

William A. "Bert" Miller, III
Mayor
Bernie Gessner
Councilmember
Josh M. Fultz
Councilmember



Grant E. Holt
Mayor Pro-Tem
Pattie Pederson
Councilmember

**NOTICE OF MEETING OF THE GOVERNING BODY OF THE
CITY OF NAVASOTA, TEXAS
MAY 8, 2023**

Notice is hereby given that a Regular Meeting of the governing body of the City of Navasota will be held on the 8th of May, 2023 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/UCltnx7BQt0TCIYJRiZ14g5w>

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) Proclamation - Recognition of Navasota ISD Top Ten Seniors for 2022-23 [Mayor Bert Miller]
- (b) Proclamation - Economic Development Week [Mayor Bert Miller]
- (c) Introduction of New Employee, Jon Mackay, Graduate Civil Engineer [Peggy Johnson, HR Director]
- (d) Years of Service Award - Edwin Sandoval for 15-years [Peggy Johnson, HR Director]
- (e) Update on CIP Projects [Jennifer Reyna, Director of Public Works]
- (f) Board and Commission update [City Council]
- (g) 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. [Jason Weeks, City Manager]

- 5. The City Council will conduct a public hearing for the purpose of receiving public comment and testimony regarding an application submitted by Ricky Hux to the City of Navasota requesting to abandon a twenty foot (20') public alleyway located in Block 66 of the H&TC RR Addition, in the City of Navasota, Grimes County, Texas 77868; followed by discussion and possible action to consider action on the first reading of Ordinance No.1020-23 to abandon a twenty foot (20') public alleyway located in Block 66 of the H&TC RR Additions, in Navasota, Texas. [Lupe Diosdado, Development Services Director]
- 6. Consideration and possible action on Resolution No. 736-23, regarding the requested annexation petition submitted by Stanley Kettler & Jeannette Welch, for a 1.909-acre tract of land in the Jesse B. McNealy Survey, A-44, located in Grimes County, Texas 77868, setting a date, time, and place for a public hearing on a proposed annexation of said property by the City of Navasota. [Lupe Diosdado, Development Services Director]
- 7. Consideration and possible action on Resolution No. 737-23, regarding the requested annexation petition submitted by Jinx M. Lee, for a 0.336-acre tract of land in the Jesse B. McNealy Survey, A-44, located in Grimes County, Texas 77868, setting a date, time, and place for a public hearing on a proposed annexation of said property by the City of Navasota. [Lupe Diosdado, Development Services Director]

8. Consideration and possible action on Resolution No. 738-23, regarding the requested annexation petition submitted by Grimes Altamira, LLC, for a 96.618-acre tract of land in the Jesse B. McNealy Survey, A-44, located in Grimes County, Texas 77868, setting a date, time, and place for a public hearing on a proposed annexation of said property by the City of Navasota. [Lupe Diosdado, Development Services Director]
9. Consideration and possible action on a contract between the City of Navasota and Weisinger Inc. in the amount of \$122,998.00 for the purchase of materials and associated items related to the emergency repairs to the Water Well No. 4, located at 6559 Link Drive, as authorized by Section 252.022(a)(3), Texas Local Government Code, as a procurement necessary because of unforeseen damage to public machinery, equipment, or other property. [Jennifer Reyna, Public Works Director]
10. Consideration and possible action on a contract between the City of Navasota and Weisinger Inc. in the amount of \$98,103.00 for the purchase of materials and associated items related to the emergency repairs to the Water Well No. 7, located at 11167 CR 451, as authorized by Section 252.022(a)(3), Texas Local Government Code, as a procurement necessary because of unforeseen damage to public machinery, equipment, or other property. [Jennifer Reyna, Public Works Director]
11. Consideration and possible action on the first reading of Ordinance No. 1022-23, authorizing the settlement of the proposed rate increase of Entergy Texas, Inc. [Jason Weeks, City Manager]
12. Consideration and possible action on Resolution No. 739-23, authorizing city representatives in matters pertaining to the city's participation in the Texas Community Development Block Grant Program. [Evette Fannin, Grants Coordinator]
13. Consideration and possible action on the first reading of Ordinance No. 1021-23, amending the Code of Ordinances, Appendix A Fee Schedule, Article A4.000 Parks and Recreation, Section A4.009 adopting the revised Parks and Recreation Municipal Pool Fees, for the City of Navasota, Texas, with an effective date of May 22, 2023; amending Code of Ordinances, Appendix A with the addition of Article A6.000 Miscellaneous Fees, Section A6.001(f) Credit Card Processing Fees, to cover cost of credit card processing fees with an effective date of May 22, 2023. [Ryan Hendricks, Parks & Recreation Manager and Rayna Teicheira, Economic Development Director]

14. 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. Approve the minutes for the month of April 2023.

B. Approve the Municipal Court Report for the month of April 2023.

C. Approve second reading of Ordinance No. 1018-23, a zoning change application submitted by JCLB Investments, LLC, for the property located in the Dove Crossing Subdivision to change the zoning from Article V R-1A: High density, single dwelling unit, 7,000 square foot lot, residential district to Dove Crossing PUD, a planned unit development, for the development of a 5.04 acre single dwelling unit subdivision, and

D. Approve second reading of Ordinance No. 1019-23, a zoning change application submitted by James C and Dorothy Hassell, for the property located along County Road 424, Navasota, Grimes County, Texas 77868 to change the zoning from A/O: Agriculture Open Space District to Pecan Lakes Estates Phase III PUD, amending the boundaries of the PUD, for the development of a 1.310 acre single dwelling unit subdivision. The property affected is legally described at A0062 J. Whitesides, Tract 14-3, Tract 19-3.

15. Adjourn.

DATED THIS THE 4TH OF MAY, 2023

/JW/

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 4th of May, 2023 at 01:59 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 551.071-551.089.

DATED THIS THE 4TH OF MAY, 2023

/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.



REQUEST FOR CITY COUNCIL AGENDA ITEM #4

Agenda Date Requested: <u>May 8, 2023</u>	Appropriation
Requested By: <u>Jason Weeks, City Manager</u>	Source of Funds: <u>N/A</u>
Department: <u>Administration</u>	Account Number: <u>N/A</u>
<input checked="" type="radio"/> Report <input type="radio"/> Resolution <input type="radio"/> Ordinance	Amount Budgeted: <u>N/A</u>
	Amount Requested: <u>N/A</u>
	Budgeted Item: <input type="radio"/> Yes <input checked="" type="radio"/> No

Exhibits: Proclamations and Years of Service Award

AGENDA ITEM #4

Staff Report:

- (a) Proclamations – Recognition of Navasota ISD Top Ten Seniors for 2023
[Mayor Bert Miller]
- (b) Proclamation - Economic Development Week [Mayor Bert Miller]
- (c) Introduction of New Employee, Jon MacKay, Graduate Civil Engineer
[Peggy Johnson, HR Director]
- (d) Years of Service Award - Edwin Sandoval for 15-years [Peggy Johnson, HR Director]
- (e) Update on CIP Projects [Jennifer Reyna, Director of Public Works]
- (f) Board and Commission update [City Council]
- (g) 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. [Jason Weeks, City Manager]

SUMMARY & RECOMMENDATION

- (a) Mayor Bert Miller will proclaim May 8, 2023, as “Recognition of Navasota ISD Top Ten Seniors for 2022-2023.”
- (b) Mayor Bert Miller will proclaim May 9 – 13, 2023 as “Economic Development Week.”
- (c) Peggy Johnson, HR Director, will introduce new employee Jon Mackay as the Graduate Civil Engineer in the Public Works Department.
- (d) Peggy Johnson, HR Director, will present Edwin Sandoval with his 15 years of service award.
- (e) Jennifer Reyna, Public Works Director, will give the City Council an update on CIP Projects.
- (f) If applicable, the City Council will provide Board and Commission updates.
- (g) Staff and City Council will give updates on other events coming up.

ACTION REQUIRED BY CITY COUNCIL

None

Approved for the City Council meeting agenda.



Jason B. Weeks, City Manager

5/3/23

Date

**PROCLAMATION
RECOGNIZING
NAVASOTA HIGH SCHOOL TOP TEN GRADUATES
CLASS OF 2023**

WHEREAS, the Navasota High School Class of 2023 will graduate on Friday, May 26, 2023; and

WHEREAS, the Navasota High School has recognized the following as its Top Ten Graduating Seniors; and

WHEREAS, Kylie Maxson, Valedictorian, plans to attend Mays Business School at Texas A&M University and major in Accounting; and

WHEREAS, Robbie Morton, Salutatorian, plans to attend Texas A&M University; and

WHEREAS, Avery McKinney plans to attend Texas A&M University in the fall and pursue a degree in Ag Business; and

WHEREAS, Daana Mena is currently enlisted in the Texas Army National Guard. She plans to attend Texas A&M University on an ROTC scholarship as a member of the CORPS. She will major in Environmental Architectural Design. After graduating, she plans to commission as an officer in the US Army and pursue a career in architecture and interior design; and

WHEREAS, Colin Conley plans to attend Texas A&M University and study Engineering; and

WHEREAS, Ceily Simpton plans to attend Texas A&M University to pursue a degree of Agribusiness and compete on the Texas A&M Rodeo Team; and

WHEREAS, Emma Stankiewicz plans to double major in Forestry and Agriculture at Stephen F. Austin State University. At SFA, she hopes to: join the Sylvan's, play in the orchestra, and join the Geology Club; and

WHEREAS, Leslee Soto plans is to attend Texas A&M University and pursue a degree in Business Management; and

WHEREAS, Mallory Busa plans to attend Sam Houston State University and major in Pre-Veterinary Medicine; and

WHEREAS, McKenzie Crawford plans to attend Texas A&M to major in Psychology. She plans to one day get her PhD in psychology and become a clinical psychologist; and

NOW, THEREFORE, BE IT PROCLAIMED, that I, Bert Miller, Mayor of the **City of Navasota** do hereby congratulate and recognize these students as the Top Ten Seniors of the graduating Class of 2023 for Navasota High School. The City of Navasota is proud of your accomplishment and wishes you the best in your future endeavors.

SIGNED THIS THE 8TH DAY OF MAY, 2023

BERT MILLER, MAYOR

**PROCLAMATION
RECOGNIZING
ECONOMIC DEVELOPMENT WEEK
May 8 - May 13, 2022**

WHEREAS, the International Economic Development Council is the largest professional economic development organization dedicated to serving economic developers, and

WHEREAS, the International Economic Development Council provides leadership and excellence in economic development for communities, members, and partners through conferences, training courses, advisory services and research, in-depth publications, public policy advocacy, and initiatives such as the Accredited Economic Development Organization program, the Certified Economic Developer designation, and the Entrepreneurship Development Professional, and

WHEREAS, economic developers promote economic well-being and quality of life for their communities by creating, retaining, and expanding jobs that facilitate growth, enhance wealth, and provide a stable tax base, and

WHEREAS, economic developers stimulate and incubate entrepreneurship in order to help establish the next generation of new businesses, which is the hallmark of the American economy, and

WHEREAS, economic developers are engaged in a wide variety of settings including rural and urban, local, state, provincial, and federal governments, public-private partnerships, chambers of commerce, universities, and a variety of other institutions, and

WHEREAS, economic developers attract and retain high-quality jobs, develop vibrant communities, and improve the quality of life in their regions, and

WHEREAS, economic developers work in the **City of Navasota** within the State of **Texas**.

NOW THEREFORE BE IT RESOLVED, that I Bert Miller, Mayor of the **City of Navasota**, recognizes the week of May 9 through May 13, 2022, as Economic Development Week, and remind individuals of the importance of this community celebration which supports expanding career opportunities and making lives better.

