

**NOTICE OF MEETING OF THE GOVERNING BODY OF THE
CITY OF NAVASOTA, TEXAS
APRIL 27, 2020**

Notice is hereby given that a Regular Meeting of the governing body of the City of Navasota will be held on the 27th of April, 2020 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/channel/UCItnx7BQt0TCIYJRiZ14g5w>

If you have any questions during the meeting please email them to council@navasotatx.gov or text 936-870-5134. Please ensure to provide your full name and home address.

If you prefer to call-in please dial +13462487799 and enter Meeting ID: 709 770 2250 #

To Join Meeting virtually please click link below:

<https://zoom.us/j/7097702250>

1. Call to Order.
2. Invocation
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) COVID-19 response;
 - (b) Street department report;
 - (c) Utility department report;
 - (d) Police department report;
 - (e) Board and Commission update; and
 - (f) Reports from City Staff or City Officials regarding items 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; reminders about upcoming events organized or sponsored by the City; information regarding social, ceremonial, or community events organized or sponsored by a non-City entity that is scheduled to be

attended by 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.

5. Discussion and possible action on the first reading of Ordinance 928-20, establishing a voluntary utility assistance fund and appointment of an advisory board.
6. Consideration and possible action on the first reading of Resolution No. 670-20, approving the expenditure of Type B sales tax revenues by the Navasota Economic Development Corporation for a business grant program to assist local businesses affected by the COVID-19 pandemic.
7. Discussion and possible action on traffic changes and parking along Railroad Street.
8. Consideration and possible action on the first reading of Ordinance No. 927-20, denying the distribution cost recovery factor rate increase of Entergy Texas, Inc. filed on March 31, 2020.
9. Consideration and possible action on the second reading of Ordinance No. 923-20, establishing policies and procedures for City Council meetings.
10. Consent Agenda: The following 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.

Consent Items are:

A. Consideration and possible action on the second reading of Ordinance No. 925-20, amending Chapter 13, Article 13.02, Sec. 13.02.009 (C) procedure for collection of delinquent accounts.

B. Consideration and possible action on the second reading of Ordinance No. 926-20, postponing the general election to be held on May 2, 2020 to the November 3, 2020 uniform election date.

Consideración y posible acción en la segunda lectura de la Ordenanza No 926-20, posponiendo las elecciones generales que se celebrarán el 2 de mayo de 2020 hasta la fecha de elección uniforme del 3 de noviembre de 2020.

11. Adjourn.

DATED THIS THE 22ND OF APRIL, 2020

/BS/

BY: BRAD STAFFORD, 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 22nd of April, 2020 at 03:05 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.

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 551.071-551.084.

DATED THIS THE 22ND OF APRIL, 2020

/SMH/

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.

City Manager's Message
An Executive Summary of Agenda Items and Current Issues

City of Navasota
City Council Meeting
4-27-2020

- 1. Call to order**
- 2. Invocation and Pledges of Allegiance**
- 3. Remarks of Visitors**
Staff is unaware of anyone wishing to address the City Council.
- 4. Staff Report:**
COVID-19 response – Staff will report on the response to COVID – 19

Street department report – Jose Coronilla, Director of Streets & Sanitation will report on current projects.

Utility department report – Jeff Greer, Director of Utilities will report on current projects and projects that were recently completed.

Police department report – Shawn Myatt, Chief of Police/Asst. City Manager will report on new staff and other information from the Police Department.
- 5. Discussion and possible action on Ordinance 928-20, establishing a Voluntary Utility Assistance Fund and appointment of an advisory board.**
During the previous City Council meeting a citizen suggested the city look into creating a voluntary fund for donations that may be utilized to assist customers with their utility bills. Legal Counsel assisted with the development of the attached ordinance that establishes the fund and an advisory board to distribute the funds. Staff suggests appointing Lance Hall, Julie Harper, 2 City Council Members and Deborah Richardson to the advisory board.
- 6. Consideration and possible action on the first reading of Resolution No. 670-20, approving the expenditure of Type B sales tax revenues by the Navasota Economic Development Corporation for a business grant program to assist local businesses affected by the COVID-19 pandemic.**
The NEDC asked staff to develop a grant program to assist local small businesses affected by COVID-19. The current budget contained \$110,000 for special projects, and the plan is to utilize that fund for the program. Staff and Legal Counsel worked quickly to develop a program that is being presented to the NEDC Board Monday at 12:15. City Council must approve any project with expenditures in excess of \$10,000. We are also required to have two readings,

and plan to hold the second reading Tuesday. A copy of the proposed application is attached to the coversheet.

7. Discussion and possible action on traffic changes and parking along Railroad Street.

The property owners along Railroad Street in downtown requested that the City change the traffic pattern to one-way going north from Holland to Washington Avenue. They also request on-street parking on both sides of the street from McAlpine to Washington. The change adds a few parking spaces and sets the traffic pattern that would be required if the City ever creates a quiet zone for the railroads along downtown. The property owners anticipate a large volume of visitors to the businesses and the added parking would be a plus for the businesses.

8. Consideration and possible action on the first reading of Ordinance No. 927-20, denying the distribution cost recovery factor rate increase of Entergy Texas, Inc. filed on March 31, 2020.

Entergy recently filed application with the Public Utility Commission of Texas to amend its distribution cost recovery factor. Utilities are allowed to recover increased distribution investment expenses. This is different from base rate cases so cities will not be allowed to investigate to see if the fees are reasonable or necessary. Instead, if it is determined they were not reasonable then the next base rate case Entergy would be required to refund any of the costs that were in excess. Dan Lawton with the Lawton Law Firm recommends denying the distribution cost recovery factor rate increase.

9. Consideration and possible action on the second reading of Ordinance No. 923-20, establishing policies and procedures for City Council meetings.

Legal Counsel made changes that were necessary to the ordinance to comply with current state law, and changes to the wording that City Council questioned.

10. Consent Agenda: The following 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.

Consent Items are:

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B. Consideration and possible action on the second reading of Ordinance No. 926-20, postponing the general election to be held on May 2, 2020 to the November 3, 2020 uniform election date.

Consideración y posible acción en la segunda lectura de la Ordenanza No 926-20, posponiendo las elecciones generales que se celebrarán el 2 de mayo de 2020 hasta la fecha de elección uniforme del 3 de noviembre de 2020.

Calendar of Events

April 27 th 6:00 p.m.	City Council Meeting Municipal Building
May 11 th 6:00 p.m.	City Council Meeting Municipal Building
May 15 th & 18 th	Brad Vacation to Florida (depends on virus and executive orders)
May 19 th 9:00 a.m.	City Council Planning Retreat TBD
May 25 th City Holiday also regular scheduled	Memorial Day City Council meeting.

Respectfully submitted,

Brad Stafford
City Manager



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.”*

Mission Statement:

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



THE CITY OF NAVASOTA COUNCIL LEADERSHIP POLICY

It is the desire of the Navasota City Council to demonstrate responsible leadership by:

- (a) Establishing a 2027 Strategic Growth Map for the City of Navasota.*
- (b) Assuring stable and effective city operations.*
- (c) Developing and adopting policies that will guide the growth of the City of Navasota.*
- (d) Facilitating private/public sector partnerships at the local, regional, state and federal level that will invest in the future of Navasota.*
- (e) Ensuring all Navasota boards, commissions and committees are aligned with the Council's growth policies.*



S.M.A.R.T. GOAL SETTING SYSTEM

Area	Today's Date	Target Date	Date Achieved
City Council Retreat	10/2/19	2019-2020	

Goal Statement: A descriptive statement of the DESIRED OUTCOME.
(a S.M.A.R.T. Goal is Specific, Measurable, Actionable, Responsible and Time-bound)

The Management Connection, Inc. provided professional facilitation to the City of Navasota Council on September 4th, 2019. This document captures the Council's direction to staff.

Action Steps (List the specific actions you will take to achieve this goal)	Target Date	Who	Percentage Completion
Outcomes			
Direction from Council			
1. <u>There needs to be a discussion on how to get state lawmakers to partner with the City.</u> a. Potentially inviting Schwertner, Leman, and Kolkhorst to visit and tour the city b. Alan Bojorquez is creating a report card on all the legislature and looking for help	2019-2020	Navasota Staff	
2. <u>Figure out a way to speed up the billing cycle to reduce the lag time from end of month to bill date for payments</u> a. We can make every period longer or each period 31 days—it will take a few years, but you'll catch up b. Propose a staff member under Lance and Rita to handle all meters—Meter Maintenance Technician	2019-2020	Navasota Staff	
3. <u>The City Manager will do a cost benefit analysis on the Boys and Girls Club</u> a. Benefit of having them in the community along with the mechanics of it to present to the council	2019-2020	Navasota Staff	



The Management Connection, Inc.

PROFESSIONAL FACILITATORS

<p>4. <u>The Council will move forward with the concept of bonds for utility and street improvements</u></p> <p>a. Bonds will be broken into three-year small increments</p> <p>i. Focus will be on high traffic roads first</p> <p>ii. Host community meetings to get more buy in from the city</p> <p>iii. City Manager will present the numbers to council</p>	2019-2020	Navasota Staff	
<p>5. <u>Gather a proposal for a new look and cost of renovating fire station at the current location.</u></p> <p>a. A rendering needs to be created to show the public</p>	2019-2020	Navasota Staff	
<p>6. <u>Review the Social Media policy (specifically # 3 & 4) as it relates to non-city employees and council members.</u></p> <p>a. It's a developing area legally. We should review the policy because it's from 2014 and make sure it's in accordance with current situation.</p>	2019-2020	Navasota Staff	
<p>7. <u>Design the new website</u></p> <p>a. Have 2-3 citizens sit in to consult about the ease of receiving notifications. Get a mixture of people who are and aren't familiar with computers</p>	2019-2020	Navasota Staff	
<p>8. <u>Find more ways to get coverage in the news</u></p> <p>a. neighbors@theeagle.com - send pictures to get included</p>	2019-2020	Navasota Staff	
<p>9. <u>Develop relationships with Boards and Commissions:</u></p> <p>a. Have a mandatory annual meeting with members to talk about what a comp plan is, what the Council's expectations are, and that they need to be able to make decisions as a board. They need to know about open</p>	2019-2020	Navasota Staff	



The Management Connection, Inc.

