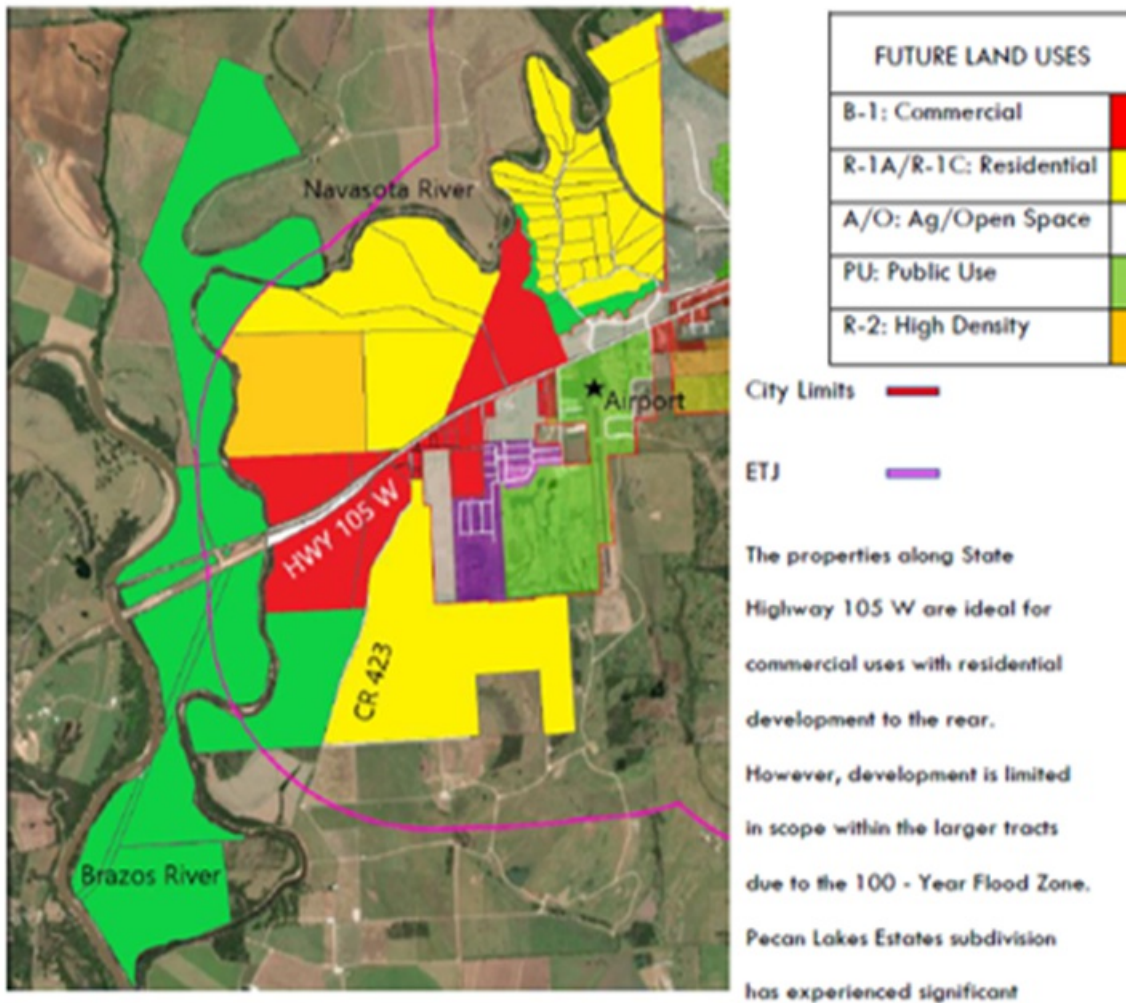
### Agenda Item

Conduct a public hearing for the purpose of receiving public comments and testimony regarding a zoning change application submitted to the City of Navasota by PWP Land Co., LLC, for the property located in the A0055-0 D Tyler Abstract adjacent to State Highway 105 W. The zoning change application requests to change the zoning from A/O: Agriculture/Open Space District to B-1: General Business District. The property affected is legally described as A0055-0 D Tyler, Tract 4-6, Acres 7.251, (R77990) located in Navasota, Grimes County, Texas 77868; Consideration and possible action on the first reading of Ordinance No. 1044-24, amending the official zoning map of the City of Navasota, Texas to rezone the following property from A/O: Agriculture/Open Space District to B-1: General Business District: A0055-0 D Tyler, tract 4-6, acres 7.251, (R7790) in Navasota, Grimes County, Texas 77868. [Lupe Diosdado, Development Services Director]

### Summary & Recommendation

PWP Land Co., LLC, have submitted a zoning change application for a 7.251-acre tract located along Highway 105 W. The request is to change the current zoning from A/O: Agriculture Open Space to B-1: General Business District. The property was annexed in September of 2021 and was designated A/O at the time of annexation. The proposed zoning change complements the area for light commercial uses abutting residential development. Also, the requested zoning is in line with the Planning & Zoning Commission's future land use plan for the area.