SIGNED THIS THE 8TH DAY OF MAY, 2023

BERT MILLER, MAYOR



CITY OF
NAVASOTA
2023

CERTIFICATE of ACHIEVEMENT

This certificate is presented to

Edwin Sandवाल

In appreciation of 15 years of dedicated service to the
City of Navasota.

5/8/23
DATE

Jason Weeks
JASON WEEKS, CITY MANAGER



AGENDA PLANNING CALENDAR

MAY 8, 2023 – WORKSHOP @ 4:30 P.M.

1. Called to order
2. Community wide survey platform – On point Insights
3. Ground water availability study
4. Adjourn

MAY 8, 2023 – [DEADLINE FOR SUBMITTING ITEMS AND COVER SHEETS FOR THIS MEETING IS 04/24/2023](#)

1. Called to order
2. Invocation/Pledge of Allegiance
3. Remarks of visitors
4. Staff Report: (a) Proclamation – NISD Top Ten Students; (2) Proclamation - Economic Week; (c) Introduction of new employees – Jon MacKay – Graduate Civil Engineer; (d) Years of service award – Edwin Sandoval – 15 years; (e) Update on CIP projects; (f) Board and Commission update; and (g) Reports from staff and City Council
5. Public hearing to close right-of-way, N. 8th street and 1st reading of Ordinance No. 1020-23 - to close right-of-way, N. 8th street
6. Resolution No. 736-23, requested annexation by Stanley Kettler and Jeannette Welch, 1.909 acres
7. Resolution No. 737-23, requested annexation by Jinx Lee, 0.336 acres
8. Resolution No. 738-23, requested annexation by Grimes Altamira LLC, 96.618 acres
9. Repairs to water well # 4
10. Repairs to water well # 7
11. 1st reading of Ordinance No. 1022-23, Entergy – settlement approval
12. Resolution No. 739-23, signatories for Texas CDBG
13. 1st reading of Ordinance No. 1021-23, amending pool fees
14. Consent agenda: (a) Minutes for the month of April 2023; (b) Municipal Court report for the month of April 2023; (c) 2nd reading of Ordinance No. 1018-23, zoning change for JCLB Investments; and (d) 2nd reading of Ordinance No. 1019-23, zoning change for James Hassell;
15. Adjourn

MAY 15, 2023 – 12 NOON

1. Called to order
2. Invocation/Pledge of Allegiance
3. Remarks of visitors
4. Canvass the election results from the May 6, 2023 City election
5. Oath of office of elected Councilmembers
6. Elect a Mayor
7. Elect a Mayor Pro-Tem
8. Consent agenda: (a) 2nd reading of Ordinance No. 1020-23, right-of-way closure (8th street); (b) 2nd reading of Ordinance No. 1021-23, amending pool fees; and (c) 2nd reading of Ordinance No. 1022-23, Entergy – settlement approval;
9. Special presentation to Grant Holt
10. Adjourn

MAY 22, 2023 – **DEADLINE FOR SUBMITTING ITEMS AND COVER SHEETS FOR THIS MEETING IS 05/08/2023**

1. Called to order
2. Invocation/Pledge of Allegiance
3. Remarks of visitors
4. Staff Report: (a) Update of all CIP projects; (b) Board and Commission update; and (c) Reports from staff and City Council
5. Public hearing – requested annexation on 1.909 acres and 1st reading of Ordinance No. _____, extending the boundaries, 1.909 acres (Stanley Kettler and Jeannette Welch)
6. Public hearing – requested annexation on .336 acres and 1st reading of Ordinance No. _____, extending the boundaries, .336 acres (Jinx Lee)
7. Public hearing – requested annexation on 96.618 acres and 1st reading of Ordinance No. _____, extending the boundaries, 96.618 acres (Grimes Altamira)
8. Resolution No. _____, gas grant (RFQ)
9. Resolution No. _____, gas grant (RFP)
10. Adjourn

MAY 23, 2023 –

1. Called to order
2. Invocation/Pledge of Allegiance
3. Remarks of visitors
4. 2nd reading of Ordinance No. _____, extending the boundaries, 96.618 acres (Grimes Altamira)
5. 2nd reading of Ordinance No. _____, extending the boundaries, .336 acres (Jinx Lee)
6. 2nd reading of Ordinance No. _____, extending the boundaries, 1.909 acres (Stanley Kettler and Jeannette Welch)
7. Adjourn

June 12, 2023

June 26, 2023

July 10, 2023 – Proclamation – Parks & Recreation Month

July 24, 2023

August 14, 2023 – Budget Presentation

August 21, 2023

September 11, 2023

September 25, 2023

October 9, 2023 – Proclamation – Support your local Chamber Day

October 23, 2023

November 13, 2023

November 27, 2023

December 11, 2023



REQUEST FOR CITY COUNCIL AGENDA ITEM #5

Agenda Date Requested: <u>May 8. 2023</u>	Appropriation
Requested By: <u>Lupe Diosdado, Director</u>	Source of Funds: <u>N/A</u>
Department: <u>Development Services</u>	Account Number: <u>N/A</u>
<input type="radio"/> Report <input type="radio"/> Resolution <input checked="" type="radio"/> Ordinance	Amount Budgeted: <u>N/A</u>
	Amount Requested: <u>N/A</u>
	Budgeted Item: <input type="radio"/> Yes <input checked="" type="radio"/> No

Exhibits: Ordinance No.1020-23

AGENDA ITEM #5

The City Council will conduct a public hearing for the purpose of receiving public comment and testimony regarding an application submitted by Ricky Hux to the City of Navasota requesting to abandon a twenty foot (20') public alleyway located in Block 66 of the H&TC RR Addition, in the City of Navasota, Grimes County, Texas 77868; followed by discussion and possible action to consider action on the first reading of Ordinance No.1020-23 to abandon a twenty foot (20') public alleyway located in Block 66 of the H&TC RR Additions, in Navasota, Texas.

SUMMARY & RECOMMENDATION

City staff received an application from Ricky Hux requesting the abandonment of a 20' public alleyway located in the H&TC RR Addition, Block 66, along North 8th Street. The applicant has completed the required documentation provided in the right-of-way closure procedures. Public Works staff has verified there are no City public utilities within the 20' alleyway. The location of the property is north of Washington Avenue adjacent to Baylor Lumber along Eighth Street.

The applicant is currently weighing development options for the property. The property is currently zoned [B-1 General Business District](#). Mr. Hux stated the additional ten (10') feet of property gained by the closure of the alleyway will better allow for future planning of the site.



A public hearing to receive public comments and testimony is required for the abandonment of alleyways; therefore, staff requests the City Council conduct the public hearing.

The public hearing opened at _____ p.m.


The Public hearing closed at _____ p.m.

Staff recommends that the City Council approve the first reading of Ordinance No.1020-23, closing a 20-foot alleyway within Block 66 of the H&TC RR Addition.

ACTION REQUIRED BY CITY COUNCIL

Conduct a public hearing; and approve or deny the first reading of Ordinance No.1020-23, abandoning a twenty foot (20') public alleyway located in Block 66 of the H&TC RR Addition, in the City of Navasota, Grimes County, Texas 77868.

Approved for the City Council meeting agenda.



Jason B. Weeks, City Manager

5/3/23

Date

ORDINANCE NO. 1020-23

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A TWENTY FOOT (20') PUBLIC ALLEYWAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT

WHEREAS, the City of Navasota, Texas ("City") owns a twenty-foot (20') wide alleyway as shown on Exhibit "A"; and

WHEREAS, the City desires to abandon, close, and vacate the alleyway shown on Exhibit "A"; and

WHEREAS, the abandonment and closing of the alleyway shown on Exhibit "A" will not create an undue burden on traffic; and

WHEREAS, the City has no need or use for the alleyway as a public thoroughfare; and

WHEREAS, the City Council of the City of Navasota desires to abandon, close, and vacate the alleyway as shown on Exhibit "A", said closure and abandonment being in the best interest of the citizens of Navasota;

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

PART 1: That the following described portion of public rights-of-way, to wit: the twenty foot (20') wide alleyway, as shown and described in more detail on Exhibit "A", attached hereto and made a part of this ordinance for all purposes, be, and the same is hereby **ABANDONED, VACATED, and CLOSED** insofar as the right, title or easement of the public is concerned.

PART 2: That said portion of alleyway is not needed for public purposes and it is in the public interest of the City of Navasota, Texas, to abandon said described portion of alleyway.

PART 3: That the City hereby reserves all public utility easements located within that portion of the alleyway so abandoned.

PART 4: That all right, title, and interest in the oil, gas, and other minerals in, on, under, and that may be produced from the public alleyway be reserved by and to the benefit of the City.

PART 5: That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in Part 1 of this Ordinance, and shall be construed only to that interest the governing body of the City of Navasota may legally and lawfully abandon, and excepting therefrom the reservations in favor of the City noted herein.

PART 6: That the Mayor of the City of Navasota is hereby authorized to execute any documents necessary for the conveyance of the public alleyway as shown on Exhibit "A" to the adjoining property owners.

PASSED ON FIRST READING THIS THE 8th DAY OF MAY, 2023.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

PASSED ON SECOND READING THIS THE 22nd DAY OF MAY, 2023.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

McCLURE & BROWNE ENGINEERING/SURVEYING, INC • 1008 Woodcreek Drive, Suite 103 • College Station, Texas 77845 • (979) 693-3838
Block 66-001-01 Texas Firm Registration No. 10103300

Page 1 of 2



LEGEND

- ⊙ - 1/2" Iron Rod Found (CM)
 ○ - 1/2" Iron Rod Set
 P.O.B. - Point of Beginning
 CM - Controlling Monument
 DN - Document Number

ORIGIN OF BEARINGS:

The bearing system is Grid North, Texas State Plane Coordinate System, Central Zone, NAD83 per GPS observation.

See Page 2 of 2 for metes and bounds
description prepared with this survey plat.