PROFESSIONAL FACILITATORS

meetings act, public information act, Robert's Rules of Order, ect.

- i. By being involved, we have a chance to educate them about how the city works
- ii. We don't want to take away their ability to think, but we can give them parameters
- iii. We should create a statement to be read before each meeting that says "we are our own board, we work toward the goals of the city and will stand by the final decision". It's a reminder that we're all here to do the best for the city. A mission statement to go at the top of the packet.

**CITY OF NAVASOTA
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 4. **AGENDA DATE:** April 27, 2020

PREPARED BY: Brad Stafford, City Manager

APPROVED BY: BS

ITEM: Staff Report:

- (a) COVID-19 response;
- (b) Street department report;
- (c) Utility department report;
- (d) Police department report;
- (e) Board and Commission update; and
- (f) Reports from City Staff or City Officials regarding items 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; reminders about upcoming events organized or sponsored by the City; information regarding social, ceremonial, or community events organized or sponsored by a non-City entity that is scheduled to be attended by 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.

ITEM BACKGROUND:

BUDGETARY AND FINANCIAL SUMMARY:

STAFF RECOMMENDATION:

ATTACHMENTS:

**CITY OF NAVASOTA
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 5. **AGENDA DATE:** April 27, 2020

PREPARED BY: Lance Hall, Finance Director

APPROVED BY: BS

ITEM: Discussion and possible action on the first reading of Ordinance 928-20, establishing a voluntary utility assistance fund and appointment of an advisory board.

ITEM BACKGROUND:

During a previous City Council meeting, a citizen asked about creating a voluntary fund to assist customers with utility bills. Council asked staff and legal counsel to develop a program. The attached ordinance creates the program to allow the city to collect donations and keep them in a separate account for creating a fund to assist qualifying customers with utility bill payments. The ordinance also creates an Advisory Board to administer the payments.

BUDGETARY AND FINANCIAL SUMMARY:

STAFF RECOMMENDATION:

Staff recommends approval of the first reading of Ordinance No. 928-20, establishing a voluntary utility assistance fund and appointment of Lance Hall, Julie Harper, 2 City Council members and Deborah Richardson to the Voluntary Utility Assistance Fund Advisory Board.

ATTACHMENTS:

1. Ordinance No. 928-20

ORDINANCE NO. 928-20

AN ORDINANCE OF THE CITY OF NAVASOTA, TEXAS ESTABLISHING A VOLUNTARY UTILITY ASSISTANCE FUND; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; FINDING PROPER NOTICE OF MEETING; AND PROVIDING FOR CERTIFICATION OF ADOPTION.

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 desires to establish a Voluntary Utility Assistance Fund to disburse funds to utility customers in need by paying part or all of their utility bills; and

WHEREAS, the Voluntary Utility Assistance Fund would allow neighbors to help neighbors by donating to the Fund; and

WHEREAS, the City Council finds and determines that it is in the best interest of the City and its citizens to establish the Voluntary Utility Assistance Fund as set forth herein below;

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

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. VOLUNTARY UTILITY ASSISTANCE FUND

- A. There is hereby established the Voluntary Utility Assistance Fund ("Fund"). This Fund shall consist of money donated to the City of Navasota for placement in the Fund. The money in the Fund shall be kept in its own bank account and shall not be commingled with any other funds of the City.

- B. All money in the Fund shall be used exclusively for the purpose of paying part or all of the utility bills of eligible utility customers.
- C. There is hereby established a Voluntary Utility Assistance Fund Advisory Board ("Board").
 - a. The Board will establish the eligibility criteria, develop the methodology for making payments, and continually monitor and evaluate the program, reporting periodically to the City Council.
 - b. The eligibility criteria and methodology for making payments, including any amendments thereto, must be approved by the City Council.
 - c. The Board shall consist of five members appointed by the City Council. The Board shall include two councilmembers, two employees of the City, and one member of the public.
- D. The City Manager, or his designee, shall develop the necessary accounting systems and computer programs for utility customers to donate to the Fund by including donations on their utility bills. The necessary systems shall also be created for the disbursement of the funds to beneficiaries of the Fund.

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 meeting.

PASSED AND APPROVED ON FIRST READING THIS THE 27TH DAY OF APRIL, 2020.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

PASSED AND APPROVED ON FIRST READING THIS THE 11TH DAY OF MAY, 2020.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

**CITY OF NAVASOTA
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 6. **AGENDA DATE:** April 27, 2020

PREPARED BY: Brad Stafford, City Manager

APPROVED BY: BS

ITEM: Consideration and possible action on the first reading of Resolution No. 670-20, approving the expenditure of Type B sales tax revenues by the Navasota Economic Development Corporation for a business grant program to assist local businesses affected by the COVID-19 pandemic.

ITEM BACKGROUND:

The Navasota Economic Development Corporation Board recently asked staff to develop a grant program to assist local small businesses affected by the COVID-19 virus. The budget already included a line item for special projects in the amount of \$110,000. The board said the project should be a \$100,000 project. Staff and Legal Counsel worked quickly to develop the program and now are ready to present it to the City Council for approval.

BUDGETARY AND FINANCIAL SUMMARY:

STAFF RECOMMENDATION:

Staff recommends approval of the first reading of Resolution No. 670-20, approval of the expenditure of Type B sales tax revenues by the Navasota Economic Development Corporation for a business grant program to assist local businesses affected by the COVID-19 pandemic.

ATTACHMENTS:

1. Resolution No. 607-20
2. Small Business Grant Info

RESOLUTION NO. 670-20

A RESOLUTION APPROVING A PROJECT OF THE NAVASOTA ECONOMIC DEVELOPMENT CORPORATION.

WHEREAS, the Navasota Economic Development Corporation desires to expend funds in the estimated amount of \$100,000.00 for a business grant program to assist local businesses affected by the COVID-19 pandemic to promote new and expanded business development, a project as authorized by Chapter 505, Texas Local Government Code, said expenditures to exceed \$10,000.00; and

WHEREAS, the Navasota Economic Development Corporation board of directors approved said project at a meeting held on April 27, 2020; and

WHEREAS, state law requires a project requiring the expenditure of more than \$10,000.00 to be approved by a resolution of the City Council authorizing the project after giving the resolution at least two (2) separate readings; and

WHEREAS, the City Council of the City of Navasota hereby desires to approve the above-referenced project; Now Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NAVASOTA, TEXAS:

1. That the City Council hereby approves the above-referenced project and the expenditure of funds of the Navasota Economic Development Corporation in the estimated amount of \$100,000.00 for a business grant program to assist local businesses affected by the COVID-19 pandemic to promote new and expanded business development, said expenditures to exceed \$10,000.00.

**APPROVED AND RESOLVED ON FIRST READING THIS THE 27TH DAY OF
APRIL, 2020.**

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

**APPROVED AND RESOLVED ON SECOND READING THIS THE 28TH DAY OF
APRIL, 2020.**

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

Navasota Small Business COVID-19 Relief Grant

Purpose and Description:

In response to COVID-19, the Navasota Economic Development Corporation approved a Small Business COVID-19 Relief Grant. This program is designed to assist small Navasota businesses and provide short-term, immediate financial aid. It is not intended to be a sole source, and businesses are encouraged to seek additional sources of funding in addition to this grant.

The Navasota Economic Development Corporation designated \$100,000 for a Navasota Small Business COVID-19 Relief Grant program with a maximum award total of \$1,000 per business.

Review Process:

The review committee consists of the Chamber Executive Director, one Navasota Economic Development Corporation Board member, the Navasota Economic Development Specialist, and an unaffiliated citizen of Navasota.

The review committee will review all applications to ensure eligibility and completeness. Applicants will receive notification of their application status within 5-7 business days of receipt.

Requirements:

Eligible Businesses:

- Non-home-based businesses
- Located in Navasota
- 24 employees or fewer
- Services and revenue have been affected by COVID-19
- Priority based on need and on a first-come first-serve basis

Applicant Information:

- Business Ownership
- Business Impacts due to COVID-19
- Personnel Counts (and Reductions)
- Revenue Estimates (and Reductions)
- Additional sources being sought (i.e. SBA Loans, grants)

Application and Documents Requested:

- Business personal property tax certificate showing the ad valorem taxes paid to the City of Navasota for 2019
- Proof of physical location within City limits
- Texas Comptroller of Public Accounts sales tax statement for February 2020 or most recent filing
- Texas Workforce Commission's most recent quarterly filing or supporting payroll from Jan-current
- W9

Approval Process:

- Applications will be accepted Wednesday April, 29, 2020 until Wednesday, May 6, 2020 at 5 PM CT.
- Higher priority will be given for:
 - Businesses who are temporarily closed

Application Information:

The information provided on this application will additionally be used to help the City of Navasota gather information on the impact COVID-19 has had on our community. This information will be used for us to seek and utilize additional federal and state funding opportunities for our local community.

We are actively searching for information on new loan and grant programs for small businesses impacted by COVID-19. Please continue to monitor our website and visit www.shoplocalnavasota.com for updates on new resources available.