## PROPOSED FUTURE LAND USE



growth, land outside of the flood zone provides for future phasing of the subdivision. River Havens larger acreage tracts within the Flood Zone are purpose for built for ranchette R-1C zoning classification, annexation however is unlikely due to an existing agreement. Land abutting the Navasota & Brazos River is a valuable natural resource that can provide various outdoor recreation activities including but not limited to kayaking, fishing pier and others per the adopted 2015-2025 Comprehensive Plan. The proposed roadway Pecan Lakes Drive connecting Pecan Lakes Estates to Highway 105 will also provide a left-hand turning lane along 105 W that will spur additional investment in the future.

2021 City of Navasota ETJ Land Use Planning Workshop

Staff recommends City Council conduct a public hearing and approve the first reading of Ordinance No. 1044-24 amending the official zoning map of the City of Navasota, Texas to rezone property from A/O: Agriculture/Open Space District to B-1: General Business District: A0055-0 D Tyler, tract 4-6, acres 7.251, (R7790) in Navasota, Grimes County, Texas 77868.

**Action Requested by Council**

**Public hearing opened at \_\_\_\_\_ p.m.**

**Public hearing closed at \_\_\_\_\_ p.m.**

**Approve or deny the first reading of Ordinance No. 1044-24, amending the official zoning map of the City of Navasota, Texas to rezone the following property from A/O: Agriculture/Open Space District to B-1: General Business District: A0055-0 D Tyler, tract 4-6, acres 7.251, (R7790) in Navasota, Grimes County, Texas 77868.**

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**Attachments**

Ordinance No. 1044-24

**ORDINANCE NO. 1044-24**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF NAVASOTA, TEXAS TO REZONE THE FOLLOWING PROPERTY FROM A/O: AGRICULTURE/OPEN SPACE DISTRICT TO B-1: GENERAL BUSINESS DISTRICT: A0055-0 D TYLER, TRACT 4-6, ACRES 7.251; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on the 1<sup>st</sup> day of March 2024, PWP Land Co., LLC, filed a petition requesting the rezoning of the property legally described as A0055-0 D TYLER, TRACT 4-6, ACRES 7.251 from A/O: Agricultural/Open Space District, to B-1: General Business District; and

**WHEREAS**, the rezoning of said property is in harmony with the Comprehensive Plan of the City of Navasota; and

**WHEREAS**, on the 28<sup>th</sup> of March 2024, a public hearing was held before the Planning and Zoning Commission of the City of Navasota, a quorum being present on the occasion and said matter of rezoning being part of the agenda for said Commission meeting, an opportunity to present arguments for and against the proposed rezoning was held; and

**WHEREAS**, the property is shown on Exhibit "A" attached hereto and incorporated herein for all purposes pertinent; and

**WHEREAS**, the Planning and Zoning Commission recommends to the Navasota City Council, that the property legally described as A0055-0 D Tyler, Tract 4-6, Acres 7.251, be rezoned as B-1: General Business District; and

**WHEREAS**, on the 8<sup>th</sup> day of April 2024, after notice as required by law, a public hearing was held before the Navasota City Council, a quorum being present on the occasion and said matter of rezoning being part of the agenda, an opportunity to present arguments for and against the proposed rezoning was held;

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

**SECTION 1.** The Official Zoning Map of the City of Navasota is hereby amended to change the following property currently zoned as A/O: Agriculture/Open Space District to B-1: General Business District: a 7.251 acre tract legally described as A0055-0 D Tyler, Tract 4-6, Acres 7.251.

**SECTION 2.** That if any section, subsection, word, sentence or phrase of this Ordinance is held invalid, it shall not affect the remaining parts of this ordinance.

**SECTION 3.** This Ordinance shall become effective from and after its passage, approval, and adoption on second reading.

**PASSED AND ADOPTED ON FIRST READING THIS THE 8<sup>th</sup> DAY OF APRIL 2024.**

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**BERT MILLER, MAYOR**

**ATTEST:**

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**SUSIE M. HOMEYER, CITY SECRETARY**

**PASSED AND ADOPTED ON SECOND READING THIS 22<sup>ND</sup> DAY OF APRIL 2024.**

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**BERT MILLER, MAYOR**

**ATTEST:**

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**SUSIE M. HOMEYER, CITY SECRETARY**

## Exhibit "A"

R77990: A0055-0 D TYLER, TRACT 4-6, ACRES 7.251





## REQUEST FOR CITY COUNCIL AGENDA ITEM #6.

Agenda Date Requested	04/08/2024
Requested By	Lupe Diosdado, Development Services Director
Department	Development Services
Type	Ordinance

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### Agenda Item

Consideration and possible action on the first reading of Ordinance No. 1043-24, Amending Chapter 3 Building Regulations, Article 3.02 Technical and Construction Codes and Standards, Division 5. Electricity, Part V. Electrical Code and Technical Requirements, of the code of ordinances, City of Navasota, Texas. [Nicholas Koski, Building Official]

### Summary & Recommendation

Over the last several weeks the Building Official and Building Inspector have failed multiple electrical inspections on new homes. Certain master electricians have opted not to install electrical outlets/receptacles on new island countertops, citing the 2023 National Electrical Code ("NEC").

Currently, the City of Navasota operates under the 2020 NEC where outlets/receptacles are required on islands. The changes within the 2023 NEC stem from children pulling on electrical cords causing injury by falling objects.

The proposed ordinance amendment allows electrical outlets/receptacles to be optional. If the outlets are not provided, the electrician must at a minimum install the necessary wiring and junction box to allow future homeowners the option to install outlets at their choosing.