FIELD NOTES
0.0344 Acres

Being all that certain tract or parcel of land lying and being situated in the DANIEL ARNOLD SURVEY, Abstract No. 2 in Navasota, Grimes County, Texas and being part of the called 20-foot wide Alley, Block 66, H&TC RR ADDITION as depicted on the Final Plat recorded in Volume "D", Page 777 of the Deed Records of Grimes County, Texas (D.R.G.C.) and being more particularly described by metes and bounds as follows:

BEGINNING: at a found 1/2-inch iron rod marking the common east corner of this herein described tract and the called 20-foot wide Alley, said iron rod also marking the north corner of Lot 10, Block 66 of said H&TC RR ADDITION and being in the southwest right-of-way line of North Eighth Street (based on an 80-foot width), from whence a found 1/2-inch iron rod marking the east corner of said Lot 10 bears S 45° 29' 22" E at a distance of 114.91 feet for reference;

THENCE: S 44° 31' 21" W along the common line of this tract and Lots 10, 9 and 8, Block 66 of said H&TC RR ADDITION for a distance of 150.00 feet to a found 1/2-inch iron rod marking the south corner of this tract, said iron rod also marking the west corner of said Lot 8 and the north corner of Lot 7, Block 66 of said H&TC RR ADDITION;

THENCE: N 45° 29' 22" W into the interior of the called 20-foot wide Alley for a distance of 10.00 feet to a 1/2-inch iron rod set for the west corner of this herein described tract, said iron rod being at or near the centerline of the called 20-foot wide Alley;

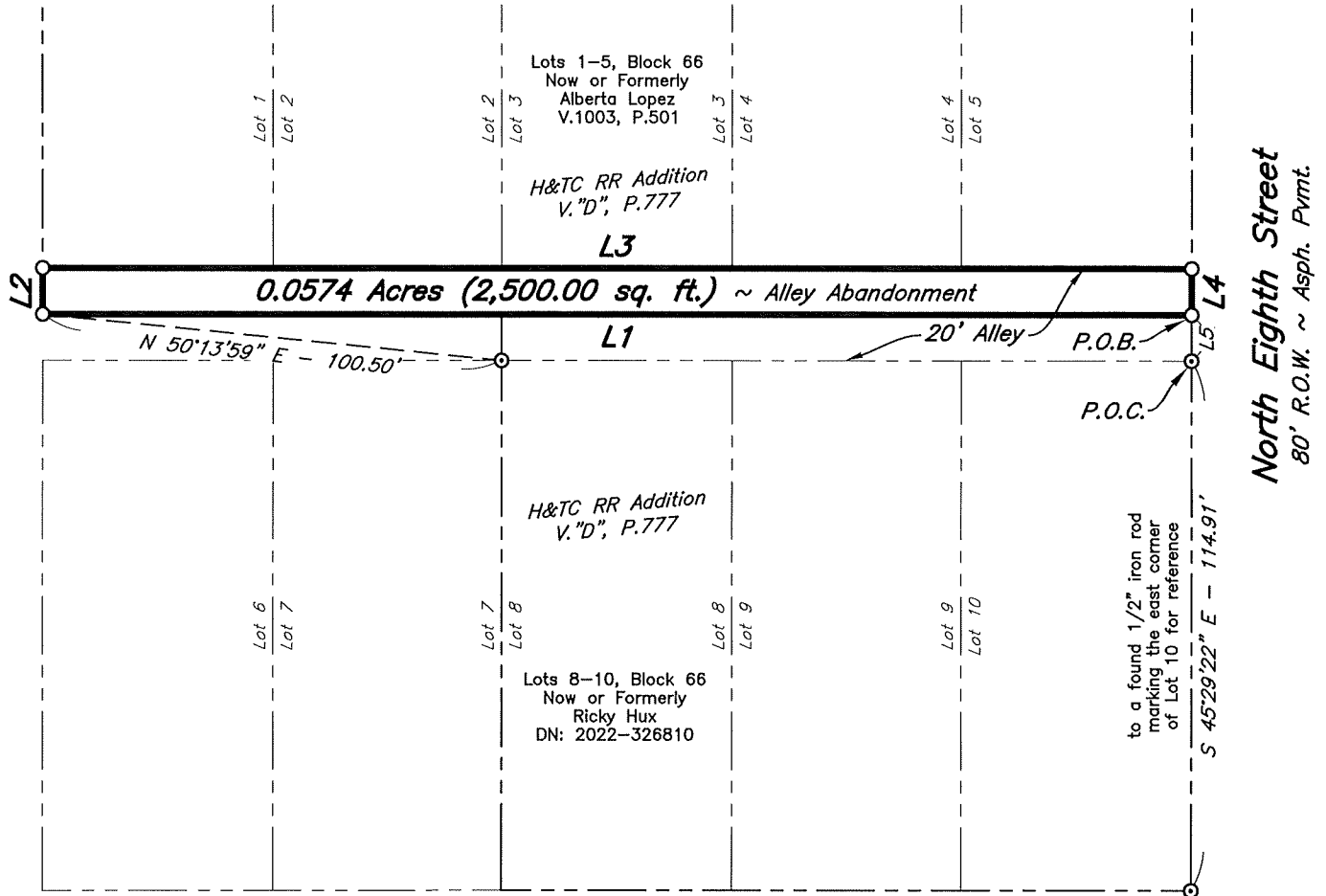
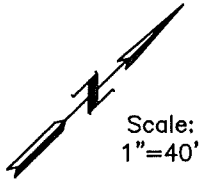
THENCE: N 44° 31' 21" E being at or near the centerline of the called 20-foot wide Alley for a distance of 150.00 feet to a 1/2-inch iron rod set for the north corner of this tract, said iron rod being in the southwest right-of-way line of said North Eighth Street;

THENCE: S 45° 29' 22" E along the southwest right-of-way line of said North Eighth Street for a distance of 10.00 feet to the POINT OF BEGINNING and containing 0.0344 acres of land (1,500.00 square feet).

I, Gregory Hopcus, Registered Professional Land Surveyor No. 6047, State of Texas, do hereby certify to the best of my knowledge, information and belief, and in my professional opinion, that this survey is true and correct and agrees with a survey made on the ground under my supervision on February 16, 2023.

See survey plat on Page 1 of 2
for additional information





LEGEND

- ⊙ - 1/2" Iron Rod Found (CM)
- - 1/2" Iron Rod Set
- P.O.B. - Point of Beginning
- P.O.C. - Point of Commencement
- CM - Controlling Monument
- DN - Document Number

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 44°31'21" W	250.00'
L2	N 45°29'22" W	10.00'
L3	N 44°31'21" E	250.00'
L4	S 45°29'22" E	10.00'
L5	N 45°29'22" W	10.00'

ORIGIN OF BEARINGS:

The bearing system is Grid North, Texas State Plane Coordinate System, Central Zone, NAD83 per GPS observation.

See Page 2 of 2 for metes and bounds description prepared with this survey plat.

FIELD NOTES
0.0574 Acres

Being all that certain tract or parcel of land lying and being situated in the DANIEL ARNOLD SURVEY, Abstract No. 2 in Navasota, Grimes County, Texas and being part of the called 20-foot wide Alley, Block 66, H&TC RR ADDITION as depicted on the Final Plat recorded in Volume "D", Page 777 of the Deed Records of Grimes County, Texas (D.R.G.C.) and being more particularly described by metes and bounds as follows:

COMMENCING: at a found 1/2-inch iron rod marking the east corner of the called 20-foot wide Alley, said iron rod also marking the north corner of Lot 10, Block 66 of said H&TC RR ADDITION and being in the southwest right-of-way line of North Eighth Street (based on an 80-foot width), from whence a found 1/2-inch iron rod marking the east corner of said Lot 10 bears S 45° 29' 22" E at a distance of 114.91 feet for reference;

THENCE: N 45° 29' 22" W along the southwest right-of-way line of said North Eighth Street for a distance of 10.00 feet to a 1/2-inch iron rod set for the east corner of this herein described tract, said iron rod also being at or near the centerline of the called 20-foot wide Alley and the POINT OF BEGINNING;

THENCE: S 44° 31' 21" W being at or near the centerline of the called 20-foot wide Alley for a distance of 250.00 feet to a 1/2-inch iron rod set for the south corner of this tract, from whence a found 1/2-inch iron rod marking the west corner of Lot 8, Block 66 of said H&TC RR ADDITION bears N 50° 13' 59" E at a distance of 100.50 feet for reference;

THENCE: N 45° 29' 22" W along the west line of the called 20-foot wide Alley for a distance of 10.00 feet to a 1/2-inch iron rod set for the common west corner of this herein described tract and the called 20-foot wide Alley, said iron rod also marking the south corner of Lot 1, Block 66 of said H&TC RR ADDITION;

THENCE: N 44° 31' 21" E along the common line of this tract and Lots 1, 2, 3, 4 and 5, Block 66 of said H&TC RR ADDITION for a distance of 250.00 feet to a 1/2-inch iron rod set for the common north corner of this tract and the called 20-foot wide Alley, said iron rod also being the east corner of said Lot 5 and being in the southwest right-of-way line of said North Eighth Street;

THENCE: S 45° 29' 22" E along the southwest right-of-way line of said North Eighth Street for a distance of 10.00 feet to the POINT OF BEGINNING and containing 0.0574 acres of land (2,500.00 square feet).

I, Gregory Hopcus, Registered Professional Land Surveyor No. 6047, State of Texas, do hereby certify to the best of my knowledge, information and belief, and in my professional opinion, that this survey is true and correct and agrees with a survey made on the ground under my supervision on February 16, 2023.

See survey plat on Page 1 of 2
for additional information





REQUEST FOR CITY COUNCIL AGENDA ITEM #6

<p>Agenda Date Requested: <u>May 8, 2023</u></p> <p>Requested By: <u>Lupe Diosdado, Director</u></p> <p>Department: <u>Development Services</u></p> <p><input type="radio"/> Report <input checked="" type="radio"/> Resolution <input type="radio"/> Ordinance</p> <p>Exhibits: <u>Resolution No.736-23, Annexation</u> <u>Petition Kettler Welch, Approved Service Plan</u></p>	<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th colspan="2" style="text-align: center;">Appropriation</th></tr></thead><tbody><tr><td>Source of Funds:</td><td><u>N/A</u></td></tr><tr><td>Account Number:</td><td><u>N/A</u></td></tr><tr><td>Amount Budgeted:</td><td><u>N/A</u></td></tr><tr><td>Amount Requested:</td><td><u>N/A</u></td></tr><tr><td>Budgeted Item:</td><td><input type="radio"/> Yes <input checked="" type="radio"/> No</td></tr></tbody></table>	Appropriation		Source of Funds:	<u>N/A</u>	Account Number:	<u>N/A</u>	Amount Budgeted:	<u>N/A</u>	Amount Requested:	<u>N/A</u>	Budgeted Item:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Appropriation													
Source of Funds:	<u>N/A</u>												
Account Number:	<u>N/A</u>												
Amount Budgeted:	<u>N/A</u>												
Amount Requested:	<u>N/A</u>												
Budgeted Item:	<input type="radio"/> Yes <input checked="" type="radio"/> No												

AGENDA ITEM #6

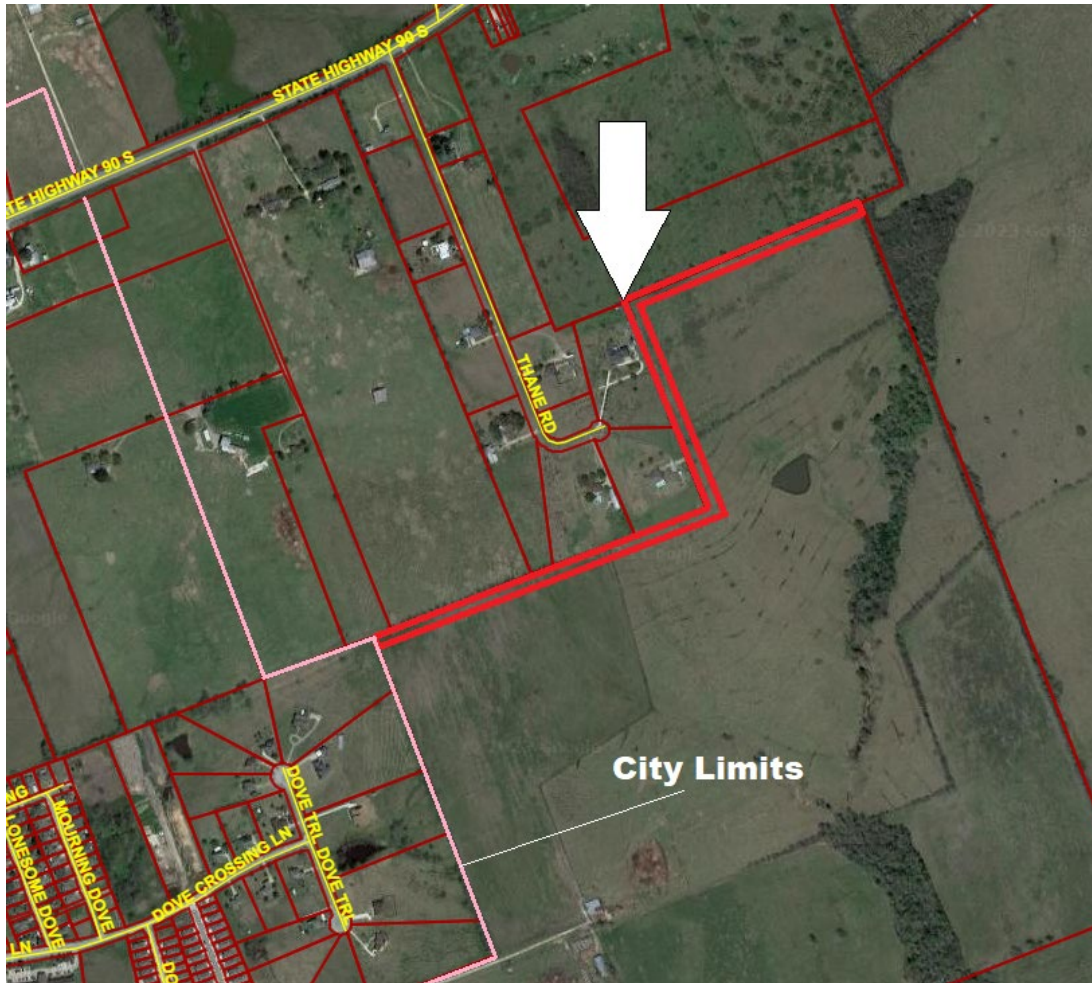
Consideration and possible action on Resolution No. 736-23, regarding the requested annexation petition submitted by Stanley Kettler & Jeannette Welch, for a 1.909-acre tract of land in the Jesse B. McNealy Survey, A-44, located in Grimes County, Texas 77868, setting a date, time, and place for a public hearing on a proposed annexation of said property by the City of Navasota.