Application:

Name of Business

Name of Business Owner(s)

Business Address

Email

Phone

Business Category/NAICS Code

Number of business locations

Eligibility/Qualification

1. Physical and accessible location within the City of Navasota city limits (non-home-based)
 - a. Yes/No
2. Experienced a decline in revenue and/or employment starting March 13,2020.
 - a. Yes/No
3. In good standing with the City of Navasota regarding licensing and permits.
 - a. Yes/No
4. Registered with the Texas Comptroller’s Office as a sales tax revenue generating business for the City of Navasota
 - a. Yes/No
5. Engaged in activities that are legal under state and city law.
 - a. Yes/No

How many FTE employees did you have on January 1, 2020?

How many part time employees did you have on January 1, 2020?

How many FTE did you have on March 13, 2020?

How many part time employees did you have on March 13, 2020?

How many FTE employees do you currently have as of the application date?

How many part time employees do you currently have as of the application date?

Current estimated percentage decline in revenue

Total estimated decline in revenue since Governor Abbott’s COVID-19 Disaster Proclamation on March 13, 2020

What are the impacts to your business from COVID-19? (Check all that apply)

- Temporary business closure
- Reduced hours of operation
- Employee layoffs/furloughs
- Revenue decline
- Inability to serve customers
- Decreased customers

Attachments:

W9

Texas Comptroller of Public Accounts sales tax statement

Texas Workforce Commission's most recent quarterly filing

*Note: Fewer than 25 chosen as the definition of "very small firms" from U.S. Bureau of Labor Statistics, "The Characteristics of Small-Business Employees", Brian Headd (2000)

**CITY OF NAVASOTA
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 7. **AGENDA DATE:** April 27, 2020

PREPARED BY: Brad Stafford, City Manager

APPROVED BY: BS

ITEM: Discussion and possible action on traffic changes and parking along Railroad Street.

ITEM BACKGROUND:

Several buildings along Railroad Street are undergoing major renovations with plans of a Hotel, Restaurants, Retail, Personal Services and Apartments. Owners of the buildings along that area asked if the City would consider changing Railroad Street from Holland to Washington to a one-way street with traffic going north. They also asked if we could add parking on both sides of the street from McAlpine to Washington. Engineers designed a draft of the parking along Railroad with a one-way designation and parking on both sides.

BUDGETARY AND FINANCIAL SUMMARY:

STAFF RECOMMENDATION:

Staff recommends approval of designating Railroad Street between Holland and Washington as one-way with parking on both sides of the street from McAlpine to Washington.

ATTACHMENTS:

1. Railroad Street parking info

Brad Stafford

From: Brianna Groves, E.I.T. <bgroves@cectexas.com>
Sent: Monday, January 27, 2020 1:44 PM
To: Brad Stafford
Cc: Johnnie L. Price
Subject: RE: Railroad Street Parking Lot & Drainage Improvements Project - Parking on Railroad Street
Attachments: 2020-01-27 One-Way Railroad Street EXHIBIT 1.pdf; 2020-01-27 One-Way Railroad Street EXHIBIT 2.pdf

My apologies Brad; Here is a revised exhibit with angled parking. Using the BCS design guidelines, you'll notice that there is not very much room to work with.

From Washington to McAlpine, a minimum 12' travel lane allows for parking on both sides for a span of three spaces; see exhibit 1. Otherwise there can be parallel on the sidewalk side (9 spaces) and angled spots on the railroad side (14 spaces); see exhibit 2.

There is no room for double angled parking from McAlpine to Holland. There can either be one set of angled (17 spaces on the railroad side or 13 spaces on the sidewalk side) or two sets of parallel (7 on the sidewalk side and 9 spaces on the railroad side) parking. Exhibit 1 shows parallel spaces and exhibit 2 shows angled spaces on the sidewalk side of the street.

Can you confirm the blocks that you want parking on; from Washington to Holland as is shown in the exhibits or just from Washington to McAlpine. If McAlpine to Holland is to support two-way traffic then one side can have parallel parking, as it is currently striped.

Please let me know your thoughts and how you would like me to proceed.

Best regards,

Brianna Groves, E.I.T.

Engineer-in-Training II

CEC

Texas Firm Registration Numbers

Engineering F-2214 & Surveying 100410-00

1555 Greens Prairie Road West | College Station, TX 77845

Tel: 979-846-6212 Fax: 979-846-8252

Direct: 979-383-2413

 Be kind to the environment, please don't print this e-mail unless necessary.

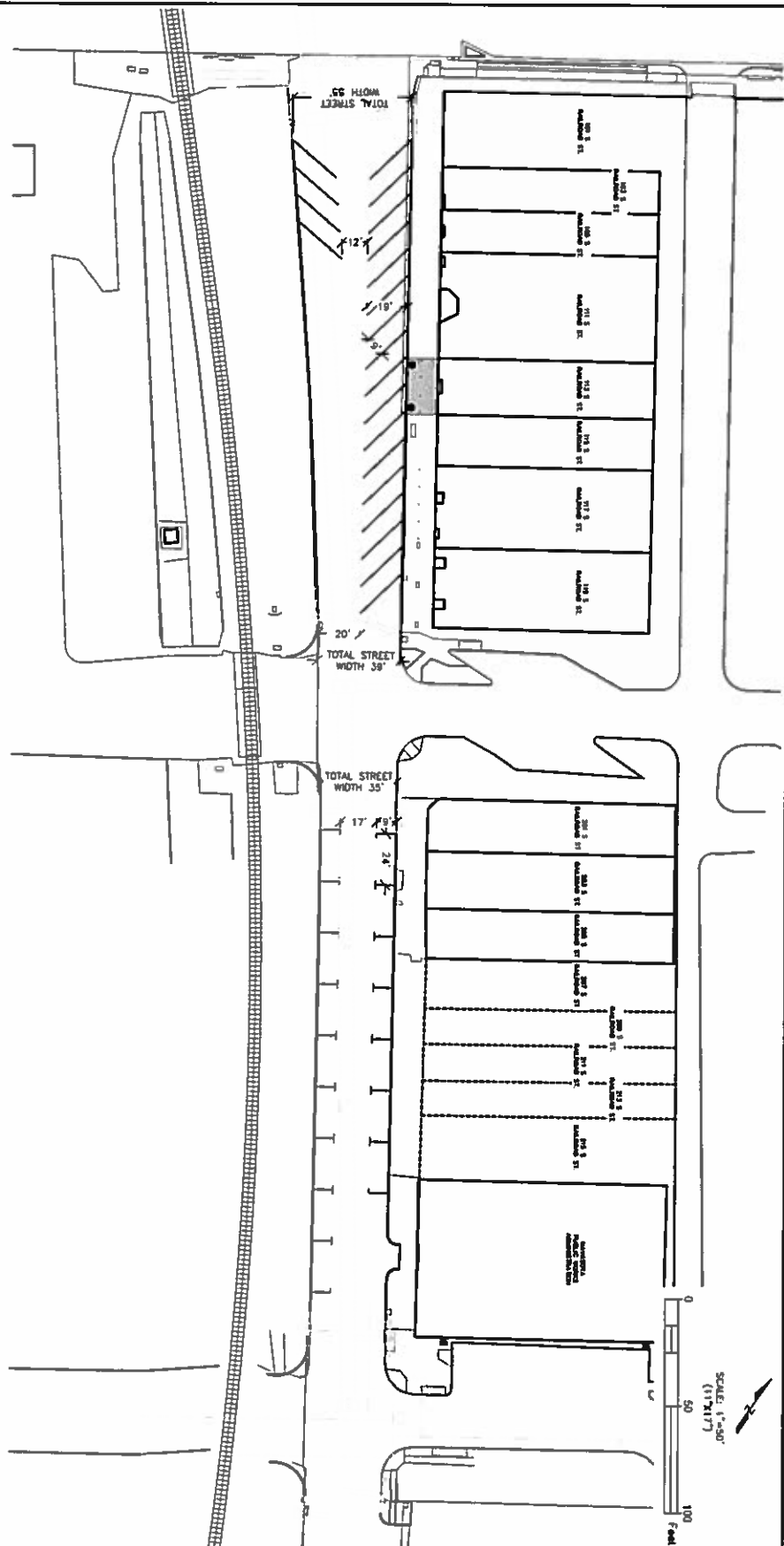
From: Brad Stafford <bstafford@navasotatx.gov>
Sent: Monday, January 27, 2020 10:52 AM
To: Brianna Groves, E.I.T. <bgroves@cectexas.com>
Cc: Johnnie L. Price <jlprice@cectexas.com>
Subject: RE: Railroad Street Parking Lot & Drainage Improvements Project - Parking on Railroad Street

Brianna,

I didn't explain correctly. We are asking about angle parking on both sides of Railroad street with traffic traveling from south to north.