City staff recommends the City Council to approve Ordinance No. 1043-24, amending the adopted electrical code.

### Action Requested by Council

**Approve or deny the first reading of Ordinance No. 1043-24, Amending Chapter 3 Building Regulations, Article 3.02 Technical and Construction Codes and Standards, Division 5. Electricity, Part V. Electrical Code and Technical Requirements, of the code of ordinances, City of Navasota, Texas.**

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### Attachments

Ordinance No. 1043-24

## **ORDINANCE NO. 1043-24**

**AN ORDINANCE OF THE CITY OF NAVASOTA, TEXAS AMENDING CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS, DIVISION 5. ELECTRICITY, PART V. ELECTRICAL CODE AND TECHNICAL REQUIREMENTS, OF THE CODE OF ORDINANCES, CITY OF NAVASOTA, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND FINDING PROPER NOTICE OF MEETINGS.**

**WHEREAS**, the City Council of the City of Navasota ("City Council") previously adopted the National Electrical Code, 2020 Edition; and

**WHEREAS**, the City Council is authorized to adopt local amendments to the aforementioned code and has previously done so; and

**WHEREAS**, the City Council desires to revise the local amendments and special requirements previously adopted; and

**WHEREAS**, the City Council finds and determines that it is in the best interest of the City to adopt the regulations as set forth herein;

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Navasota, Texas that:

### **SECTION 1. FINDINGS INCORPORATED**

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

### **SECTION 2.**

Chapter 3 Building Regulations, Article 3.02 Technical and Construction Codes and Standards, Division 5. Electricity, Part V. Electrical Code and Technical Requirements, Section 3.02.342 of the Code of Ordinances, City of Navasota, Texas is hereby amended by adding subsection (8) to read as follows:

(8) National Electrical Code Article 210 - Branch Circuits, Subsection 52 (c) Countertop and work surfaces, (2) Island and peninsula countertops and work surfaces is amended by adding the following: If a receptacle outlet is not provided to serve an island or peninsula countertop or work surfaces, provisions shall be supplied at the island or peninsula for future addition of a receptacle outlet to serve the island or peninsula countertop or work surfaces in accordance with NFPA 70 2023.

### **SECTION 3. CUMULATIVE EFFECT**

This Ordinance shall be cumulative of all laws of the State of Texas and the United States governing the subject matter of this Ordinance, now existing or as hereafter amended.

### **SECTION 4. SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

### **SECTION 5. REPEALER CLAUSE**

Any provision of any prior ordinance of the City whether codified or uncoded, which are in conflict with any provision of this Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City whether codified or uncoded, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

### **SECTION 6. EFFECTIVE DATE**

This Ordinance shall become effective from and after its passage, approval and adoption on second reading, and its publication as may be required by law.

### **SECTION 7. NOTICE OF MEETING**

Notice of the time and place, where and when said Ordinance would be considered by the City Council at a public meeting was given in accordance with applicable law, prior to the time designated for said meeting.

**PASSED ON FIRST READING THIS THE 8<sup>TH</sup> DAY OF APRIL, 2024.**

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**BERT MILLER, MAYOR**

**ATTEST:**

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**SUSIE M. HOMEYER, CITY SECRETARY**

**PASSED ON SECOND READING THIS THE 22<sup>ND</sup> DAY OF APRIL, 2024.**

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**BERT MILLER, MAYOR**

**ATTEST:**

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**SUSIE M. HOMEYER, CITY SECRETARY**



## REQUEST FOR CITY COUNCIL AGENDA ITEM #7.

Agenda Date Requested	04/08/2024
Requested By	Susie Homeyer, City Secretary
Department	Administration
Type	Report

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### Agenda Item

Consent agenda items may be acted upon with one motion and vote. No separate discussion or action is necessary unless requested by the Mayor or City Councilmember, in which event the item will be removed from the Consent Agenda for separate discussion and/or action by the City Council as part of the regular agenda. [City Council]

### Consent agenda items are:

- A. Approve the minutes for the month of March 2024.
- B. Approve the Municipal Court Report for the month of March 2024; and
- C. Approve the second reading of Ordinance No. 1041-24, amending Chapter 10, Subdivision Regulation, Article 10.02 Subdivision Ordinance, Exhibit 10A Subdivision Development Ordinance, Article 7, Requirements for improvement, reservations, and design of the Code of Ordinances of the City of Navasota, Texas by amending Section 7.03 Streets, 7.08.04 Utility Location Standards and 7.13 Regulation of cluster mailbox units.

### Summary & Recommendation

Consent agenda items may be acted upon with one motion and vote. No separate discussion or action is necessary unless requested by the Mayor or City Councilmember, in which event the item will be removed from the Consent Agenda for separate discussion and/or action by the City Council as part of the regular agenda.

- A. Staff have placed the minutes for March 2024 on the consent agenda.
- B. Staff have placed the Municipal Court Report for March 2024 on the consent agenda; and
- C. Staff have placed the second reading of Ordinance No. 1041-24 on the consent agenda.

### Action Requested by Council

Approve the consent agenda items: The minutes for March 2024, the Municipal Court Report for March 2024 and the second reading of Ordinance No. 1041-24.