SUMMARY & RECOMMENDATION

The City of Navasota received a voluntary petition for annexation by property owner Stanley Kettler & Jeannette Welch, for a 1.909-acre tract located out of the Jesse B. McNealy Survey, A-44. The area proposed for annexation is located along the western property line of the .336-acre Jinx M. Lee tract in Grimes County, Texas 77868.

Since early 2022 staff have been working closely with developer Chandler Arden on a plan to provide municipal services to his proposed 96.618 acre, 400 lot single-family residential development. Also, the plan includes the construction of a City of Navasota water tower and other water facilities within the property boundaries. Staff has coordinated with contiguous property owners Jinx M. Lee, Stanley Kettler & Jeannette Welch to allow for an annexation strip connecting the proposed project area to city limits.

The attached Resolution sets the date and time for public hearings and approves the annexation service plan that outlines the current and proposed city services provided to the affected area.



City staff recommend approving Resolution No. 736-23, outlining the voluntary annexation process for a 1.909-acre tract of land.

ACTION REQUIRED BY CITY COUNCIL

Approve or deny Resolution No.736-23, regarding the requested annexation petition submitted by Stanley Kettler & Jeannette Welch, for a 1.909-acre tract of land in the Jesse B. McNealy Survey, A-44, located in Grimes County, Texas 77868, setting a date, time, and place for a public hearing on a proposed annexation of said property by the City of Navasota.

Approved for the City Council meeting agenda.

Jason Weeks
Jason B. Weeks, City Manager

5/3/23

Date _____

Petition for Annexation

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF NAVASOTA, TEXAS, A HOME RULE MUNICIPALITY:

The undersigned owner(s) of the hereinafter described tract of land hereby petition(s) the governing body to extend the present city limits so as to include and annex as part of the City of Navasota, Texas (pursuant to Texas Local Government Code, Chapter 43 and the Navasota Home Rule Charter, Article II) the following described territory, to wit:

[describe the area by metes and bounds, and attach as exhibit if necessary]

1.909 Acres out of the Jesse B McNealy Survey, A-44, - Exhibit "A"

The undersigned owner(s) certify that the above described land adjoins the existing corporate limits of the City of Navasota, there are no qualified voters residing in the territory to be annexed, and the persons signing this petition own a majority of the land in the territory to be annexed.

Printed Name:

Title:

Printed Name:

Title:

THE STATE OF TEXAS

§

§

COUNTY OF GRIMES

§

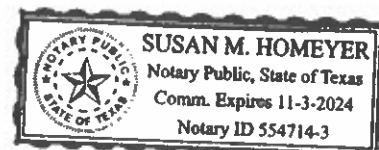
Before me, the undersigned authority, on this day personally appeared Stanley Kettler, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he/she/they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 26th day of April, 2023.

Notary Public in and for the State of Texas

Printed Name:

Commission Expires:



Petition for Annexation

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF NAVASOTA, TEXAS, A HOME RULE MUNICIPALITY:

The undersigned owner(s) of the hereinafter described tract of land hereby petition(s) the governing body to extend the present city limits so as to include and annex as part of the City of Navasota, Texas (pursuant to Texas Local Government Code, Chapter 43 and the Navasota Home Rule Charter, Article II) the following described territory, to wit:

[describe the area by metes and bounds, and attach as exhibit if necessary]

1.909 Acres out of the Jesse B McNealy Survey, A-44, - Exhibit "A"

The undersigned owner(s) certify that the above described land adjoins the existing corporate limits of the City of Navasota, there are no qualified voters residing in the territory to be annexed, and the persons signing this petition own a majority of the land in the territory to be annexed.

Jeannette Welch
Printed Name: Jeannette Welch
Title:

Printed Name:
Title:

THE STATE OF TEXAS §
 §
COUNTY OF GRIMES §

Before me, the undersigned authority, on this day personally appeared Jeannette Welch, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he/she/they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 27 day of April, 2023.

Harry Stephens
Notary Public in and for the State of Texas

Printed Name: Harry Stephens
Commission Expires: 5-27-2026



METES AND BOUNDS DESCRIPTION
of a
1.909 Acre Easement – 20 ft. wide
Jesse B. McNealy, A-44, Grimes County, Texas
April 24, 2023

All that certain tract or parcel of land lying and being situated in Grimes County, Texas, out of the Jesse B. McNealy Survey, Abstract No. 44, being a part of an undivided $\frac{1}{2}$ interest in a called 275.13 acre tract as described in a Distribution Special Warranty Deed from Stanley Kettler, Trustee to Jeannette Welch, dated October 31, 2016, of record in Volume 1626, Page 647 of the Real Property Records of Grimes County, Texas, being a part of an undivided $\frac{1}{2}$ interest in the same called 275.13 acre tract as described in a Distribution Special Warranty Deed from Stanley Kettler, Trustee to Stanley Kettler, dated October 31, 2016, of record in Volume 1626, Page 644 of the Real Property Records of Grimes County, Texas, being a part of Second Tract, called 30 acres, as described in a Deed from Edwin H. Kettler, et ux to The Edwin H. Kettler & Leona Kettler Revocable Living Trust, dated October 1, 1997, of record in Volume 871, Page 137 of the Real Property Records of Grimes County, Texas, being a part of a called 189.48 acre tract as described in a Deed from Edwin H. Kettler, et ux to The Edwin H. Kettler & Leona Kettler Revocable Living Trust, dated October 1, 1997, of record in Volume 871/147) of the Real Property Records of Grimes County, Texas and more fully described by metes and bounds as follows:

BEGINNING at a found 5/8 inch iron rod, at the Northerly base of an 8 inch cedar fence corner post, for the Northeast corner of Lot 11, Block 7, Replat of Dove Crossing (Plat – 907-386), for the Northwest corner of the called 30 acre tract mentioned above (871-137 – 2nd Tract), a Northwest corner of the called 189.48 acre tract mentioned above (871/147), for a Southerly angle point of a called 5.624 acre tract as described in a Deed to Richard Krolcxyk, et uc (1186/279) and same being the Westerly Northwest corner of the tract of land herein described;

THENCE N 66°32'17" E, 69.46 ft., along a portion of a generally fenced and Northwest line of the called 30 and 189.48 acre tracts mentioned above and a South line of said 5.624 acre Krolcxyk tract to a found $\frac{1}{2}$ inch iron rod, 1.7 ft. North of a 6 inch cedar fence post with gate, for the Southeast corner thereof and same being in an apparent Southwest corner of the residue of a called 300 acre tract as described in a Deed to Fritz Thane (193/595);

THENCE N 66°20'43" E, 785.90 ft., along a portion of a generally fenced and Northwest line of the called 189.48 acre tract mentioned above, a portion of the Southeast line of said 300 acre Thane tract (193/595) and the Southeast line of a called 40.79 acre tract as described in a Deed to Marius Thane, et ux (299/288) to a found $\frac{1}{2}$ inch iron rod, at the Southerly base of a x-tie fence corner post, for the Southeast corner thereof and the Southwest corner of a called 4.36 acre tract as described in a Deed to Farron Elizabeth Prescott (1534/610);

THENCE N 66°31'35" E, 120.92 ft., along a portion of the generally fenced and Northwest line of the called 189.48 acre tract mentioned above and the Southeast line of said 4.36 acre Prescott tract (1534/610) to a found 1 inch iron pipe, projecting 24 inches and at the Southerly base of a fence corner post, for the Southeast corner thereof and the Southwest corner of a called 4.36 acre tract as described in a Deed to Danny Joe Meekins (1091/80);

THENCE N 66°31'35" E, 811.49 ft., along a portion of a generally fenced and Northwest line of the called 189.48 acre tract mentioned above, the South line of said 4.36 acre Meekins tract (1091/80) and the South line of a called 4.36 acre tract as described in a Deed to Loy C. Coffey, et ux (1592/81) to a found $\frac{1}{2}$ inch iron rod, 1.6 ft. West of a 3 inch iron pipe fence corner post in concrete, for the Southeast corner of said Coffey tract and an interior corner of said 189.48 acre tract;

THENCE N 23°29'14" W, along a generally fenced and Southwest line of the called 189.48 acre tract mentioned above, the Northeast line of said 4.36 acre Coffey tract and **PASSING** at 433.58 ft. a found $\frac{1}{2}$ inch iron rod 1.68 ft. right of line (appears to have been disturbed) and along the Northeast line of a called 4.355 acre tract, more or less, as described in a Deed to Dennis Underwood, et ux (1309/47) for a **TOTAL DISTANCE** of 1,101.76 ft. to a found 3/8 inch iron rod, at the Northerly base of a 6 inch bois'd arc fence corner post, for the Northeast corner thereof, the Northerly Northwest corner of said 189.48 acre tract and same being in the generally fenced and South line of the residue of a called 75 acre tract as described in a Deed to Jinx M. Lee (610/824, 585/445, 557/66, 554/488, 526/29 & 495/795), from which a found $\frac{1}{2}$ inch iron rod, at the Easterly base of an 8 inch cedar fence corner post, for the Southwest corner of said Lee residue tract brs. S 64°37'41" W, 373.79 ft.;

THENCE N 64°52'58" E, 1,267.58 ft., along a portion of the generally fenced and Southeast line of said Lee residue tract (610/824) and a Northwest line of the called 189.48 acre tract mentioned above to a found 3/8 inch iron rod, at the Northerly base of an 8 inch bois'd arc fence corner post, for the Northeast corner thereof and same being a Northwest corner of a called 1,239.10 acre tract as described in a Deed to Pecan Hill Acquisition, LLC (2021-320767);

THENCE S 23°52'47" E, 20.00 ft., along a portion of the generally fenced and Northeast line of the called 189.48 acre tract mentioned above and a portion of a Southwest line of said 1,239.10 acre Pecan Hill Acquisition, LLC tract (2021-320767) to a set 5/8 inch iron rod for the Southeast corner of the herein described easement, from which a found 5/8 inch iron rod at the base of a disturbed 3/8 inch iron rod for the Southeast corner of said 189.48 acre tract and a Southwest corner of said 1,239.10 acre Pecan Hill Acquisition, LLC tract brs. S 23°52'47" E, 3,790.64 ft.;

THENCE along the Southerly and Easterly lines of the herein described easement as follows:

- 1.) S 64°52'58" W, 1,247.71 ft., to a set 5/8 inch iron rod,
- 2.) S 23°29'14" E, 1,102.33 ft., to a set 5/8 inch iron rod,
- 3.) S 66°31'35" W, 952.38 ft., to a set 5/8 inch iron rod,
- 4.) S 66°20'43" W, 785.90 ft., to a set 5/8 inch iron rod and
- 5.) S 66°32'17" W, 69.43 ft., to a set 5/8 inch iron rod for the Southwest corner of the herein described easement, being in the Southwest line of the called 30 and 189.48 acre tracts mentioned above and same being in the generally fenced and Northeast line of Lot 11, Block 7, Dove Crossing, from which a found 1/2 inch iron rod for the Southeast corner of Dove Crossing and the Southwest corner of said 30 acre tract brs. S 23°38'27" E, 1,697.43 ft.;

THENCE N 23°38'27" W, 20.00 ft., along a portion of the generally fenced and Southwest line of the called 30 acre and 189.48 acre tracts mentioned above and a portion of the Northeast line of Lot 11, Block 7, Dove Crossing to the **PLACE OF BEGINNING** and containing 1.909 acres of land.