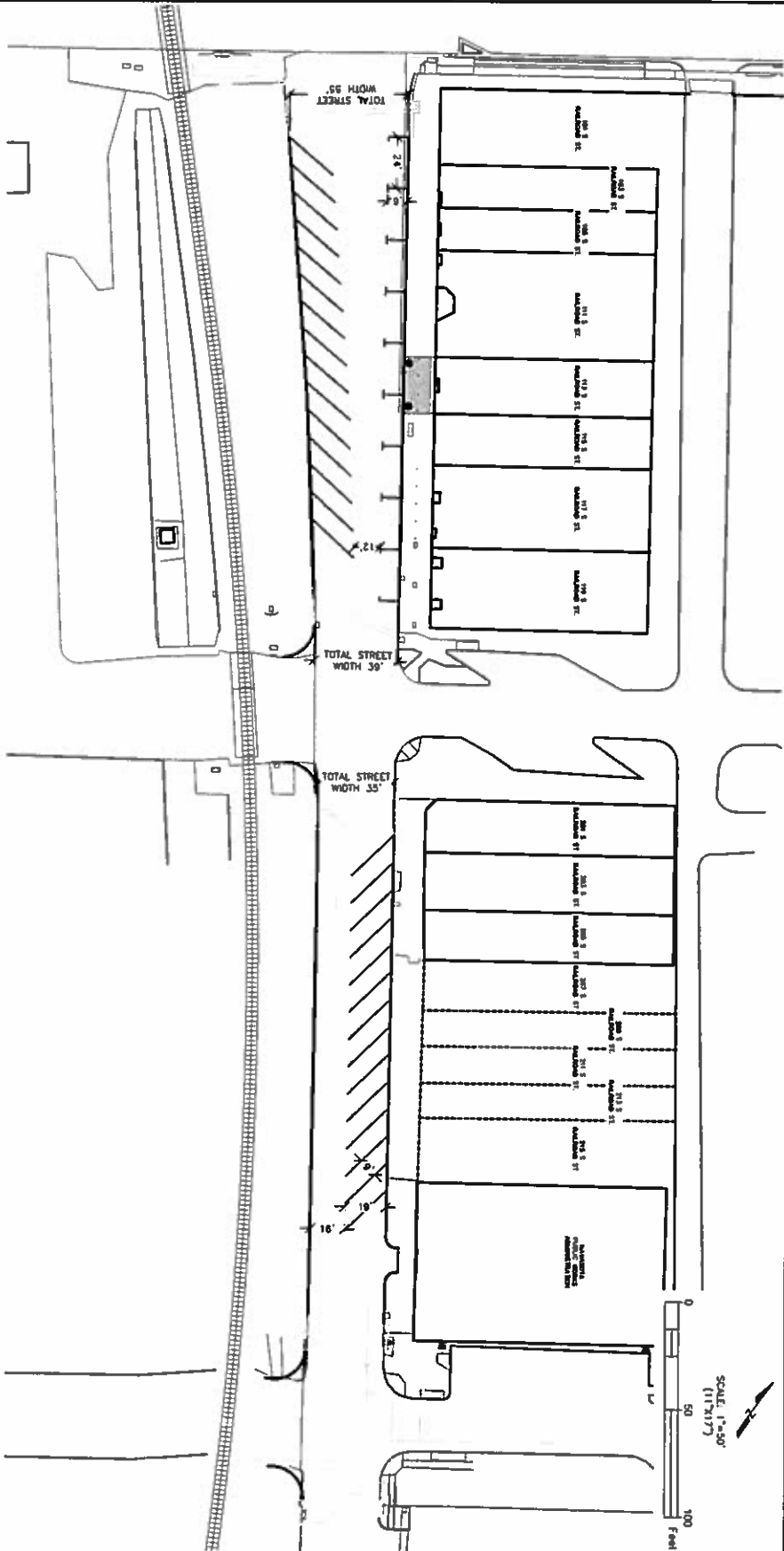
LEGEND	
APPROXIMATE DOOR/BUILDING	_____
PROPOSED BACK OF CURB	_____
PROPOSED PARKING STRIPING	_____
PROPOSED STORM SEWER	_____

PARKING COUNT		
BLOCK OF RAILROAD STREET	EXISTING PARKING SPACES	PROPOSED PARKING SPACES
WASHINGTON AVE. - MCALPINE ST.	21 ANGLED PARKING SPACES	19 ANGLED PARKING SPACES
MCALPINE ST. - HOLLAND ST.	9 PARALLEL PARKING SPACES	16 PARALLEL PARKING SPACES



A

LEGEND	
APPROXIMATE DOOR/BUILDING	_____
PROPOSED BACK OF CURB	_____
PROPOSED PARKING STRIPING	_____
PROPOSED STORM SEWER	_____



PARKING COUNT		
BLOCK OF RAILROAD STREET	EXISTING PARKING SPACES	PROPOSED PARKING SPACES
WASHINGTON AVE - MCALPINE ST.	22 ANGLED PARKING SPACES	9 PARALLEL & 14 ANGLED PARKING SPACES
MCALPINE ST. - HOLLAND ST.	9 PARALLEL PARKING SPACES	13 ANGLED PARKING SPACES

<p>CITY OF NAVASOTA</p> <p>RAILROAD STREET DRAINAGE EXTENSION</p> <p>WATER INFRASTRUCTURE IMPROVEMENTS</p> <p>WASHINGTON AVE - HOLLAND ST.</p> <p>NAVASOTA, GRIMES COUNTY, TEXAS</p>	<p>DATE: 11/17/17</p> <p>SCALE: 1"=50'</p> <p>50</p> <p>100</p> <p>Feet</p>	<p>GEC</p> <p>GRIMES ENGINEERING CONSULTANTS</p> <p>1912 GRIMES PRINCIPAL ROAD #611</p> <p>COLLEGE STATION, TEXAS 77840</p> <p>TEL: (817) 844-8252</p> <p>FAX: (817) 844-8253</p> <p>REGISTRATION #7-1214</p>	<p>DESIGNED BY</p> <p>DRAWN BY</p> <p>APPROVED</p> <p>DATE</p>
			<p>XH2</p>

Brad Stafford

From: Brianna Groves, E.I.T. <bgroves@cectexas.com>
Sent: Monday, January 27, 2020 10:33 AM
To: Brad Stafford
Cc: Johnnie L. Price
Subject: Railroad Street Parking Lot & Drainage Improvements Project - Parking on Railroad Street
Attachments: 2020-01-27 One-Way Railroad Street.pdf

Good morning Brad,

Please see attached for a sketch depicting the improvements you and I discussed Friday. Just counting from the aerial, it looks like there are a total of 31 parking spaces currently. This linework shows a total of 37.

One major issue we see with this is for the safety of patrons exiting their vehicles on the railroad side of the street. A sidewalk would offer a pedestrian route but this takes space either from the railroad right-of-way or from the travel lane in the street.

Due to the signage that we would have to provide in our plans, do you have an idea of which direction you want to restrict traffic flow to? If it runs south to north, drivers will have to wind through the downtown area and then eventually exit onto Washington Avenue. If traffic is to run in the opposite direction, then drivers will have to make a left turn off of Washington Ave. which also isn't the most desirable. These are just some of our initial thoughts.

Please let me know if you have any questions or comments.

Best regards,

Brianna Groves, E.I.T.
Engineer-in-Training II



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC.

Texas Firm Registration Numbers
Engineering F-2214 & Surveying 100410-00
1555 Greens Prairie Road West | College Station, TX 77845
Tel: 979-846-6212 Fax: 979-846-8252
Direct: 979-383-2413

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<http://www.cectexas.com/>

Texas Firm Registration Numbers Engineering F-2214 & Surveying 100410-00 This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal.

**CITY OF NAVASOTA
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 8. **AGENDA DATE:** April 27, 2020

PREPARED BY: Brad Stafford, City Manager

APPROVED BY: BS

ITEM: Consideration and possible action on the first reading of Ordinance No. 927-20, denying the distribution cost recovery factor rate increase of Entergy Texas, Inc. filed on March 31, 2020.

ITEM BACKGROUND:

Entergy Texas applied to the Public Utilities Commission of Texas to amend its Distribution Cost Recovery Factor. In past filings, the cities served by Entergy coalition found discrepancies in the calculations resulting in lower rate increases. The Lawton Law firm recommends that the cities deny the application.

BUDGETARY AND FINANCIAL SUMMARY:

STAFF RECOMMENDATION:

Staff recommends approval of the first reading of Ordinance No. 927-20, denying the distribution cost recovery factor rate increase of Entergy Texas, Inc. filed on March 31, 2020.

ATTACHMENTS:

1. Ordinance No. 927-20
2. Letter from Lawton Law Firm

ORDINANCE NO. 927-20

**AN ORDINANCE BY THE CITY OF NAVASOTA, TEXAS
("CITY") DENYING THE DISTRIBUTION COST
RECOVERY FACTOR RATE INCREASE REQUEST OF
ENERGY TEXAS, INC. FILED ON MARCH 31, 2020;
SETTING JUST AND REASONABLE RATES FOR
ENERGY TEXAS, INC. FOR SERVICE WITHIN THE
MUNICIPAL LIMITS; FINDING THAT THE MEETING
COMPLIES WITH THE OPEN MEETINGS ACT; MAKING
OTHER FINDINGS**

WHEREAS, on or about March 31, 2020, Entergy Texas, Inc. ("Entergy") filed an Application to Amend its Distribution Cost Recovery Factor ("DCRF") with the City to increase electric rates by amending its DCRF rider pursuant to Public Utility Regulatory Act ("PURA") Section 36.210;

WHEREAS, City has exclusive original jurisdiction over the rates, operations and services of an electric utility within its municipal limits pursuant to PURA Section 33.001(a);

WHEREAS, the jurisdictional deadline for the City to act in this rate matter is May 30, 2020;

WHEREAS, Entergy's existing DCRF rider is set to collect approximately \$3.2 million per year;

WHEREAS, Entergy's proposed amended Distribution Cost Recovery Factor rider would increase customer rates in the Entergy Service Area by approximately \$20.4 million per year, for a total of \$23.6 million per year;

WHEREAS, the City retained the Lawton Law Firm, P.C. to review the Company's rate request and make necessary rate recommendations to the City; and

WHEREAS, the Lawton Law Firm has recommended that the City deny the Company's request to amend its Distribution Cost Recovery Factor.

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

Section 1. That the statement and findings set out in the preamble to this ordinance are hereby in all things approved and adopted.

Section 2. The City of Navasota hereby denies Entergy's request to amend its Distribution Cost Recovery Factor in total.

Section 3. The meeting at which this ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 4. This ordinance shall become effective from and after its passage.

PASSED AND APPROVED THIS 27TH DAY OF APRIL, 2020.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

PASSED AND APPROVED THIS 11TH DAY OF MAY, 2020.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

THE LAWTON LAW FIRM, P.C.