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### Attachments

Minutes - 03/18/2024 WS  
Minutes - 03/25/2024 - WS  
03/25/2024  
Minutes - 03/26/2024 - Special  
Municipal Court Report for 03/2024  
Ordinance No. 1041-24

**MINUTES  
SPECIAL MEETING  
MARCH 18, 2024**

The City Council of the City of Navasota, Grimes County, Texas met at the City Council Chambers, Room No. 161, located at 200 E. McAlpine Street at 4:30 p.m., Navasota, Texas on the above date with the following being present:

**Bernie Gessner, Mayor Pro-Tem, Place # 1  
Pattie Pederson, Councilmember, Place # 2  
Josh M. Fultz, Councilmember, Place # 3  
Bert Miller, Mayor, Place # 4  
James Harris, Councilmember, Place # 5**

Thus constituting a quorum.

**STAFF PRESENT:** Jason Weeks, City Manager, Susie M. Homeyer, City Secretary; Kristin Gauthier, Assistant City Manager; Jennifer Reyna, Public Works Director; Jon MacKay, Graduate Engineer; Lupe Diosdado, Development Services Director; Pat Gruner, Municipal Judge; Jason Katkoski, Fire Chief/EMC; Mike Mize, Police Chief; Maribel Frank, Chief Financial Officer; Tiffany Byers, Library Director; Jose Coronilla, Assistant Public Works Director and Michelle Savensky, Executive Administrative Assistant.

**VISITORS:** Barbara Walker, Philip Cox, Kenneth Stevens and Connie Clements.

**THE ITEMS ON THE AGENDA WERE TAKEN UP IN DUE ORDER AS FOLLOWS:**

1. Mayor Bert Miller called the meeting to order at 4:30 p.m.
2. The Invocation and the pledge to the American and Texas Flags were dispensed.
3. Remarks of visitors: None.
4. A workshop was held to discuss the fiscal year 2024-2025 budget considerations, goals and priorities. The goal of this meeting is to provide staff feedback about priorities and goals as departments begin to prepare the fiscal year 2024-2025 budget.

The Council took a ten-minute break from 5:50 p.m. – 6:00 p.m.

5. There was not any action taking on providing feedback and direction to the City Manager on prioritization of projects, programs and operations for the current FY 2023-2024 budget.

6. Mayor Bert Miller adjourned the meeting at 7:28 p.m.

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**BERT MILLER, MAYOR**

**ATTEST:**

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**SUSIE M. HOMEYER, CITY SECRETARY**

**MINUTES  
SPECIAL MEETING  
MARCH 25, 2024**

The City Council of the City of Navasota, Grimes County, Texas met at the City Council Chambers, Room No. 161, located at 200 E. McAlpine Street at 4:30 p.m., Navasota, Texas on the above date with the following being present:

**Bernie Gessner, Mayor Pro-Tem, Place # 1  
Pattie Pederson, Councilmember, Place # 2  
Josh M. Fultz, Councilmember, Place # 3 (arrived at 5:25 p.m.)  
Bert Miller, Mayor, Place # 4  
James Harris, Councilmember, Place # 5**

Thus constituting a quorum.

**STAFF PRESENT:** Kristin Gauthier, Assistant City Manager; Susie M. Homeyer, City Secretary; Jennifer Reyna, Public Works Director; Cary Bovey, Legal Counsel; Jon MacKay, Graduate Engineer; Lupe Diosdado, Development Services Director; Pat Gruner, Municipal Judge; Jason Katkoski, Fire Chief/EMC and Nicholas Koski, Building Official.

**VISITORS:** Inez Quarels, Brenda Minor, Kenneth Stevens, Connie Clements and Deborah Richardson.

**THE ITEMS ON THE AGENDA WERE TAKEN UP IN DUE ORDER AS FOLLOWS:**

1. Mayor Bert Miller called the meeting to order at 4:30 p.m.
2. Remarks of visitors: None.
3. A workshop was held on existing manufactured home regulations. Development Services Director Lupe Diosdado went over the definition of mobile homes, manufactured homes and modular homes. After the discussion, it was the consensus of the City Council to have the Planning and Zoning Commission look over the mobile home ordinance again.
4. A workshop was held on rain barrel collection systems. Building Official Nicholas Koski put together a power point presentation for the City Council highlighting the key elements of rain barrel collection systems.
5. Mayor Bert Miller adjourned the meeting at 5:36 p.m.

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**BERT MILLER, MAYOR**

**ATTEST:**

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**SUSIE M. HOMEYER, CITY SECRETARY**

**MINUTES  
REGULAR MEETING  
MARCH 25, 2024**

The City Council of the City of Navasota, Grimes County, Texas met at the City Council Chambers, Room No. 161, located at 200 E. McAlpine Street at 6:00 p.m., Navasota, Texas on the above date with the following being present:

**Bernie Gessner, Mayor Pro-Tem, Place # 1  
Pattie Pederson, Councilmember, Place # 2  
Josh M. Fultz, Councilmember, Place # 3  
Bert Miller, Mayor, Place # 4  
James Harris, Councilmember, Place # 5**

Thus constituting a quorum.