BASIS OF BEARINGS & DISTANCES:

Grid North, State Plane Coordinate System of 1983, Central Zone, Leica RTK Network. All distances and areas are grid and can be converted to surface by dividing by a combined scale factor of 0.999 933 503 43.



Steven M. Wisnoski April 24, 2023
Registered Professional Land Surveyor
State of Texas No. 6006
Job #: 2023-04-06-01





Scale: 1" = 200'

BASIS OF BEARINGS & DISTANCES
Grid North, State Plane Coordinate System
of 1983, Central Zone, Leica RTK Network

JESSE B. McNEALY SURVEY

A-44

LEGEND	
●	Set 1/4" IR
---	Fence

Residue of called 75 Acres
Jesse B. Lee
(510-824, 545-445, 557-66,
554-488, 526-29, 495-795)

Called 1,239.10 Acres
Pecan Hill Acquisition, LLC
(2021-320767)

(Fd) 1/4" IR @ base of
disturbed (Fd) 1/4" IR

1.909 ACRE EASEMENT

20' wide

Called 45.83 Acres
- Save & Except 5.04 Acres out NEC 45.83 Acres -
Conveys 40.79 Acres
Markus Thone, et ux
(299-208)

Called 5.624 Acres
Richard Krotsch, et ux
(1186-278)

Called 4.36 Acres, more or less
Farran Elizabeth Prescott
(1534-610)

Called 4.36 Acres
Dorothy Joe Merckins
(1091-901)

Called 4.36 Acres
Loy C. Coffey, et ux
(1593-81)

Called 189.48 Acres
The Edwin H. Kettler & Leona
Kettler Revocable Living Trust
(871-147)

Called 1/2 Interest in
approximately 275.13 Acres
Jeannette Welch
(1076-637)

Called 1/2 Interest in
approximately 275.13 Acres
Stanley Kettler
(1626-644)

Called 30 Acres
- Second Tract -
The Edwin H. Kettler & Leona
Kettler Revocable Living Trust
(871-137)

Dove Crossing Subdivision
- Replat -
(907-386)

Lot 12, Block 7
Tony Watson, et ux
(2021-316051)

Point Of Beginning



NOTES:
1) All deed references are of the Deed Records of Grimes County, Texas.
2) All distances & areas are grid and can be converted to surface by
dividing by a combined scale factor of 0.999 933 503 43.

Client: The City of Navasota, Texas

I, Steven M. Wianski, Registered Professional Land
Surveyor No. 6006 of the State of Texas do hereby certify
that this plat represents an on the ground survey made
under my personal and direct supervision.

Steven M. Wianski Date: April 24, 2023
R.P.L.S. 6006

Wianski Land Surveying, LLC
PO Box 1744
Navasota, Texas 77868
838-870-7100
TBP&S Firm No. 10085300 ©

Job P:
2023-04-06-01

Situated in Grimes County, Texas, out of the Jesse B. McNealy Survey, Abstract No. 44, being a part of an undivided 1/2 Interest in a called 275.13 acre tract as described in a Distribution Special Warranty Deed from Stanley Kettler, Trustee to Jeannette Welch, dated October 31, 2016, of record in Volume 1626, Page 647 of the Real Property Records of Grimes County, Texas, being a part of an undivided 1/2 Interest in the same called 275.13 acre tract as described in a Distribution Special Warranty Deed from Stanley Kettler, Trustee to Stanley Kettler, dated October 31, 2016, of record in Volume 1626, Page 644 of the Real Property Records of Grimes County, Texas, being a part of Second Tract, called 30 acres, as described in a Deed from Edwin H. Kettler, et ux to The Edwin H. Kettler & Leona Kettler Revocable Living Trust, dated October 1, 1997, of record in Volume 871, Page 137 of the Real Property Records of Grimes County, Texas & being a part of a called 189.48 acre tract as described in a Deed from Edwin H. Kettler, et ux to The Edwin H. Kettler & Leona Kettler Revocable Living Trust, dated October 1, 1997, of record in Volume 871/147 of the Real Property Records of Grimes County, Texas.

CITY OF NAVASOTA, TEXAS**ANNEXATION SERVICE PLAN AGREEMENT****Introduction:**

Pursuant to the Local Government Code, Chapter 43, Section 43.0672, the City of Navasota has prepared this service plan agreement for the delivery of municipal services to the territory being proposed for annexation to the City. The area proposed for annexation consists of one tract of land containing a total of 1.909 acres. The area proposed for annexation is located on and along the Eastern city limits line. The annexation of this property is requested by Stanley Kettler & Jeannette Welch, by a petition dated April 26th & 27th, 2023. The property boundaries are contiguous with the existing city limits and are entirely within the City's extraterritorial jurisdiction (ETJ). There are no industrial businesses in this area. The land is Agricultural Open Space (AO) in all areas.

FOR SERVICES ON THE EFFECTIVE DATE OF ANNEXATION:**1. POLICE PROTECTION**

The City of Navasota, Texas, and its Police Department will provide police protection to the newly annexed area at the same or similar level of service now being provided to other areas of the City of Navasota, Texas, with similar topography, land use and population density within the newly annexed area.

2. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

The City of Navasota, Texas, is presently serviced by the Navasota Fire Department, which will provide fire protection and emergency medical services to the newly annexed tract at the same or similar level of service now being provided to other areas of the City of Navasota, Texas, with similar topography, land use and population density within the City.

3. SOLID WASTE COLLECTION

At the present time the City of Navasota, Texas, is using a franchised contractor for collection of solid waste and refuse within the city limits of the City of Navasota, Texas. Upon payment of any required deposits and the agreement to pay lawful service fees and charges, solid waste collection will be provided to citizens in the newly annexed area to the extent that the City's contractor has access to the area to be serviced.

4. MAINTENANCE OF WATER AND WASTE WATER FACILITIES

Any and all water and wastewater facilities owned or maintained by the City of Navasota, Texas, and situated in the area at the time of the proposed annexation shall continue to be maintained by the City of Navasota, Texas. Any and all water facilities which may be acquired subsequent to the annexation of the proposed area shall be maintained by the City of Navasota, Texas, to the extent of its ownership. The now existing water and wastewater mains at their existing locations, or as may be extended, shall be available for point of use

extension based upon the current City's standard water and wastewater extension policies now existing or as may be amended.

5. MAINTENANCE OF ROADS AND STREETS

The City Council of the City of Navasota, Texas, is not aware of the existence of any roads or streets now located in the area proposed for annexation. In the event any such roads or streets do exist and are public facilities owned by or dedicated to the City of Navasota, Texas, the City will maintain such areas to the same extent and degree that it maintains roads and streets and other similar facilities of the City of Navasota, Texas. Any and all roads or streets which have been dedicated to and accepted by the City of Navasota, Texas, or which are owned by the City of Navasota, Texas, shall be maintained to the same degree and extent that other roads and streets are maintained in areas with similar topography, land use and population density. Any and all lighting of road and streets which may be positioned in a right-of-way, roadway or utility company easement shall be maintained by the applicable utility company servicing the City of Navasota, Texas, pursuant to the rules, regulations and fees of such utility.

6. MAINTENANCE OF PARKS, PLAYGROUNDS AND SWIMMING POOLS

The City Council of the City of Navasota, Texas, is not aware of the existence of any parks, playgrounds or public swimming pools now located in the area proposed for annexation. In the event any such parks, playgrounds or swimming pools do exist and are public facilities, the City of Navasota, Texas, will maintain such areas to the same extent and degree that it maintains parks, playgrounds and swimming pools and other similar areas of the City now incorporated in the City of Navasota, Texas.

7. MAINTENANCE OF ANY PUBLICLY OWNED FACILITY, BUILDING OR MUNICIPAL SERVICE

The City Council of the City of Navasota, Texas, is not aware of the existence of any publicly owned facility, building or other municipal service now located in the area proposed for annexation. In the event any such publicly owned facility, building or municipal service does exist and are public facilities, the City of Navasota, Texas, will maintain such areas to the same extent and degree that it maintains publicly owned facilities, buildings or municipal services of the City now incorporated in the City of Navasota, Texas.

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BEGIN WITHIN 2-1/2 YEARS:

1. POLICE PROTECTION, FIRE PROTECTION & SOLID WASTE COLLECTION

The City Council of the City of Navasota, Texas, finds and determines it to be unnecessary to acquire or construct any capital improvement within 2-1/2 years of the effective date of the annexation of the particular annexed area for the purposes of providing police protection, fire protection or solid waste collection. The City Council finds and determines

that it has at the present time adequate facilities to provide the same type, kind and level of protection and service which is presently being administered to other areas already incorporated in the City of Navasota, Texas, with the same or similar topography, land use and population density.

2. WATER AND WASTEWATER FACILITIES

For the next 2-½ years the City Council of the City of Navasota, Texas, believes that City water and wastewater mains exist, or may be extended, for points of connection for serviceable extensions to provide water and wastewater service within the area to be annexed pursuant to the City's standard water extension policies now in existence or as may be amended by the City Council.

3. ROADS AND STREETS

Maintenance of properly dedicated roads and streets will be consistent with the maintenance provided by the City to other roads and streets in areas of similar topography, land use and population density.

4. MAINTENANCE OF PARKS, PLAYGROUNDS, AND SWIMMING POOLS, AND THE MAINTENANCE OF ANY OTHER PUBLICLY OWNED FACILITY, BUILDING OR SERVICE

To the extent that it becomes necessary because of development demands, population growth, and a bona fide need, the City Council of the City of Navasota, Texas, will undertake to provide any such facility which it deems necessary to adequately provide for the health and safety of the citizens of the newly incorporated area based upon the standard considerations of topography, land use and population density.

SPECIFIC FINDINGS

The City Council of the City of Navasota, Texas, finds and determines that this proposed Service Plan will not provide any fewer services, and it will not provide a lower level of service in the area proposed to be annexed than were in existence in the proposed area at the time immediately preceding the annexation process.

Furthermore, the City Council of the City of Navasota, Texas, finds and determines the nature of the area is characteristically different from other developed areas within the corporate limits of the City of Navasota, Texas. Consequently, because of the differing characteristics of topography, land use and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from services provided to other areas of the City of Navasota, Texas. These differences are specifically dictated because of differing characteristics of the property and the City of Navasota, Texas, will undertake to perform consistent with this service plan so as to provide this newly annexed area with the same type, kind and quality of service presently enjoyed by the citizens of the City of Navasota, Texas, who reside in areas of similar topography, land use and population density.