12600 Hill Country Blvd., Suite R-275 • Austin, Texas 78738 • 512/322-0019 • Fax: 512/329-2604

CONFIDENTIAL/PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

April 6, 2020

Via E-Mail

Mr. Richard Ferguson
City Attorney – City of Anahuac
City Attorney – City of Sour Lake
13201 Northwest Freeway, Suite 300
Houston, Texas 77040

Mr. Tyrone Cooper
City Attorney – City of Beaumont
P.O. Box 3827
Beaumont, Texas 77704

Mr. Kyle Hayes
City Manager – City of Beaumont
P.O. Box 3827
Beaumont, Texas 77704

Mr. Paul Fukuda
City Attorney – Bridge City
260 Rachal
Post Office Box 846
Bridge City, Texas 77611

Ms. Kelly McDonald
City Manager – City of Cleveland
907 E. Houston
Cleveland, Texas 77327

Mr. David Olson
City Attorney – City of Cleveland
Worham Tower, Suite 600
2727 Allen Parkway
Houston, Texas 77019

Ms. Angela Smith
City Secretary – City of Cleveland
907 E. Houston
Cleveland, Texas 77327

Mr. Mark Winberry
City Attorney – City of Conroe
P.O. Box 3066
Conroe, Texas 77305

Mayor Nyla Akin Dalhaus
City of Cut and Shoot
P.O. Box 7364
Cut and Shoot, Texas 77306

Amy L. Wade
City Secretary – City of Cut and Shoot
P.O. Box 7364
Cut and Shoot, Texas 77306

Mr. Jeff Lambright
Mayor – City of Dayton
117 Cook Street
Dayton, Texas 77535

Mr. Theo Melancon
City Manager – City of Dayton
117 Cook Street
Dayton, Texas 77535

Mr. James Black
City Attorney – City of Groves
3535 Calder Avenue, Suite 300
Beaumont, TX 77706

Mr. D. E. Sosa
City Manager – City of Groves
P.O. Box 3286
Port Arthur, Texas 77643

Ms. Tina Paez
City of Houston Administration & Regulatory
Affairs Department (ARA)
611 Walker, 13 th Floor
Houston, Texas 77002

Ms. Yushan Chang
City of Houston Legal Department
P.O. Box 368, Houston, Texas 77001-0368
City Hall Annex, 4th Floor
900 Bagby
Houston, Texas 77002

Mr. Leonard Schneider
City Attorney – City of Huntsville
City Attorney – City of Splendora
Liles Parker PLLC
2261 Northpark Dr., Suite 445
Kingwood, TX 77339

Mr. Aron Kulhavy
Interim City Manager – City of Huntsville
1212 Ave. M
Huntsville, Texas 77340

Mr. Brandon Davis
City Attorney – City of Liberty
City Attorney – City of Dayton
1517 Trinity
Liberty, Texas 77575

Mr. Tom Warner
City Manager – City of Liberty
1829 Sam Houston
Liberty, Texas 77575

Mr. Larry L. Foerster
City Attorney – City of Montgomery
City Attorney – City of Roman Forest
Darden, Fowler and Creighton, LLP
414 West Phillips, Suite 100
Conroe, Texas 77301

Mr. Cary Bovey
City Attorney – City of Navasota
Law Office of Cary L. Bovey, PLLC
2251 Double Creek Dr., Suite 204
Round Rock, Texas 78664

Mr. Brad Stafford
City Manager – City of Navasota
202 E. Washington
Navasota, Texas 77868

Mr. Jesse Branick
City Attorney – City of Nederland
221 Hwy. 69 South, Suite 100
Nederland, Texas 77627

Mr. Christopher Duque
City Manager – City of Nederland
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Nederland, Texas 77627

Ms. Heather Neeley
Interim City Manager –
City of Oak Ridge North
27424 Robinson Road
Oak Ridge North, Texas 77385

Ms. Elizabeth Harrell
City Secretary – City of Oak Ridge North
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Oak Ridge North, Texas 77385

Mr. Mike Kunst
City Manager – City of Orange
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Orange, Texas 77630

Mr. Guy Goodson
City Attorney – City of Orange
GERMER PLLC
550 Fannin, Suite 400
Beaumont, Texas 77701

Mr. Rodney Price
City Attorney – City of Pine Forest
City Attorney – City of Rose City
P.O. Box 310
Vidor, Texas 77670

Mr. Robbie Hood
City Administrator – City of Pinehurst
2497 Martin Luther King Jr. Drive
Orange, Texas 77630

Mr. Tommy Gunn
City Attorney – City of Pinehurst
202 S. Border
Orange, Texas 77630

Mr. Harvey Robinson
Interim City Manager – City of Port Arthur
P.O. Box 1089
Port Arthur, Texas 77641

Ms. Val Tizeno
City Attorney – City of Port Arthur
P.O. Box 1089
Port Arthur, Texas 77641

Mr. Andre' Wimer
City Manager – City of Port Neches
P.O. Box 758
Port Neches, Texas 77651

Mr. Pete Steele
City Attorney – City of Port Neches
3120 Central Mall Drive
Port Arthur, Texas 77642

Ms. Kathie Reyer
City Administrator – City of Shenandoah
29955 IH-45 N.
Shenandoah, Texas 77381

Ms. DeeAnn Zimmerman
City Manager – City of Silsbee
105 South 3rd Street
Silsbee, Texas 77656

Mr. Solomon Freimuth
City Attorney – City of Silsbee
P.O. Box 186
Port Neches, Texas 77651

Mr. Jack Provost
City Manager – City of Sour Lake
625 Hwy 105 W
Sour Lake, Texas 77959

Mayor Dorothy Welch
City Attorney Leonard Schneider
City of Splendora
P.O. Box 1087
Splendora, Texas 77372

Mr. Chris Leavins
City Attorney – City of Vidor
P.O. Box 4915
Beaumont, Texas 77704-4915

Mr. Rollie Burr
Interim City Manager - City of Vidor
1395 N. Main St.
Vidor, Texas 77662-3726

Mr. Michael S. Stelly
City of West Orange, Texas
2700 Austin Avenue
West Orange, TX 77630

Mayor Roy McDonald
Mayor – City of West Orange
2700 Western Avenue
West Orange, TX 77630

Mr. Rex Peveto
City Attorney – City of West Orange
118 Border Street
Orange, Texas 77630

Re: **Entergy Texas, Inc.’s Application to Amend its Distribution Cost Recovery Factor**

Dear Cities:

On March 31, 2020, Entergy Texas Inc. (“Entergy” or “Company”) filed an application to amend its Distribution Cost Recovery Factor (“DCRF”) with each of the Cities in its service area and concurrently with the Public Utility Commission of Texas (“Commission”). As you may recall, the scope of DCRF proceedings is limited and the timeline for processing these cases is shorter than that of typical rate case proceedings. Cities have 60 days to pass a Rate Ordinance accepting, modifying, or rejecting a DCRF Application. **Accordingly, Cities’ deadline to pass a Rate Ordinance is May 30, 2020.**

After the 60 days have passed, Cities’ rate decisions will be joined with the Company’s DCRF application pending with the Commission, and the Commission will make the final determination to approve or deny the Company’s request.¹ Cities that do not pass a rate ordinance by the 60-day deadline will also be joined. We have intervened in the Commission proceedings and will represent Cities’ interests there.

The purpose of a DCRF tariff is to allow a utility to recover increased distribution investment expenses it has incurred since its last base rate case. Entergy’s current DCRF tariff was approved in 2019 and was set to collect approximately \$3.2 million. In its recently-filed application to amend its DCRF tariff, Entergy requests to collect an additional \$20.4 million in annual revenue, for a total of \$23.6 million. Residential customers would be charged approximately \$14.6 million or 62% of the requested increase, which amounts to approximately \$2.09 per month for an average residential customer using 1000 kWh per month.

¹ The Commission has original jurisdiction over Entergy service areas outside the City limits and appellate jurisdiction over City decisions. *See* Tex. Util. Code § 32.001.

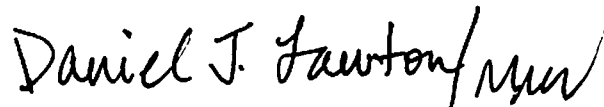
The DCRF procedure differs significantly from a base rate case in that it is strictly limited in scope. Discovery is limited in DCRF cases, and parties will not be allowed to explore whether the requested investment complies with PURA, or is prudent, reasonable, or necessary. Instead, if approved, the DCRF will be reconciled in the next base rate case, and Entergy will be required to pay back, with carrying costs, any revenue received for investment that does not comply with PURA, or is not prudent, reasonable, or necessary.

We are currently reviewing the Company's application to determine whether the Company properly calculated its proposed DCRF revenue requirement, class billing determinants, and resulting rates. Despite the limited scope, Cities and other intervening parties in Entergy's previous DCRF cases have identified numerous issues regarding Entergy's calculations and assumptions. As a result, Entergy's three previous DCRF cases were each ultimately resolved with Entergy agreeing to less than its initial proposed revenue requirement.

We recommend that the Cities deny Entergy's application in total by May 30, 2020. We have attached a recommended Rate Ordinance denying Entergy's DCRF application. Please forward passed ordinances to us at molly@mayhallvandervoort.com and danlawtonlawfirm@gmail.com.

If there are any questions or concerns, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink that reads "Daniel J. Lawton" followed by a stylized flourish.

Daniel J. Lawton

**CITY OF NAVASOTA
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 9. **AGENDA DATE:** April 27, 2020

PREPARED BY: Susie M. Homeyer, City Secretary

APPROVED BY: BS

ITEM: Consideration and possible action on the second reading of Ordinance No. 923-20, establishing policies and procedures for City Council meetings.