**STAFF PRESENT:** Kristin Gauthier, Assistant City Manager; Susie M. Homeyer, City Secretary; Jennifer Reyna, Public Works Director; Cary Bovey, Legal Counsel; Jon MacKay, Graduate Engineer; Taylor Hughes, Marketing and Communications Manager; Lupe Diosdado, Development Services Director; Peggy Johnson, HR Director; Pat Gruner, Municipal Judge; Jason Katkoski, Fire Chief/EMC; Tiffany Byers, Library Director; Jesus Santillan, Parks and Recreation Laborer and Maribel Frank, Chief Financial Officer.

**VISITORS:** Connie Clements, Deborah Richardson, Kenneth Stevens, Patti Sexton, John Sexton, Lucy Ybarra, Bobby Gentry, Max Hill, Stephen Scheve, T. J. Green, Alexander Rogers, David Lacour, and John Sanders.

**THE ITEMS ON THE AGENDA WERE TAKEN UP IN DUE ORDER AS FOLLOWS:**

1. Mayor Bert Miller called the meeting to order at 6:00 p.m.
  2. Invocation was given by Pastor T. J. Green. The City Council, staff members and visitors then recited the Pledge of Allegiance to the American Flag and the Texas Flag.
  3. Remarks of visitors: Navasota/Grimes County Chamber of Commerce Director Lucy Ybarra addressed the City Council about the upcoming events the Chamber was hosting.
- Ana Contreras on behalf of her father, Antonio Morelo, addressed the City Council about a flooding issue he is having at 1802 Carver Street.

Max Hill addressed the City Council about speed limit problems in Pecan Lakes. Alexander Rodgers, who came up to the podium with Mr. Hill, addressed the City Council about cars being parked on the street and not allowing emergency vehicles enough room to get by. He also said there is a lighting issue in Pecan Lakes

4. Staff report:

(a) Peggy Johnson, HR Director introduced Jesus Santillan, Parks and Facilities Maintenance Laborer; and Taylor Hughes, Marketing and Communication Manager.

(b) Jon MacKay, Graduate Engineer, gave an update on the CIP projects.

(c) Mayor Bert Miller proclaimed April 2024 as Child Abuse Prevention Month and April 7-13, 2024 as National Library Week.

(d) Councilmember Josh Fultz gave an update on the latest Planning and Zoning meeting.

(e) Councilmember and staff informed the audience about upcoming events.

5. Councilmember Josh Fultz moved to approve the revised Interlocal Cooperation Contract for Failure to Appear Program with the Texas Department of Public Safety, seconded by Mayor Pro-Tem Bernie Gessner and with each Councilmember voting AYE, the motion carried.

6. A Public Hearing was held regarding amending Chapter 10 Subdivision Regulation, Article 10.02 Subdivision Ordinance, Exhibit 10A Subdivision Development, Article 7 Requirements for Improvements, Reservations, and Design, related to streets, utility location standards, and cluster mailbox areas of the Code of Ordinances of the City of Navasota, Grimes County. Mayor Bert Miller opened the public hearing at 6:45 p.m. Development Services Director, Lupe Diosdado, briefly went over the amended ordinance. Citizen Deborah Richardson addressed the City Council and asked why each household couldn't have their own mailbox. Citizen Connie Clements addressed the City Council and stated that a builder should have a pad large enough to accommodate the recycle bin which would be in the plans. With no other comments from the public, Mayor Bert Miller closed the public hearing at 6:58 p.m.

Councilmember Josh Fultz moved to approve the first reading of Ordinance No. 1041-24, amending Chapter 10 Subdivision Regulation, Article 10.02 Subdivision Ordinance, Exhibit 10A Subdivision Development, Article 7 Requirements for

Improvements, Reservations, and Design, related to streets, utility location standards, and cluster mailbox areas of the Code of Ordinances of the City of Navasota, Grimes County, seconded by Mayor Pro-Tem Bernie Gessner and with each Councilmember voting AYE, the motion carried.

7. Councilmember Josh Fultz moved to approve the Development Agreement between the City of Navasota and P.A. Smith Hotel, LLC related to the sidewalk improvements reimbursement amount, seconded by Councilmember Pattie Pederson and with each Councilmember voting AYE, the motion carried.

8. Mayor Pro-Tem Bernie Gessner moved to approve Resolution No. 762-24, approving and authorizing the execution of an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for a Transportation Alternatives Set-Aside (TASA) project for FM 3090/Blackshear Street bike/ped improvements, seconded by Councilmember Josh Fultz and with each Councilmember voting AYE, the motion carried.

9. Councilmember Josh Fultz moved to approve Resolution No. 763-24, approving a Municipal Maintenance Agreement, with changes to "Exhibit A", specifically changing Brazos County Line to Waller County Line to Navasota North city limits to Navasota South city limits, seconded by Councilmember Pattie Pederson and with each Councilmember voting AYE, the motion carried.

10. Councilmember Josh Fultz moved to approve the first reading of Ordinance No. 1042-24, amending 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, by assigning a letter of the alphabet to each proposition that corresponds to its order on the ballot, seconded by Councilmember Pattie Pederson and with each Councilmember voting AYE, the motion carried.

11. Mayor Pro-Tem Bernie Gessner moved to approve the consent agenda items which included the minutes from the month of February 2024, the Municipal Court Report for February 2024 and the expenditures for the month of February 2024, seconded by Councilmember Josh Fultz and with each Councilmember voting AYE, the motion carried.