APPROVED on this the 8th day of May 2023.

CITY OF NAVASOTA, TEXAS

HON. BERT MILLER, Mayor

ATTEST:

SUSIE HOMEYER, City Secretary

LAND OWNERS



STANLEY KETTLER



JEANNETTE WELCH

RESOLUTION NO. 736-23

A RESOLUTION REGARDING THE REQUESTED ANNEXATION OF CERTAIN PROPERTY; SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON A PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF NAVASOTA, TEXAS AT THE REQUEST OF THE OWNER OF THE PROPERTY; AUTHORIZING THE CITY SECRETARY TO NOTIFY THE PUBLIC OF SAID PUBLIC HEARING AND TO TAKE ADDITIONAL ACTIONS IN FURTHERANCE OF THE ANNEXATION; ACCEPTING SERVICE PLAN AGREEMENT NEGOTIATED WITH PROPERTY OWNER; AND AUTHORIZING THE MAYOR TO MAKE ANY NECESSARY OR APPROPRIATE CHANGES AND EXECUTE ANY NECESSARY DOCUMENTATION.

WHEREAS, Chapter 43 of the Texas Local Government Code, V.T.C.A., and the City Charter of the City of Navasota, Texas ("City") authorizes the City to annex territory in accordance with the procedures provided for therein; and

WHEREAS, the City received a written request of the property owner requesting the annexation of the area described in Exhibit "A" attached hereto and incorporated herein for all purposes; and

WHEREAS, the City desires to annex the area described in Exhibit "A";
Now Therefore,

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

Section 1. That on the 22nd day of May, 2023, at 6:00 o'clock p.m. in the City Council Chambers, City Hall, 200 E. McAlpine, Navasota, Texas, the City Council will hold a public hearing giving all interested persons the right to appear

and be heard on the proposed annexation by the City of Navasota, Texas of the property described in Exhibit "A", which is attached and incorporated herein for all purposes.

Section 2. The City Secretary of the City of Navasota is hereby authorized and directed to cause notice of said hearing to be published once in a newspaper having general circulation in the City and in the above-described territory not more than twenty (20) days nor less than ten (10) days prior to the date of said public hearing, in accordance with Chapter 43 of the Texas Local Government Code. The City Secretary of the City of Navasota is hereby further authorized and directed to cause notice of said hearing to be posted on the City of Navasota's Internet website on or after the 20th day but before the 10th day before the date of the hearing and must remain posted until the date of the hearing, in accordance with Chapter 43 of the Texas Local Government Code. The City Secretary, or other appropriate staff, of the City of Navasota is hereby further authorized and directed to take any and all actions and to cause any additional notices as may be required by state law or the City Charter in furtherance of the annexation of the property described herein.

Section 3. The City Council accepts the service plan agreement negotiated with the property owner, which is attached as Exhibit "B" and incorporated herein for all purposes, and authorizes the Mayor to execute said agreement.

Section 4. In the event it is necessary or appropriate to revise any hearing

date or hearing notices provided for herein, the Mayor is hereby authorized to make said changes and execute any necessary documentation regarding same.

PASSED AND APPROVED THIS THE 8TH DAY OF MAY, 2023.

HON. BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

Exhibit "A"

Petition for Annexation

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF NAVASOTA, TEXAS, A HOME RULE MUNICIPALITY:

The undersigned owner(s) of the hereinafter described tract of land hereby petition(s) the governing body to extend the present city limits so as to include and annex as part of the City of Navasota, Texas (pursuant to Texas Local Government Code, Chapter 43 and the Navasota Home Rule Charter, Article II) the following described territory, to wit:

[describe the area by metes and bounds, and attach as exhibit if necessary]

1.909 Acres out of the Jesse B McNealy Survey, A-44, - Exhibit "A"

The undersigned owner(s) certify that the above described land adjoins the existing corporate limits of the City of Navasota, there are no qualified voters residing in the territory to be annexed, and the persons signing this petition own a majority of the land in the territory to be annexed.

Stanley Kettler
Printed Name: Stanley Kettler
Title:

Printed Name:
Title:

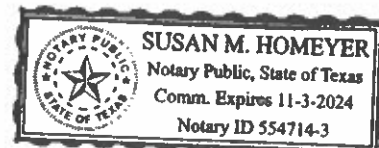
THE STATE OF TEXAS §
 §
COUNTY OF GRIMES §

Before me, the undersigned authority, on this day personally appeared Stanley Kettler, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he/she/they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 26th day of April, 2023.

Susan M. Homeyer
Notary Public in and for the State of Texas

Printed Name: Susan M. Homeyer
Commission Expires: 11-3-2024



Petition for Annexation

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF NAVASOTA, TEXAS, A HOME RULE MUNICIPALITY:

The undersigned owner(s) of the hereinafter described tract of land hereby petition(s) the governing body to extend the present city limits so as to include and annex as part of the City of Navasota, Texas (pursuant to Texas Local Government Code, Chapter 43 and the Navasota Home Rule Charter, Article II) the following described territory, to wit:

[describe the area by metes and bounds, and attach as exhibit if necessary]

1.909 Acres out of the Jesse B McNealy Survey, A-44, - Exhibit "A"

The undersigned owner(s) certify that the above described land adjoins the existing corporate limits of the City of Navasota, there are no qualified voters residing in the territory to be annexed, and the persons signing this petition own a majority of the land in the territory to be annexed.

Jeannette Welch
Printed Name: Jeannette Welch
Title:

Printed Name:
Title:

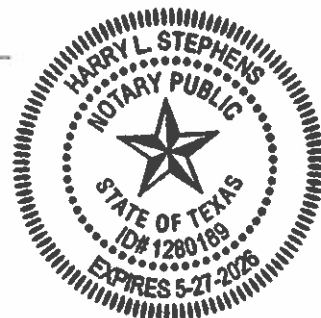
THE STATE OF TEXAS §
 §
COUNTY OF GRIMES §

Before me, the undersigned authority, on this day personally appeared Jeannette Welch, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he/she/they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 27 day of April, 2023.

Harry Stephens
Notary Public in and for the State of Texas

Printed Name: Harry Stephens
Commission Expires: 5-27-2026



METES AND BOUNDS DESCRIPTION
of a
1.909 Acre Easement – 20 ft. wide
Jesse B. McNealy, A-44, Grimes County, Texas
April 24, 2023

All that certain tract or parcel of land lying and being situated in Grimes County, Texas, out of the Jesse B. McNealy Survey, Abstract No. 44, being a part of an undivided $\frac{1}{2}$ interest in a called 275.13 acre tract as described in a Distribution Special Warranty Deed from Stanley Kettler, Trustee to Jeannette Welch, dated October 31, 2016, of record in Volume 1626, Page 647 of the Real Property Records of Grimes County, Texas, being a part of an undivided $\frac{1}{2}$ interest in the same called 275.13 acre tract as described in a Distribution Special Warranty Deed from Stanley Kettler, Trustee to Stanley Kettler, dated October 31, 2016, of record in Volume 1626, Page 644 of the Real Property Records of Grimes County, Texas, being a part of Second Tract, called 30 acres, as described in a Deed from Edwin H. Kettler, et ux to The Edwin H. Kettler & Leona Kettler Revocable Living Trust, dated October 1, 1997, of record in Volume 871, Page 137 of the Real Property Records of Grimes County, Texas, being a part of a called 189.48 acre tract as described in a Deed from Edwin H. Kettler, et ux to The Edwin H. Kettler & Leona Kettler Revocable Living Trust, dated October 1, 1997, of record in Volume 871/147) of the Real Property Records of Grimes County, Texas and more fully described by metes and bounds as follows:

BEGINNING at a found 5/8 inch iron rod, at the Northerly base of an 8 inch cedar fence corner post, for the Northeast corner of Lot 11, Block 7, Replat of Dove Crossing (Plat – 907-386), for the Northwest corner of the called 30 acre tract mentioned above (871-137 – 2nd Tract), a Northwest corner of the called 189.48 acre tract mentioned above (871/147), for a Southerly angle point of a called 5.624 acre tract as described in a Deed to Richard Krolcxyk, et uc (1186/279) and same being the Westerly Northwest corner of the tract of land herein described;

THENCE N 66°32'17" E, 69.46 ft., along a portion of a generally fenced and Northwest line of the called 30 and 189.48 acre tracts mentioned above and a South line of said 5.624 acre Krolcxyk tract to a found $\frac{1}{2}$ inch iron rod, 1.7 ft. North of a 6 inch cedar fence post with gate, for the Southeast corner thereof and same being in an apparent Southwest corner of the residue of a called 300 acre tract as described in a Deed to Fritz Thane (193/595);

THENCE N 66°20'43" E, 785.90 ft., along a portion of a generally fenced and Northwest line of the called 189.48 acre tract mentioned above, a portion of the Southeast line of said 300 acre Thane tract (193/595) and the Southeast line of a called 40.79 acre tract as described in a Deed to Marius Thane, et ux (299/288) to a found $\frac{1}{2}$ inch iron rod, at the Southerly base of a x-tie fence corner post, for the Southeast corner thereof and the Southwest corner of a called 4.36 acre tract as described in a Deed to Farron Elizabeth Prescott (1534/610);

THENCE N 66°31'35" E, 120.92 ft., along a portion of the generally fenced and Northwest line of the called 189.48 acre tract mentioned above and the Southeast line of said 4.36 acre Prescott tract (1534/610) to a found 1 inch iron pipe, projecting 24 inches and at the Southerly base of a fence corner post, for the Southeast corner thereof and the Southwest corner of a called 4.36 acre tract as described in a Deed to Danny Joe Meekins (1091/80);

THENCE N 66°31'35" E, 811.49 ft., along a portion of a generally fenced and Northwest line of the called 189.48 acre tract mentioned above, the South line of said 4.36 acre Meekins tract (1091/80) and the South line of a called 4.36 acre tract as described in a Deed to Loy C. Coffey, et ux (1592/81) to a found $\frac{1}{2}$ inch iron rod, 1.6 ft. West of a 3 inch iron pipe fence corner post in concrete, for the Southeast corner of said Coffey tract and an interior corner of said 189.48 acre tract;

THENCE N 23°29'14" W, along a generally fenced and Southwest line of the called 189.48 acre tract mentioned above, the Northeast line of said 4.36 acre Coffey tract and **PASSING** at 433.58 ft. a found $\frac{1}{2}$ inch iron rod 1.68 ft. right of line (appears to have been disturbed) and along the Northeast line of a called 4.355 acre tract, more or less, as described in a Deed to Dennis Underwood, et ux (1309/47) for a **TOTAL DISTANCE** of 1,101.76 ft. to a found 3/8 inch iron rod, at the Northerly base of a 6 inch bois'd arc fence corner post, for the Northeast corner thereof, the Northerly Northwest corner of said 189.48 acre tract and same being in the generally fenced and South line of the residue of a called 75 acre tract as described in a Deed to Jinx M. Lee (610/824, 585/445, 557/66, 554/488, 526/29 & 495/795), from which a found $\frac{1}{2}$ inch iron rod, at the Easterly base of an 8 inch cedar fence corner post, for the Southwest corner of said Lee residue tract brs. S 64°37'41" W, 373.79 ft.;