ITEM BACKGROUND:

Staff and legal counsel developed formal procedures regarding public comments during City Council meetings. The procedures also comply with recent legislation contained in HB 2840.

BUDGETARY AND FINANCIAL SUMMARY:

STAFF RECOMMENDATION:

Staff recommends approval of the second reading of Ordinance No. 923-20, establishing policies and procedures for City Council meetings.

ATTACHMENTS:

1. Ordinance No. 923-20

CITY OF NAVASOTA
CITY COUNCIL MEETING PROCEDURES

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF NAVASOTA, TEXAS ESTABLISHING POLICIES AND PROCEDURES FOR CITY COUNCIL MEETINGS, INCLUDING PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; PURPOSE; DEFINITIONS; GENERAL RULES OF PROCEDURE AT MEETINGS; DISRUPTIVE OR DISORDERLY CONDUCT; INDIVIDUALS WITH DISABILITIES; RECORDING OF MEETINGS; ~~ENFORCEMENT~~; RELATION TO OTHER ORDINANCES; SEVERABILITY; PROPER NOTICE AND MEETING

WHEREAS, the City Council of the City of Navasota seeks to provide for the efficient administration of City business; and

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WHEREAS, the City Council seeks to maintain order and decorum at ~~City~~ Council ~~m~~Meetings; and

WHEREAS, the City Council finds that the promulgation of procedural rules for Council meetings furthers the effective and efficient administration of City business and encourage orderly public participation in the democratic process; and

WHEREAS, the City Council finds that disorderly or disruptive behavior during the course of its meetings unreasonably interferes with the conduct of City business; creates confusion and dismay among meeting participants, observers, and the general public; and stifles public comment and participation in the democratic process; and discourages the majority of meeting attendees who conduct themselves appropriately; and

WHEREAS, the City Council finds that the unreasonably obtrusive use of a tape recorder, video camera, or other means of aural or video reproduction may disrupt the effective and efficient administration of ~~City~~ Council meetings; may cause undue anxiety to those persons in attendance; and may discourage public participation in the democratic process; thus making it necessary to adopt reasonable rules relating to the location of recording equipment and the manner in which the recording is conducted; and

WHEREAS, the City Council finds it to be in the best interest of the public safety, health and general welfare to adopt reasonable rules and regulations to maintain order and to regulate conduct at its meetings; and

WHEREAS, the City Council is authorized to adopt such rules and regulations by virtue of ~~section 22.038 of the Texas Local Government Code~~ of its authority as a home rule municipality and by section 551.023 of the Texas Government Code; and

WHEREAS, the City Council has carefully reviewed the rules and regulations established by this Ordinance; and

WHEREAS, the City Council has received public input by and through a public meeting at which ~~this Ordinance is to be~~ is to be adopted;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAVASOTA, ~~COUNTY OF GRIMES, STATE OF TEXAS~~ THAT:

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1. INTRODUCTION

A. Popular Name

This Ordinance shall commonly be referred to as the "Council Meeting Procedures Ordinance."

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B. Findings of Fact

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Navasota and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

C. Purpose

This Ordinance is adopted so that the City Council may promote the public health, safety, morals and general welfare within the City through the enactment of reasonable procedures and rules designed to facilitate the orderly and efficient conduct of ~~City~~ Council meetings in a manner that promotes a positive City image reflecting order, harmony and pride, thereby strengthening the economic stability of the City. By and through this Ordinance, the City Council additionally seeks to establish fair, reasonable, and efficient guidelines for maintaining order and promoting effective public participation at ~~City~~ Council meetings.

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~~D. SCOPE~~

~~This Ordinance provides regulatory standards throughout the City's incorporated municipal boundaries (i.e., city limits) but not the extraterritorial jurisdiction (ETJ).~~

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DE. DEFINITIONS

~~Words and phrases used in this Ordinance shall have the meanings set forth in this section. Words and phrases which are not defined in this Ordinance but are defined in other ordinances of the City of Navasota shall be given the meanings set forth in those ordinances. Other words and phrases shall be given their common, ordinary meaning unless the context clearly requires otherwise. Headings and captions are for reference purposes only and shall not be used in the interpretation of this Ordinance. The following definitions shall apply in the interpretation and enforcement of this Ordinance.~~

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A). General

Words and phrases used in this Ordinance shall have the meanings set forth in this Section. Words and phrases that are not defined in this Ordinance but are defined in other ordinances of the City of Navasota shall be given the meanings set forth in those ordinances. Other words and phrases shall be given their common, ordinary meaning unless the context clearly requires otherwise. Headings and captions are for reference purposes only and shall not be used in the interpretation of this Ordinance.

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B). Specific Definitions

- (1) "City" means the City of Navasota, an incorporated, ~~Type A general law~~home rule municipality located in Grimes County, Texas.
- (2) "Council" means the City Council (i.e., the governing body) of the City of Navasota, Texas.
- (3) "Council meeting" means any public meeting held by the City Council of the City of Navasota as authorized or required by the Texas Constitution and applicable state law.
- (4) "Council Chamber" means the meeting space designated for City Council meetings located in City Hall at 200 E. McAlpine Street, Navasota, Texas.
- (5) "Closed Meeting" means a meeting to which the public does not have access (i.e., executive session) as authorized by the Texas Open Meetings Act.
- (6) "Conduct" means an act or omission and its accompanying mental state.
- (7) "Deliberation" or "Deliberate", means a verbal exchange during a meeting by a quorum of the City Council, or between a quorum of the City Council and another person, concerning a public issue within the jurisdiction of the City Council.

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(8) "Designated recording area" means that area of the Council Chamber clearly marked as a space for all persons wishing to operate tape recorders, video cameras, or other means of aural or visual reproduction, within which such persons may operate such electronic recording devices during ~~City~~ Council meetings.

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~~(9) "Electronically record" means to capture aural or visual sounds and/or images through the use of a tape recorder, video camera, or other means of aural or visual reproduction.~~

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~~(10) "Intentional" means the culpable mental state of "intent" as defined by Section 6.03 of the Texas Penal Code. A person acts intentionally, or with intent, with respect to the nature of his or her conduct or to a result of his or her conduct when it is his or her conscious objective or desire to engage in the conduct or cause the result.~~

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~~(11)(9) "Meeting" means any official proceeding of the Council. This term includes, but is not limited to, all Regular, Special (i.e., "called"), Emergency and Executive Session (i.e., "closed") Meetings.~~

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~~(11) "Misdemeanor" means an offense so designated by law or punishable by fine, by confinement in jail, or by both fine and confinement in jail.~~

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~~(11) "Official proceeding" means any type of administrative, executive, legislative or judicial proceeding that may be conducted before a public servant.~~

~~(12)(10) "Official tape recording" means any audio recording made by the City Secretary or other City official or employee at the direction of the City Council and as part of that City official's or employee's official duties.~~

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~~(13)(11) "Open" means the public is allowed to attend.~~

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~~(14)(12) "Person" means a human individual.~~

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~~(15)(13) "Presiding officer" means the member of the governing body who is chairing the meeting, which may be the Mayor, Mayor Pro-Tem in the Mayor's absence, or a council member selected by the remaining members of the council when the Mayor and Mayor Pro-Tem are absent.~~

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~~(15) "Public servant" means a person elected, selected, appointed, employed or otherwise designated as one of the following, even if that person has not yet qualified for office or assumed his or her duties:~~

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~~(-) An officer, employee, or agent of the City;~~

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~~(-) An attorney at law or notary public when participating in the performance of a governmental function;~~

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- ~~(a) ————— A candidate for nomination or election to public office; or~~
~~(a) ————— A person who is performing a public function under a claim of right although he or she is not legally qualified to do so;~~

~~(147)~~ “Quorum” means a majority of the City Council, ~~unless defined differently by an applicable law, rule, or ordinance of the City for regular and special meetings, and two thirds of the City Council for Council meetings to consider the imposition of taxes.~~

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~~(18) ————— “Recklessly” means the culpable mental state of “recklessness” as defined by Section 6.03 of the Texas Penal Code. A person acts recklessly, or is reckless, with respect to the circumstances surrounding his or her conduct or the result of his or her conduct when he or she is aware of but consciously disregards a substantial and unjustifiable risk that the circumstances exist or the result will occur. The risk must be of such a nature and degree that its disregard constitutes a gross deviation from the standard of care that an ordinary person would exercise under all the circumstances as viewed from the actor’s standpoint.~~

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~~(19) ————— “Unlawful” means criminal or tortious or both and includes what would be criminal or tortious but for a defense not amounting to justification or privilege.~~

~~(1520)~~ “Use of a tape recorder, video camera, or other means of aural or visual reproduction” means the use of any device used to capture and record and/or transmit and replay sounds and/or images. This term includes, but is not limited to, tape recorders, video cameras, digital cameras, web cameras, and live video streaming devices.

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2: GENERAL RULES

A. Time and Place for Meetings

- (1) The City Council shall hold regular meetings on the ~~second and fourth Mondays of each month at 6:00 p.m.~~
- (2) When the day for any regular meeting falls on a legal holiday, the regularly scheduled meeting for such day shall be cancelled unless otherwise specified by the City Council. At other times that the Mayor deems appropriate, the Mayor may cancel one or more regular meetings.
- (3) The Mayor may call a special meeting on the Mayor’s own motion or on the application of two Council members. Each member of the City Council, the City Secretary, and the City Attorney must be notified of the special meeting at least 72 hours in advance.

(4) Except as otherwise provided in this paragraph, the City Council shall conduct all meetings in the Council Chambers. However, the City Council may from time to time elect to meet at other locations and, upon such election, shall give public notice of the change of location in accordance with State law. If by reason of fire, flood or other emergency, it is unsafe to meet in the Council ~~Room~~Chambers, for the duration of the emergency the Council may hold its meetings at such other place as the Mayor, or, in the Mayor's absence, the Mayor Pro-Tem, shall designate.