12. The City Council shall meet in Executive Session in accordance with Section 551.071, Texas Government Code and Section 551.087, Texas Government Code, for the purpose of: 1) consultation with legal counsel concerning legal

matters related to certain Industrial District Agreements; and 2) discussion and deliberation regarding certain Industrial District Agreements providing for the possible offer of a financial or other incentive(s) to business prospects that the City seeks to have locate, stay, or expand in the City's designated Industrial District, and with which the City is conducting economic development negotiations, and associated matters. The time was 7:18 p.m.

13. The City Council reconvened in open session at 7:40 p.m.

14. Mayor Bert Miller adjourned the meeting at 7:40 p.m.

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**BERT MILLER, MAYOR**

**ATTEST:**

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**SUSIE M. HOMEYER, CITY SECRETARY**

**MINUTES  
SPECIAL MEETING  
MARCH 26, 2024**

The City Council of the City of Navasota, Grimes County, Texas met at the City Council Chambers, Room No. 161, located at 200 E. McAlpine Street at 4:00 p.m., Navasota, Texas on the above date with the following being present:

**Bernie Gessner, Mayor Pro-Tem, Place # 1  
Pattie Pederson, Councilmember, Place # 2  
Bert Miller, Mayor, Place # 4**

**(Josh M. Fultz, Councilmember, Place # 3 and James Harris, Councilmember, Place # 5 were absent)**

Thus constituting a quorum.

**STAFF PRESENT:** Susie M. Homeyer, City Secretary and Hung Mai, IT Specialist.

**VISITORS:** None.

**THE ITEMS ON THE AGENDA WERE TAKEN UP IN DUE ORDER AS FOLLOWS:**

1. Mayor Bert Miller called the meeting to order at 4:00 p.m.
2. The Invocation and the Pledge of Allegiance to the American Flag and the Texas Flag was dispensed.
3. Remarks of visitors: None.
4. Mayor Pro-Tem Bernie Gessner moved to approve the second reading of Ordinance No. 1042-24, amending 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, by assigning a letter of the alphabet to each proposition that corresponds to its order on the ballot, seconded by Councilmember Pattie Pederson and with each Councilmember present voting AYE, the motion carried.
5. Mayor Bert Miller adjourned the meeting at 4:02 p.m.

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**BERT MILLER, MAYOR**

**ATTEST:**

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**SUSIE M. HOMEYER, CITY SECRETARY**

Official Municipal Court Monthly Report

Month March Year 2024

Municipal Court for the City of NAVASOTA

Presiding Judge PATRICIA GRUNER

If new, date assumed office \_\_\_\_\_

Court Mailing Address 200 E. MCALPINE

City NAVASOTA, TX Zip 77868

Phone Number 936-825-6268

Fax Number 936-825-7280

Court's Public Email COURT@NAVASOTATX.GOV

Court's Website <http://WWW.NAVASOTATX.GOV>

THE ATTACHED IS A TRUE AND ACCURATE REFLECTION OF THE RECORDS OF THIS COURT.

Prepared by \_\_\_\_\_

Date \_\_\_\_\_ Phone: (936) 825-6268

PLEASE RETURN THIS FORM NO LATER THAN 20 DAYS FOLLOWING THE END OF THE MONTH REPORTED TO:

OFFICE OF COURT ADMINISTRATION  
P.O. BOX 12066  
AUSTIN, TX  
78711-2066

PHONE: (512) 463-1625  
Fax: (512) 936-2423

## CRIMINAL SECTION

COURT NAVASOTA MUNICIPAL COURT				TRAFFIC			NON-TRAFFIC		
MONTH	March	YEAR	2024	NON-PARKING	PARKING	CITY ORD	PENAL CODE	STATE LAW	CITY ORD
1. Total Cases Pending First of Month:				814	1	26	364	65	76
a. Active Cases				183	1	6	23	32	30
b. Inactive Cases				631	0	20	341	33	46
2. New Cases Filed				52	0	3	4	4	0
3. Cases Reactivated				20	0	0	9	1	0
4. All Other Cases Added				0	0	0	0	0	0
5. Total Cases on Docket				255	1	9	36	37	30
6. Dispositions Prior to Court Appearance or Trial:				XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
a. Uncontested Dispositions				45	0	3	4	2	0
b. Dismissed by Prosecution				2	0	0	0	0	3
7. Dispositions at Trial:				XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
a. Convictions:				XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
1) Guilty Plea or Nolo Contendere				25	0	0	6	4	0
2) By the Court				0	0	0	0	0	0
3) By the Jury				0	0	0	0	0	0
b. Acquittals:				XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
1) By the Court				0	0	0	0	0	0
2) By the Jury				0	0	0	0	0	0
c. Dismissed by Prosecution				2	1	0	0	0	7