THENCE N 64°52'58" E, 1,267.58 ft., along a portion of the generally fenced and Southeast line of said Lee residue tract (610/824) and a Northwest line of the called 189.48 acre tract mentioned above to a found 3/8 inch iron rod, at the Northerly base of an 8 inch bois'd arc fence corner post, for the Northeast corner thereof and same being a Northwest corner of a called 1,239.10 acre tract as described in a Deed to Pecan Hill Acquisition, LLC (2021-320767);

THENCE S 23°52'47" E, 20.00 ft., along a portion of the generally fenced and Northeast line of the called 189.48 acre tract mentioned above and a portion of a Southwest line of said 1,239.10 acre Pecan Hill Acquisition, LLC tract (2021-320767) to a set 5/8 inch iron rod for the Southeast corner of the herein described easement, from which a found 5/8 inch iron rod at the base of a disturbed 3/8 inch iron rod for the Southeast corner of said 189.48 acre tract and a Southwest corner of said 1,239.10 acre Pecan Hill Acquisition, LLC tract brs. S 23°52'47" E, 3,790.64 ft.;

THENCE along the Southerly and Easterly lines of the herein described easement as follows:

- 1.) S 64°52'58" W, 1,247.71 ft., to a set 5/8 inch iron rod,
- 2.) S 23°29'14" E, 1,102.33 ft., to a set 5/8 inch iron rod,
- 3.) S 66°31'35" W, 952.38 ft., to a set 5/8 inch iron rod,
- 4.) S 66°20'43" W, 785.90 ft., to a set 5/8 inch iron rod and
- 5.) S 66°32'17" W, 69.43 ft., to a set 5/8 inch iron rod for the Southwest corner of the herein described easement, being in the Southwest line of the called 30 and 189.48 acre tracts mentioned above and same being in the generally fenced and Northeast line of Lot 11, Block 7, Dove Crossing, from which a found 1/2 inch iron rod for the Southeast corner of Dove Crossing and the Southwest corner of said 30 acre tract brs. S 23°38'27" E, 1,697.43 ft.;

THENCE N 23°38'27" W, 20.00 ft., along a portion of the generally fenced and Southwest line of the called 30 acre and 189.48 acre tracts mentioned above and a portion of the Northeast line of Lot 11, Block 7, Dove Crossing to the **PLACE OF BEGINNING** and containing 1.909 acres of land.

BASIS OF BEARINGS & DISTANCES:

Grid North, State Plane Coordinate System of 1983, Central Zone, Leica RTK Network. All distances and areas are grid and can be converted to surface by dividing by a combined scale factor of 0.999 933 503 43.



Steven M. Wisnoski April 24, 2023
Registered Professional Land Surveyor
State of Texas No. 6006
Job #: 2023-04-06-01





Scale: 1" = 200'

BASIS OF BEARINGS & DISTANCES
Grid North, State Plane Coordinate System
of 1983, Central Zone, Leica RTK Network

JESSE B. McNEALY SURVEY

A-44

LEGEND	
●	Set 1/4" IR
---	Fence

Residue of called 75 Acres
Jesse B. Lee
(510-824, 545-445, 557-66,
554-488, 526-29, 495-795)

Called 1,239.10 Acres
Pecan Hill Acquisition, LLC
(2021-320767)

(Fd) 1/4" IR @ base of
disturbed (Fd) 1/4" IR

1.909 ACRE EASEMENT

20' wide

Called 4.36 Acres, more or less
Farran Elizabeth Prescott
(1534-610)

Called 4.36 Acres
Dorothy Joe Merckins
(1091-901)

Called 4.36 Acres
Loy C. Coffey, et ux
(1593-81)

Called 45.83 Acres
- Save & Except 5.04 Acres out NEC 45.83 Acres -
Conveys 40.79 Acres
Markus Thone, et ux
(299-208)

Called 5.624 Acres
Richard Krotsch, et ux
(1186-278)

Called 189.48 Acres
The Edwin H. Kettler & Leona
Kettler Revocable Living Trust
(871-147)

Called 1/2 Interest in
approximately 275.13 Acres
Jeanette Welch
(1676-637)

Called 1/2 Interest in
approximately 275.13 Acres
Stanley Kettler
(1626-644)

Called 30 Acres
- Second Tract -
The Edwin H. Kettler & Leona
Kettler Revocable Living Trust
(871-137)

Dove Crossing Subdivision
- Replat -
(907-386)

Lot 12, Block 7
Tony Watson, et ux
(2021-316051)

Point Of Beginning



NOTES:
1) All Deed references are of the Deed Records of Grimes County, Texas.
2) All distances & areas are grid and can be converted to surface by
dividing by a combined scale factor of 0.999 933 503 43.

Client: The City of Navasota, Texas

I, Steven M. Wianski, Registered Professional Land
Surveyor No. 6006 of the State of Texas do hereby certify
that this plat represents an on the ground survey made
under my personal and direct supervision.

Steven M. Wianski Date: April 24, 2023
R.P.L.S. 6006

Wianski Land Surveying, LLC
PO Box 1744
Navasota, Texas 77868
838-870-7100
TBP&S Firm No. 10085300 ©

Job P:
2023-04-06-01

Situated in Grimes County, Texas, out of the Jesse B. McNealy Survey, Abstract No. 44, being a part of an undivided 1/2 Interest in a called 275.13 acre tract as described in a Distribution Special Warranty Deed from Stanley Kettler, Trustee to Jeanette Welch, dated October 31, 2016, of record in Volume 1626, Page 647 of the Real Property Records of Grimes County, Texas, being a part of an undivided 1/2 Interest in the same called 275.13 acre tract as described in a Distribution Special Warranty Deed from Stanley Kettler, Trustee to Stanley Kettler, dated October 31, 2016, of record in Volume 1626, Page 644 of the Real Property Records of Grimes County, Texas, being a part of Second Tract, called 30 acres, as described in a Deed from Edwin H. Kettler, et ux to The Edwin H. Kettler & Leona Kettler Revocable Living Trust, dated October 1, 1997, of record in Volume 871, Page 137 of the Real Property Records of Grimes County, Texas & being a part of a called 189.48 acre tract as described in a Deed from Edwin H. Kettler, et ux to The Edwin H. Kettler & Leona Kettler Revocable Living Trust, dated October 1, 1997, of record in Volume 871/147 of the Real Property Records of Grimes County, Texas.

CITY OF NAVASOTA, TEXAS**ANNEXATION SERVICE PLAN AGREEMENT****Introduction:**

Pursuant to the Local Government Code, Chapter 43, Section 43.0672, the City of Navasota has prepared this service plan agreement for the delivery of municipal services to the territory being proposed for annexation to the City. The area proposed for annexation consists of one tract of land containing a total of 1.909 acres. The area proposed for annexation is located on and along the Eastern city limits line. The annexation of this property is requested by Stanley Kettler & Jeannette Welch, by a petition dated April 26th & 27th, 2023. The property boundaries are contiguous with the existing city limits and are entirely within the City's extraterritorial jurisdiction (ETJ). There are no industrial businesses in this area. The land is Agricultural Open Space (AO) in all areas.

FOR SERVICES ON THE EFFECTIVE DATE OF ANNEXATION:**1. POLICE PROTECTION**

The City of Navasota, Texas, and its Police Department will provide police protection to the newly annexed area at the same or similar level of service now being provided to other areas of the City of Navasota, Texas, with similar topography, land use and population density within the newly annexed area.

2. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

The City of Navasota, Texas, is presently serviced by the Navasota Fire Department, which will provide fire protection and emergency medical services to the newly annexed tract at the same or similar level of service now being provided to other areas of the City of Navasota, Texas, with similar topography, land use and population density within the City.

3. SOLID WASTE COLLECTION

At the present time the City of Navasota, Texas, is using a franchised contractor for collection of solid waste and refuse within the city limits of the City of Navasota, Texas. Upon payment of any required deposits and the agreement to pay lawful service fees and charges, solid waste collection will be provided to citizens in the newly annexed area to the extent that the City's contractor has access to the area to be serviced.

4. MAINTENANCE OF WATER AND WASTE WATER FACILITIES

Any and all water and wastewater facilities owned or maintained by the City of Navasota, Texas, and situated in the area at the time of the proposed annexation shall continue to be maintained by the City of Navasota, Texas. Any and all water facilities which may be acquired subsequent to the annexation of the proposed area shall be maintained by the City of Navasota, Texas, to the extent of its ownership. The now existing water and wastewater mains at their existing locations, or as may be extended, shall be available for point of use

extension based upon the current City's standard water and wastewater extension policies now existing or as may be amended.

5. MAINTENANCE OF ROADS AND STREETS

The City Council of the City of Navasota, Texas, is not aware of the existence of any roads or streets now located in the area proposed for annexation. In the event any such roads or streets do exist and are public facilities owned by or dedicated to the City of Navasota, Texas, the City will maintain such areas to the same extent and degree that it maintains roads and streets and other similar facilities of the City of Navasota, Texas. Any and all roads or streets which have been dedicated to and accepted by the City of Navasota, Texas, or which are owned by the City of Navasota, Texas, shall be maintained to the same degree and extent that other roads and streets are maintained in areas with similar topography, land use and population density. Any and all lighting of road and streets which may be positioned in a right-of-way, roadway or utility company easement shall be maintained by the applicable utility company servicing the City of Navasota, Texas, pursuant to the rules, regulations and fees of such utility.

6. MAINTENANCE OF PARKS, PLAYGROUNDS AND SWIMMING POOLS

The City Council of the City of Navasota, Texas, is not aware of the existence of any parks, playgrounds or public swimming pools now located in the area proposed for annexation. In the event any such parks, playgrounds or swimming pools do exist and are public facilities, the City of Navasota, Texas, will maintain such areas to the same extent and degree that it maintains parks, playgrounds and swimming pools and other similar areas of the City now incorporated in the City of Navasota, Texas.

7. MAINTENANCE OF ANY PUBLICLY OWNED FACILITY, BUILDING OR MUNICIPAL SERVICE

The City Council of the City of Navasota, Texas, is not aware of the existence of any publicly owned facility, building or other municipal service now located in the area proposed for annexation. In the event any such publicly owned facility, building or municipal service does exist and are public facilities, the City of Navasota, Texas, will maintain such areas to the same extent and degree that it maintains publicly owned facilities, buildings or municipal services of the City now incorporated in the City of Navasota, Texas.

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BEGIN WITHIN 2-1/2 YEARS:

1. POLICE PROTECTION, FIRE PROTECTION & SOLID WASTE COLLECTION

The City Council of the City of Navasota, Texas, finds and determines it to be unnecessary to acquire or construct any capital improvement within 2-1/2 years of the effective date of the annexation of the particular annexed area for the purposes of providing police protection, fire protection or solid waste collection. The City Council finds and determines

that it has at the present time adequate facilities to provide the same type, kind and level of protection and service which is presently being administered to other areas already incorporated in the City of Navasota, Texas, with the same or similar topography, land use and population density.

2. WATER AND WASTEWATER FACILITIES

For the next 2-½ years the City Council of the City of Navasota, Texas, believes that City water and wastewater mains exist, or may be extended, for points of connection for serviceable extensions to provide water and wastewater service within the area to be annexed pursuant to the City's standard water extension policies now in existence or as may be amended by the City Council.

3. ROADS AND STREETS

Maintenance of properly dedicated roads and streets will be consistent with the maintenance provided by the City to other roads and streets in areas of similar topography, land use and population density.

4. MAINTENANCE OF PARKS, PLAYGROUNDS, AND SWIMMING POOLS, AND THE MAINTENANCE OF ANY OTHER PUBLICLY OWNED FACILITY, BUILDING OR SERVICE

To the extent that it becomes necessary because of development demands, population growth, and a bona fide need, the City Council of the City of Navasota, Texas, will undertake to provide any such facility which it deems necessary to adequately provide for the health and safety of the citizens of the newly incorporated area based upon the standard considerations of topography, land use and population density.