(5) Meetings may be cancelled or recessed to the next business day with or without notice by the Mayor, a majority of the Council, or a majority of the members of the Council in attendance at the meeting.

~~(6) A governmental body may not prohibit public criticism of the governmental body, including criticism of any act, omission, policy, procedure, program, or service, unless the public criticism is otherwise prohibited by law. (HB 2840) Pursuant to § 551.007 (e) of the Texas Government Code, during a meeting the City Council may not prohibit public criticism of the City Council, including criticism of any act, omission, policy, procedure, program, or service. This does not apply to public criticism that is otherwise prohibited by law.~~

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B. Agenda of Meetings

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(1) The City shall comply with all notice requirements of the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, as may be amended.

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(2) The City Secretary shall be responsible for preparing the agenda for Council meetings. The Mayor may determine which items to include in the agenda, provided that, the City Secretary shall include any item requested by a Council Member or the Mayor. Council Members shall submit requests to the City Secretary at least five (5) business days in advance of the day of the meeting.

(3) A citizen may request inclusion on the agenda by submitting a request in writing to the City Secretary at least six (6) business days in advance of the day of the meeting. The requested item may be included on the agenda at the Mayor's discretion.

(4) The City Secretary shall post the agenda at least 72 hours in advance of the meeting, except as otherwise allowed by the Texas Open Meetings Act. The City Secretary shall not make changes to the agenda less than four (4) days prior to the meeting. Items submitted to the City Secretary less than four (4) days prior to the meeting shall not be included. This provision shall not apply to emergencies, as determined by the Mayor.

(5) Upon the motion of the Presiding Officer or any Council Member, the City Council may elect to table an agenda item by an affirmative vote ~~of~~by a majority of Council Members present at the meeting.

(6) ~~In accordance with the Texas Open Meetings Act, the Council will not be able to deliberate on any item that is not on the agenda for the meeting. For such an item, the governmental body may either: (1) make a statement of fact regarding the item; (2) make a statement concerning the policy regarding the item; or (3) propose that the item be placed on a future agenda. In compliance with the Texas Open Meetings Act, the Council shall not deliberate or vote on a matter not appearing on the agenda, except for purposes of presenting statements of current fact or policy or for determining whether the matter should appear on a future agenda.~~

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C. Public Participation

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(1) In accordance with the terms of the Texas Open Meetings Act all meetings of the City Council shall be open to the public unless the Council is in Executive Session or State law otherwise allows a meeting to be closed.

(2) ~~At the City Council's discretion, the Council may permit a person~~A member of the public who desires to address the Council concerning an item on the agenda or to present a subject for the Council's consideration during the Public Comment period may do so in accordance with the ~~provisions rules outlined in~~of this Ordinance.

(3) ~~Persons wishing to make public comments~~Members of the public who desire to address the Council shall abide by the following rules:

(a) Prior to the meeting, or during the meeting prior to discussion of a specific matter upon which a person wishes to comment, speakers who wish to address the City Council should complete a Public Meeting Appearance sign-in sheet and present it to the City Secretary. Speakers shall indicate whether they wish to comment on a specific agenda item or on a separate matter during the Public Comment period.

(b) When recognized by the Presiding Officer, the speaker should approach the podium, state his/her name and address for the record, and, if speaking on behalf of an organization or other group, identify the group represented.

(c) Only one person may address the Council at any one time.

(d) Speakers should address all remarks to the City Council as a whole, not to individual members.

(e) Speakers ~~should-must~~ limit their presentations to no more than ~~threefive~~ (35) minutes ~~each~~. There shall be no substitutions or pooling of speakers.

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(f) Speakers who address the City Council through a translator, ~~should-must~~ limit their presentations to no more than ~~sixten~~ (610) minutes ~~each~~. There shall be no substitutions or pooling of speakers. (HB2840)

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(g) The Presiding Officer may encourage speakers to not merely repeat views expressed by others.

(h) Speakers must limit presentations to matters within the City's subject matter jurisdiction.

~~(4) At any point during the meeting, the City Council may opt to limit the number of speakers on a particular topic or topics not yet reached. All persons who complete a Public Meeting Appearance Card, whether or not allowed to speak, may submit written comments or exhibits to the City Secretary for inclusion in the Record File Copy of the agenda. I think this section should be removed according to HB2840.~~

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~~(45) In accordance-compliance with the Texas Open Meetings Act, the Council will not be able to deliberate on any item that is not on the agenda for the meeting. For such an item, the governmental body may either: (1) make a statement of fact regarding the item; (2) make a statement concerning the policy regarding the item; or (3) propose that the item be placed on a future agenda. shall not deliberate or vote on a matter not appearing on the agenda, except for purposes of presenting statements of current fact or policy or for determining whether the matter should appear on a future agenda.~~

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D. Parliamentary Procedure

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The Council may by resolution adopt rules of parliamentary procedure.

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E. Presiding Officer

The Presiding Officer of the Council is responsible for conducting the meeting. When present and participating, the Mayor shall serve as presiding officer. When the Mayor is not present or if the Mayor abstains from participation on a matter, the Mayor Pro-Tem shall serve as the presiding officer. If neither the Mayor nor the Mayor Pro-Tem is able to serve, the remaining Council Members may by majority vote designate a Member of the Council to preside over the meeting.

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3. DISRUPTIVE OR DISORDERLY CONDUCT

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A. Hindering Proceedings by Disorderly Conduct

- (1) ~~No person shall intentionally hinder an official proceeding by noise or violent or tumultuous behavior or disturbance.~~
- (2) ~~No person shall recklessly hinder an official proceeding by noise or violent or tumultuous behavior or disturbance and continue after explicit official request to desist.~~

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AB. Disrupting a Meeting

No person shall prevent or disrupt a meeting or obstruct or interfere with the meeting by physical action or verbal utterance.

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BC. Removal From Meeting

The Presiding Officer shall maintain decorum in all meetings and may order persons disrupting meetings to exit the building. Disruptive persons refusing to vacate the premises may be escorted outside by police officers upon direction from the Presiding Officer.

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4. RECORDING OF MEETINGS

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A. Location of Recording Equipment.

- (1) At each ~~City~~ Council meeting, the Council shall designate an area within the Council ~~Room~~ Chamber for the operation of tape recorders, video cameras, and other means of aural or visual reproduction. ~~Operation of such equipment is limited to the designated recording area.~~
- (2) The designated recording area shall be indicated by means reasonably calculated to provide sufficient space for all persons wishing to operate a tape recorder, video camera, or other means of aural or visual reproduction to occupy the designated recording area with reasonable comfort and sufficiently near to the proceedings to facilitate adequate recording.
- (3) No person shall operate a tape recorder, video camera, or other means of aural or visual reproduction within the Council ~~Room~~ Chamber, outside of the designated recording area.

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- (4) The provisions of this Section do not apply to the creation of an official tape recording of a ~~City~~ Council meeting by a duly authorized City official. Nor do these provisions apply to duly authorized closed (*i.e.*, “executive”) sessions.

B. Recording of Individuals Outside of the Council Meeting

- (1) No person shall operate a tape recorder, video camera, or other means of aural or visual reproduction within the Council ~~Room~~ ~~Chamber~~, within one hour before or after a ~~City~~ Council meeting unless the person being recorded expressly grants his or her consent.
- (2) Members of the news media and other interested persons may request personal interviews to be scheduled with City officials by calling the Marketing and Communications Coordinator or City Manager at (936) 825-6475.
- ~~(3) As members of the governing body, the Mayor and members of the City Council are the official spokespersons for the City. The City Council may, at its discretion, appoint other individuals to represent and communicate the interests of the City to the media and public at large.~~

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5. INDIVIDUALS WITH DISABILITIES

The City of Navasota seeks to ensure effective communication with members of the public who attend and participate in ~~City~~ Council meetings. An individual who requires auxiliary aids and services or other accommodation should contact the City Secretary with a request for such services. The City encourages such individuals to submit requests at least forty-eight (48) hours in advance of a Council meeting so ~~that~~ the City may effectively address the individuals’ requests.

Commented [LC3]: I recommend we remove this. The Mayor or an individual Councilmember does not have the authority on their own to give the official position of the City. A majority vote by the Council determines an official City position. This wording could be confusing if you had multiple Councilmembers giving their opinion on a topic and those opinions do not match.

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6. ENFORCEMENT

A. Civil and Criminal Penalties

~~The City shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law. Any person violating any provision of this Ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations.~~

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B. Criminal Prosecution

~~Any person violating any provision of this Ordinance shall, upon conviction, be fined a sum not exceeding five hundred dollars (\$500.00). Each instance that a provision of this~~

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~~Ordinance is violated shall constitute a separate offense. An offense under this Ordinance is a misdemeanor.~~

~~C. Civil Remedies~~

~~Nothing in this Ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law, including, but not limited to, the following:~~

- ~~(1) Injunctive relief to prevent specific conduct that violates the Ordinance or to require specific conduct that is necessary for compliance with the Ordinance; and~~
- ~~(2) A civil penalty up to one hundred dollars (\$100.00) when it is shown that the defendant was actually notified of the provisions of the Ordinance and after receiving notice committed acts in violation of the Ordinance or failed to take action necessary for compliance with the Ordinance; and~~
- ~~(3) Other available relief.~~

~~D. Authority of Presiding Officer~~

~~The Presiding Officer is hereby granted the authority to order any person removed from the meeting, or to take any appropriate legal action against any person who violates any provision of this Ordinance.~~

67. RELATION TO OTHER ORDINANCES

This Ordinance shall not be construed to require or allow any act that is prohibited by any other ordinance. This Ordinance is specifically subordinate to any ordinance or regulations of the City pertaining to building and construction safety or to pedestrian and traffic safety. Nothing in this Ordinance shall be construed to impose a duty not required by the Open Meetings Act or to relieve the City of complying with the Open Meetings Act.

78. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication, as may be required by governing law.

89. SEVERABILITY

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 unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such

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unconstitutionality 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.

910. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED ON FIRST READING THIS THE 13TH-23RD DAY OF ~~JANUARY~~MARCH, 2020.

HON. — BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

PASSED AND APPROVED ON SECOND READING THIS THE 27TH-27TH DAY OF ~~JANUARY~~APRIL, 2020.

HON. — BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

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**CITY OF NAVASOTA
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 10. **AGENDA DATE:** April 27, 2020

PREPARED BY: Susie M. Homeyer, City Secretary

APPROVED BY: BS

ITEM: Consent Agenda: The following 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.

Consent Items are:

A. Consideration and possible action on the second reading of Ordinance No. 925-20, amending Chapter 13, Article 13.02, Sec. 13.02.009 (C) procedure for collection of delinquent accounts.

B. Consideration and possible action on the second reading of Ordinance No. 926-20, postponing the general election to be held on May 2, 2020 to the November 3, 2020 uniform election date.

Consideración y posible acción en la segunda lectura de la Ordenanza No 926-20, posponiendo las elecciones generales que se celebrarán el 2 de mayo de 2020 hasta la fecha de elección uniforme del 3 de noviembre de 2020.

ITEM BACKGROUND:

BUDGETARY AND FINANCIAL SUMMARY:

STAFF RECOMMENDATION:

Staff recommends approval of the consent agenda items which

include (a) the second reading of Ordinance No. 925-20, amending Chapter 13, Article 13.02, Sec. 13.02.009 (C) procedure for collection of delinquent accounts and (b) the second reading of Ordinance No. 926-20, postponing the general election to be held on May 2, 2020 to the November 3, 2020 uniform election date.

Consideración y posible acción en la segunda lectura de la Ordenanza No 926-20, posponiendo las elecciones generales que se celebrarán el 2 de mayo de 2020 hasta la fecha de elección uniforme del 3 de noviembre de 2020.

ATTACHMENTS:

1. Ordinance No. 925-20
2. Ordinance No. 926-20

ORDINANCE NO. 925-20

**AN ORDINANCE OF THE CITY OF NAVASOTA, TEXAS
AMENDING CHAPTER 13, ARTICLE 13.02, SEC.
13.02.009(C) PROCEDURE FOR COLLECTION OF
DELINQUENT ACCOUNTS, OF THE CODE OF ORDINANCES,
CITY OF NAVASOTA, TEXAS; PROVIDING FOR REPEALER
CLAUSE; PROVIDING FOR SEVERABILITY CLAUSE;
PROVIDING FOR AN EFFECTIVE DATE; AND FINDING
PROPER NOTICE OF MEETINGS**

- WHEREAS,** the City provides utility services to citizens; and
- WHEREAS,** the City must establish due dates, procedures for collection and special service charges for these utility services; and
- WHEREAS,** the City Council desires to encourage prompt payment for the use of these utility services, and provide rules for the collection of delinquent accounts; and
- WHEREAS,** the City Council desires to amend Section 13.02.009(c) of the City of Navasota Code of Ordinances establishing rules for the collection delinquent accounts;

NOW THEREFORE, be it Ordained by the City Council of the City of Navasota, Texas, that:

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Navasota and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. AMENDMENT

Chapter 13, Article 13.02, Sec. 13.02.009(c), of the Code of Ordinances, City of Navasota, Texas is hereby amended to read as follows:

Sec. 13.02.009 Procedure for collection of delinquent accounts.

...

- (c) Payment extensions may be granted on delinquent accounts if the customer requesting such extension appears in person or by electronic signature at least one (1) day prior to the disconnection date and enters into a written agreement with the city manager or his designee. A customer who

defaults on the first payment extension will not be eligible for a subsequent payment extension.

III. REPEALER

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein.

IV. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication as provided for by law.

VI. PROPER NOTICE & MEETINGS

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

PASSED ON FIRST READING THIS THE 13TH DAY OF APRIL, 2020

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

PASSED ON SECOND READING THIS THE 27TH DAY OF APRIL, 2020.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

ORDINANCE NO. 926-20

AN ORDINANCE OF THE CITY OF NAVASOTA, TEXAS, POSTPONING THE GENERAL ELECTION TO BE HELD ON MAY 2, 2020 TO THE NOVEMBER 3, 2020 UNIFORM ELECTION DATE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETINGS.

WHEREAS, the City of Navasota, Texas is a home-rule municipal corporation and political subdivision of the State of Texas; and

WHEREAS, the City Council of the City of Navasota previously ordered a general election to be held on May 2, 2020, for the purpose of electing City Councilmembers to Place 1, Place 2, and Place 3; and

WHEREAS, on March 13, 2020, the Governor of the State of Texas certified that the coronavirus (COVID-19) poses an imminent threat of disaster and declared a state of disaster for all counties in Texas; and

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, on March 18, 2020, the Governor of the State of Texas signed a proclamation suspending certain provisions of the Texas Election Code and the Texas Water Code to allow all local political subdivisions to postpone general and special elections ordered for the May 2, 2020 uniform election date to the November 3, 2020 uniform election date; and

WHEREAS, the Texas Secretary of State issued, pursuant to the above referenced proclamation, Election Advisory 2020-12, to provide guidance to local political subdivisions regarding postponing general and special elections to November 3, 2020; and

WHEREAS, pursuant to the Governor's proclamation authorizing the City of Navasota to postpone the general election ordered for May 2, 2020, the City Council of the City of Navasota does hereby exercise its authority to postpone the general election until the November 3, 2020 uniform election date;

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

I.

The general election for the purpose of electing City Councilmembers to Place 1, Place 2, and Place 3 that was previously ordered for May 2, 2020 is hereby postponed to November 3, 2020.

II.

The candidate filings for the general election for the purpose of electing City Councilmembers to Place 1, Place 2, and Place 3 shall remain valid for the election to be held on November 3,

2020, and the filing period for candidates will not be reopened for the election to be held on November 3, 2020.

III.

All applications for ballot by mail for voters that are voting by mail due to being over the age of 65 or due to disability will still be valid for the November 3, 2020 election; and that applications for ballot by mail for voters based on expected absence from Grimes County shall not be valid for the November 3, 2020 election.

IV.

The voter registration deadline for the November 3, 2020, election is October 5, 2020, the deadline to submit an application for ballot by mail is October 23, 2020, and the dates for early voting are October 19, 2020, through October 30, 2020.

V.

The Mayor is authorized to negotiate and execute an election contract for the purposes of conducting the postponed elections on November 3, 2020, and any and all other documents made necessary by the passage of this Ordinance.

VI.

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.

VII.

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.

VIII.

Any other ordinance or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

IX.

This Ordinance shall become effective upon adoption and publication as required by law.

X.

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, at the meeting of the City Council held on this the 13th day of April, 2020.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

PASSED AND APPROVED, at the meeting of the City Council held on this the 27th day of April, 2020.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

**CITY OF NAVASOTA
MISCELLANEOUS ITEMS**

1. PLANNING CALENDAR

AGENDA PLANNING CALENDAR

APRIL 27, 2020 - [DEADLINE FOR SUBMITTING ITEMS AND COVER SHEETS FOR THIS MEETING IS 4/13/2020](#)

1. Called to order
2. Invocation/Pledge of Allegiance
3. Remarks of visitors
4. Staff Report: (a) COVID-19 response; (b) Street Department Update; (c) Utility Department Update; (d) Police Department Update; (e) Board and Commission update; and (f) Reports from staff and City Council
5. 1st reading of Ordinance No. 928-20, voluntary utility assistance fund
6. 1st reading of Resolution No. 670-20, EDC small business grants
7. Traffic changes and parking along Railroad Street
8. 1st reading of Ordinance No. 927-20 - denying distribution cost – Entergy, Texas
9. 2nd reading of Ordinance No. 923-20, Council meeting procedures
10. Consent agenda: (a) 2nd reading of Ordinance No. 925-20, amending utility services – payment extensions; and (b) 2nd reading of Ordinance No. 926-20 - postponing the May 2, 2020 election
11. Adjourn

APRIL 28, 2020 – [SPECIAL MEETING AT 12 NOON](#)

1. Called to order
2. Invocation/Pledge of Allegiance
3. Remarks of visitors
4. 2nd reading of Resolution No. 670-20, EDC small business grants
5. Adjourn

MAY 11, 2020 - [DEADLINE FOR SUBMITTING ITEMS AND COVER SHEETS FOR THIS MEETING IS 4/27/2020](#)

1. Called to order
2. Invocation/Pledge of Allegiance
3. Remarks of visitors
4. Staff Report: (a) Board and Commission update; and (b) Reports from staff and City Council
5. Audit for FY 2018-2019
6. Public hearing on EDC grant program for small businesses
7. Order for demolition of Jones Funeral Home
8. Hazard pay policy
9. Consent agenda: (a) Minutes for the month of April 2020; (b) Expenditures for the month of April 2020; (c) 2nd reading of Ordinance No. 927-20 - denying distribution cost – Entergy, Texas and (d) 2nd reading of Ordinance No. 928-20, voluntary utility assistance fund
10. Adjourn

MAY 25, 2020 - [DEADLINE FOR SUBMITTING ITEMS AND COVER SHEETS FOR THIS MEETING IS 5/11/2020](#)

HOLIDAY

1. Called to order
2. Invocation/Pledge of Allegiance
3. Remarks of visitors
4. Staff Report: (a) Board and Commission update; and (b) Reports from staff and City Council