## CRIMINAL SECTION

COURT NAVASOTA MUNICIPAL COURT				TRAFFIC			NON-TRAFFIC		
MONTH	March	YEAR	2024	NON-PARKING	PARKING	CITY ORD	PENAL CODE	STATE LAW	CITY ORD
8. Compliance Dismissals:				XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
a. After Driver Safety Course				8	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
b. After Deferred Disposition				5	0	0	1	1	2
c. After Teen Court				0	0	0	0	0	0
d. After Tobacco Awareness Course				XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	1	XXXXXXXXXX
e. After Treatment for Chemical Dependency				XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	0	0	XXXXXXXXXX
f. After Proof of Financial Responsibility				1	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
g. All Other Transportation Code Dismissals				2	0	0	0	0	0
9. All Other Dispositions				0	0	0	0	0	0
10. Total Cases Disposed				90	1	3	11	8	12
11. Cases Placed on Inactive Status				0	0	0	3	0	0
12. Total Cases Pending End of Month:				776	0	26	357	61	64
a. Active Cases				165	0	6	22	29	18
b. Inactive Cases				611	0	20	335	32	46
13. Show Cause Hearings Held				15	0	0	1	1	0
14. Cases Appealed:				XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
a. After Trial				2	0	0	0	0	0
b. Without Trial				1	0	0	0	0	0

## CIVIL SECTION

COURT NAVASOTA MUNICIPAL COURT			
MONTH	March	YEAR 2024	TOTAL CASES
1. Total Cases Pending First of Month:			0
a. Active Cases			0
b. Inactive Cases			0
2. New Cases Filed			0
3. Cases Reactivated			0
4. All Other Cases Added			0
5. Total Cases on Docket			0
6. Uncontested Civil Fines or Penalties			0
7. Default Judgments			0
8. Agreed Judgments			0
9. Trial/Hearing by Judge/Hearing Officer			0
10. Trial by Jury			0
11. Dismissed for Want of Prosecution			0
12. All Other Dispositions			0
13. Total Cases Disposed			0
14. Cases Placed on Inactive Status			0
15. Total Cases Pending End of Month:			0
a. Active Cases			0
b. Inactive Cases			0
16. Cases Appealed:			XXXXXXXXXXXXXXX
a. After Trial			0
b. Without Trial			0

## JUVENILE/MINOR ACTIVITY

COURT NAVASOTA MUNICIPAL COURT					
MONTH	March	YEAR	2024	TOTAL	
1. Transportation Code Cases Filed				0	
2. Non-driving Alcoholic Beverage Code Cases Filed				1	
3. Driving Under the Influence of Alcohol Cases Filed				0	
4. Drug Paraphernalia Cases Filed				0	
5. Tobacco Cases Filed				0	
6. Truancy Cases Filed				0	
7. Education Code (Except Failure to Attend) Cases Filed				0	
8. Violation of Local Daytime Curfew Ordinance Cases Filed				0	
9. All Other Non-traffic Fine-only Cases Filed				0	
10. Transfer to Juvenile Court:				XXXXXXXXXXXXXXXXX	
a. Mandatory Transfer				0	
b. Discretionary Transfer				0	
11. Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct)				0	
12. Held in Contempt by Criminal Court (Fined and/or Denied Driving Privileges)				0	
13. Juvenile Statement Magistrate Warning:				XXXXXXXXXXXXXXXXX	
a. Warnings Administered				0	
b. Statements Certified				0	
14. Detention Hearings Held				0	
15. Orders for Non-secure Custody Issued				0	
16. Parent Contributing to Nonattendance Cases Filed				0	

### ADDITIONAL ACTIVITY

COURT	NAVASOTA MUNICIPAL COURT			
MONTH	March	YEAR	2024	
		NUMBER GIVEN	NUMBER REQUESTS FOR COUNSEL	
1. Magistrate Warnings:		XXXXXXXXXXXXXXX	XXXXXXXXXXXXXXX	
a.	Class C Misdemeanors		7  XXXXXXXXXXXXXXX	
b.	Class A and B Misdemeanors		0	0
c.	Felonies		0	0
XX		TOTAL		
2. Arrest Warrants Issued:		XXXXXXXXXXXXXXX		
a.	Class C Misdemeanors		10	
b.	Class A and B Misdemeanors		2	
c.	Felonies		0	
3. Capiases Pro Fine Issued			5	
4. Search Warrants Issued			0	
5. Warrants for Fire, Health and Code Inspections Filed			0	
6. Examining Trials Conducted			0	
7. Emergency Mental Health Hearings Held			0	
8. Magistrate's Order for Emergency Protection Issued			0	
9. Magistrate's Orders for Ignition Interlock Device Issued			0	
10. All Other Magistrates's Orders Issued Requiring Conditions for Release on Bond			0	
11. Drivers's License Denial, Revocation or Suspension Hearings Held			0	
12. Disposition of Stolen Property Hearings Held			0	
13. Peace Bond Hearings Held			0	

XX		TOTAL	
14. Cases in Which Fine and Court Costs Satisfied by Community Service:		XXXXXXXXXXXXXXXXXXXX	
a. Partial Satisfaction		0	
b. Full Satisfaction		0	
15. Cases in Which Fine and Court Costs Satisfied by Jail Credit		12	
16. Cases in Which Fine and Court Costs Waived for Indigency		0	
17. Amount of Fines and Court Costs Waived for Indigency		\$0.00	
18. Fines, Court Costs and Other Amounts Collected:		XXXXXXXXXXXXXXXXXXXX	
a. Kept by City		\$19,989.80	
b. Remitted to State		\$8,859.50	
c. Total		\$28,849.30	

Run By: rjessie  
Report Type: Summary  
Date Range: 3/01/2024 - 3/31/2024  
Finalize Report: Yes  
Correction: No

\*\*\* END OF REPORT \*\*\*

## **ORDINANCE NO. 1041-24**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAVASOTA, TEXAS, AMENDING CHAPTER 10, SUBDIVISION REGULATION, ARTICLE 10.02 SUBDIVISION ORDINANCE, EXHIBIT 10A SUBDIVISION DEVELOPMENT ORDINANCE, ARTICLE 7, REQUIREMENTS FOR IMPROVEMENT, RESERVATIONS, AND DESIGN OF THE CODE OF ORDINANCES OF THE CITY OF NAVASOTA, TEXAS BY AMENDING SECTION 7.03 STREETS, 7.08.04 UTILITY LOCATION STANDARDS AND 7.13 REGULATION OF CLUSTER MAILBOX UNITS; PROVIDING FOR A SEVERABILITY AND REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND FINDING PROPER NOTICE OF MEETING**

**WHEREAS**, the City of Navasota ("City") is a Texas home-rule municipality; and

**WHEREAS**, pursuant to Texas Local Government Code, Section 51.001, the City has the authority to adopt ordinances and regulations for the good government, peace and order of the City; and

**WHEREAS**, as a home-rule municipality, Texas Local Government Code, Section 51.072 confirms that the City has the full power of local self-government; and

**WHEREAS**, the City Council of the City of Navasota previously adopted certain provisions relating to streets, utility location standards and cluster mailbox units; and

**WHEREAS**, the City Council desires to amend certain regulations applicable to streets, utility location standards and cluster mailbox units; and

**WHEREAS**, the City Council finds and determines that it is in the best interest of the City to adopt the regulations as set forth herein;

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Navasota, Texas that:

### **SECTION 1. FINDINGS INCORPORATED**

The findings set forth herein above are incorporated into the body of this Ordinance as fully set forth herein.

### **SECTION 2.**

Chapter 10 Subdivision Regulation, Article 10.02 Subdivision Ordinance, Exhibit 10A Subdivision Development Ordinance, Article 7, Requirements for Improvements, Reservations, and Design, subsection 7.03 Streets, 7.03.02 Design Standards, B. Street Surfacing and Improvements is hereby amended to read as follows:

B. Street Surfacing and Improvements: After sewer, water, and other utilities have been installed by the developer, the developer shall construct curbs and gutters and shall surface or cause to be surfaced streets to the widths prescribed in the City of Navasota Unified Design Guidelines, Unified Technical Specifications and Unified Standard Construction Details. Unless otherwise specified in writing by the City Engineer, all surfacing shall be of rigid pavement in accordance with adopted Unified Design Guidelines and Unified Standard Construction details as is suitable for the expected traffic and in harmony with similar improvements in the surrounding areas. Adequate provisions in accordance with the City of Navasota Unified Design Guidelines, Unified Technical Specifications and Unified Standard Construction Details, shall be made for culverts, drains, and bridges. All street pavement, shoulders, drainage improvements and structures, curbs, turnarounds, and sidewalks shall conform to all City of Navasota Unified Design Guidelines, Unified Technical Specifications and Unified Standard Construction Details.

### **SECTION 3.**

Chapter 10 Subdivision Regulation, Article 10.02 Subdivision Ordinance, Exhibit 10A Subdivision Development Ordinance, Article 7, Requirements for Improvements, Reservations, and Design, subsection 7.08.04 Utility Location Standards, is hereby amended to read as follows:

7.08.04 Utility Location Standards: When a development necessitates the installation of public utility improvements all taps must be installed within a utility easement and constructed as set forth below:

- A. All taps must be installed within four feet (4') of side lot lines.
- B. Sanitary sewer taps installed for dual service must be six inches (6") minimum unless otherwise determined in writing by the City engineer.
- C. Top of water meter boxes containing water taps must be at final grade following final site grading.

### **SECTION 4.**

Chapter 10 Subdivision Regulation, Article 10.02 Subdivision Ordinance, Exhibit 10A Subdivision Development Ordinance, Article 7, Requirements for Improvements, Reservations, and Design, subsection 7.13 (A)(7) is hereby amended to read as follows:

- 7. Trash receptacles are encouraged but not required.

### **SECTION 5. SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent

jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

#### **SECTION 6. REPEALER CLAUSE**

Any provision of any prior ordinance of the City whether codified or uncoded, which are in conflict with any provision of this Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City whether codified or uncoded, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

#### **SECTION 7. EFFECTIVE DATE**

This Ordinance shall become effective from and after its passage, approval and adoption on second reading, and its publication as may be required by law.

#### **SECTION 8. NOTICE OF MEETING**

Notice of the time and place, where and when said Ordinance would be considered by the City Council at a public meeting was given in accordance with applicable law, prior to the time designated for meeting.

**PASSED ON FIRST READING THIS 25<sup>TH</sup> DAY OF MARCH, 2024**

\_\_\_\_\_  
**BERT MILLER, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**SUSIE M. HOMEYER, CITY SECRETARY**

**PASSED ON SECOND READING THIS 8<sup>TH</sup> DAY OF APRIL, 2024.**

\_\_\_\_\_  
**BERT MILLER, MAYOR**

**ATTEST:**

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**SUSIE M. HOMEYER, CITY SECRETARY**