SPECIFIC FINDINGS

The City Council of the City of Navasota, Texas, finds and determines that this proposed Service Plan will not provide any fewer services, and it will not provide a lower level of service in the area proposed to be annexed than were in existence in the proposed area at the time immediately preceding the annexation process.

Furthermore, the City Council of the City of Navasota, Texas, finds and determines the nature of the area is characteristically different from other developed areas within the corporate limits of the City of Navasota, Texas. Consequently, because of the differing characteristics of topography, land use and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from services provided to other areas of the City of Navasota, Texas. These differences are specifically dictated because of differing characteristics of the property and the City of Navasota, Texas, will undertake to perform consistent with this service plan so as to provide this newly annexed area with the same type, kind and quality of service presently enjoyed by the citizens of the City of Navasota, Texas, who reside in areas of similar topography, land use and population density.

APPROVED on this the 8th day of May 2023.

CITY OF NAVASOTA, TEXAS

HON. BERT MILLER, Mayor

ATTEST:

SUSIE HOMEYER, City Secretary

LAND OWNERS



STANLEY KETTLER



JEANNETTE WELCH



REQUEST FOR CITY COUNCIL AGENDA ITEM #7

Agenda Date Requested: <u>May 8, 2023</u>	Appropriation
Requested By: <u>Lupe Diosdado, Director</u>	Source of Funds: <u>N/A</u>
Department: <u>Development Services</u>	Account Number: <u>N/A</u>
<input type="radio"/> Report <input checked="" type="radio"/> Resolution <input type="radio"/> Ordinance	Amount Budgeted: <u>N/A</u>
	Amount Requested: <u>N/A</u>
	Budgeted Item: <input type="radio"/> Yes <input checked="" type="radio"/> No

Exhibits: Resolution No.737-23, Annexation
Petition Jinx M. Lee, Approved Service Plan

AGENDA ITEM #7

Consideration and possible action on Resolution No. 737-23, regarding the requested annexation petition submitted by Jinx M. Lee, for a 0.336-acre tract of land in the Jesse B. McNealy Survey, A-44, located in Grimes County, Texas 77868, setting a date, time, and place for a public hearing on a proposed annexation of said property by the City of Navasota.

SUMMARY & RECOMMENDATION

The City of Navasota received a voluntary petition for annexation by property owner Jinx M. Lee for a 0.336-acre tract located out of the Jesse B. McNealy Survey, A-44. The area proposed for annexation is located along the western property line of the 96.618-acre Grimes Altamira tract in Grimes County, Texas 77868.

Since early 2022 staff have been working closely with developer Chandler Arden on a plan to provide municipal services to his proposed 96.618 acre, 400 lot single-family residential development. Also, the plan includes the construction of a City of Navasota water tower and other water facilities within the property boundaries. Staff has coordinated with contiguous property owners Jinx M. Lee, Stanley Kettler & Jeannette Welch to allow for an annexation strip connecting the proposed project area to city limits.

The attached Resolution sets the date and time for public hearings and approves the annexation service plan that outlines the current and proposed city services provided to the affected area.



City staff recommend approving Resolution No. 737-23, outlining the voluntary annexation process for a 0.336-acre tract of land.

ACTION REQUIRED BY CITY COUNCIL

Approve or deny Resolution No. 737-23, regarding the requested annexation petition submitted by Jinx M. Lee, for a 0.336-acre tract of land in the Jesse B. McNealy Survey, A-44, located in Grimes County, Texas 77868, setting a date, time, and place for a public hearing on a proposed annexation of said property by the City of Navasota.

Approved for the City Council meeting agenda.



Jason B. Weeks, City Manager

5/3/23

Date

RESOLUTION NO. 737-23

A RESOLUTION REGARDING THE REQUESTED ANNEXATION OF CERTAIN PROPERTY; SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON A PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF NAVASOTA, TEXAS AT THE REQUEST OF THE OWNER OF THE PROPERTY; AUTHORIZING THE CITY SECRETARY TO NOTIFY THE PUBLIC OF SAID PUBLIC HEARING AND TO TAKE ADDITIONAL ACTIONS IN FURTHERANCE OF THE ANNEXATION; ACCEPTING SERVICE PLAN AGREEMENT NEGOTIATED WITH PROPERTY OWNER; AND AUTHORIZING THE MAYOR TO MAKE ANY NECESSARY OR APPROPRIATE CHANGES AND EXECUTE ANY NECESSARY DOCUMENTATION.

WHEREAS, Chapter 43 of the Texas Local Government Code, V.T.C.A., and the City Charter of the City of Navasota, Texas ("City") authorizes the City to annex territory in accordance with the procedures provided for therein; and

WHEREAS, the City received a written request of the property owner requesting the annexation of the area described in Exhibit "A" attached hereto and incorporated herein for all purposes; and

WHEREAS, the City desires to annex the area described in Exhibit "A";
Now Therefore,

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

Section 1. That on the 22nd day of May, 2023, at 6:00 o'clock p.m. in the City Council Chambers, City Hall, 200 E. McAlpine, Navasota, Texas, the City Council will hold a public hearing giving all interested persons the right to appear

and be heard on the proposed annexation by the City of Navasota, Texas of the property described in Exhibit "A", which is attached and incorporated herein for all purposes.

Section 2. The City Secretary of the City of Navasota is hereby authorized and directed to cause notice of said hearing to be published once in a newspaper having general circulation in the City and in the above-described territory not more than twenty (20) days nor less than ten (10) days prior to the date of said public hearing, in accordance with Chapter 43 of the Texas Local Government Code. The City Secretary of the City of Navasota is hereby further authorized and directed to cause notice of said hearing to be posted on the City of Navasota's Internet website on or after the 20th day but before the 10th day before the date of the hearing and must remain posted until the date of the hearing, in accordance with Chapter 43 of the Texas Local Government Code. The City Secretary, or other appropriate staff, of the City of Navasota is hereby further authorized and directed to take any and all actions and to cause any additional notices as may be required by state law or the City Charter in furtherance of the annexation of the property described herein.

Section 3. The City Council accepts the service plan agreement negotiated with the property owner, which is attached as Exhibit "B" and incorporated herein for all purposes, and authorizes the Mayor to execute said agreement.

Section 4. In the event it is necessary or appropriate to revise any hearing

date or hearing notices provided for herein, the Mayor is hereby authorized to make said changes and execute any necessary documentation regarding same.

PASSED AND APPROVED THIS THE 8TH DAY OF MAY, 2023.

HON. BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

Exhibit "A"

Petition for Annexation

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF NAVASOTA, TEXAS, A HOME RULE MUNICIPALITY:

The undersigned owner(s) of the hereinafter described tract of land hereby petition(s) the governing body to extend the present city limits so as to include and annex as part of the City of Navasota, Texas (pursuant to Texas Local Government Code, Chapter 43 and the Navasota Home Rule Charter, Article II) the following described territory, to wit:

[describe the area by metes and bounds, and attach as exhibit if necessary]

.336 Acres out of the Jesse B McNealy Survey, A-44, - Exhibit "A"

The undersigned owner(s) certify that the above described land adjoins the existing corporate limits of the City of Navasota, there are no qualified voters residing in the territory to be annexed, and the persons signing this petition own a majority of the land in the territory to be annexed.

Printed Name:

Title:

Printed Name:

Title:

THE STATE OF TEXAS

§

§

COUNTY OF GRIMES

§

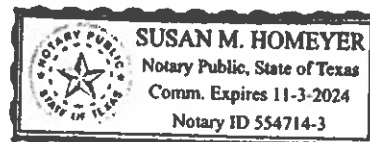
Before me, the undersigned authority, on this day personally appeared Jinx Lee, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he/she/they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 4th day of May, 2023.

Notary Public in and for the State of Texas

Printed Name:

Commission Expires:



METES AND BOUNDS DESCRIPTION
of a
0.336 Acre Easement – 20 ft. wide
Jesse B. McNealy, A-44, Grimes County, Texas
April 24, 2023

All that certain tract or parcel of land lying and being situated in Grimes County, Texas, out of the Jesse B. McNealy Survey, Abstract No. 44, being a part of the residue of First Tract, called 75 acres, as described in a Deed from Adeline T. Boehm to Jinx M. Lee, dated February 2, 1988, of record in Volume 610, Page 824 of the Real Property Records of Grimes County, Texas and more fully described by metes and bounds as follows:

BEGINNING at a found 3/8 inch iron rod, at the Southeast base of a 12 inch bois'd arc fence corner post, for the Southeast corner of the residue of the called 75 acre tract mentioned above, an interior corner of a called 1,239.10 acre tract as described in a Deed to Pecan Hill Acquisition, LLC (2021-320767) and the Southeast corner of the herein described easement;

THENCE S 64°47'10" W, 252.04 ft., along a portion of the generally fenced and Southeast line of the called 75 acre residue tract mentioned above and a Northwest line of said 1,239.10 acre Pecan Hill Acquisition, LLC tract (2021-320767) to a found 3/8 inch iron rod, at the Northerly side of an 8 inch bois'd arc fence corner post, for a Northwest corner thereof and same being the Northeast corner of a called 189.48 acre tract as described in a Deed to The Edwin H. Kettler & Leona Kettler Revocable Living Trust tract (871/147, 1626/637, 1626/644);

THENCE S 64°52'58" W, 20.00 ft., along a portion of the generally fenced and Southeast line of the called 75 acre residue tract mentioned above and a portion of a Northwest line of said 189.48 acre Kettler Revocable Living Trust tract (871/147) to a set 5/8 inch iron rod for the Southwest corner of the tract of land herein described, from which a found 3/8 inch iron rod for the Northwest corner of said 189.48 acre Kettler tract and the Northeast corner of a called 4.355 acre tract, more or less, as described in a Deed to Dennis Underwood, et ux (1309/47) brs. S 64°52'58" W, 1,247.58 ft.;

THENCE crossing into the 75 acre residue tract mentioned above and along the Westerly and Northerly lines of the herein described easement as follows:

- 1.) N 23°52'43" W, 20.00 ft., to a set 5/8 inch iron rod,
- 2.) N 64°47'10" E, 252.09 ft., to a set 5/8 inch iron rod,
- 3.) N 23°39'27" W, 438.99 ft., to a set 5/8 inch iron rod,
- 4.) N 24°03'18" W, 20.00 ft., to a set 5/8 inch iron rod and
- 5.) N 66°08'38" E, 20.00 ft., to a set 5/8 inch iron rod for the Northeast corner of the herein described easement in the Northeast line of said 75 acre residue tract and same being in a Southwest line of a called 96.618 acre tract as described in a Deed to Grimes Altamira, LLC (2022-322555), from which a found 3/8 inch iron rod for a Northwest corner of said 96.618 acre Grimes Altamira, LLC tract brs. N 24°03'13" W, 775.26 ft.;

THENCE S 24°03'13" E, 20.00 ft., along a portion of the generally fenced and Northeast line of the called 75 acre residue tract mentioned above and along a portion of a Southwest line of said 96.618 acre Grimes Altamira, LLC tract (2022-322555) to a found 3/8 inch iron rod, at the Easterly base of a 6 inch treated fence corner post, for the Southwest corner thereof and a Northwest corner of said 1,239.10 acre Pecan Hill Acquisition, LLC tract (2021-320767);

THENCE S 23°39'27" E, 458.55 ft., along a portion of the generally fenced and Northeast line of the called 75 acre residue tract mentioned above and a Southwest line of said 1,239.10 acre Pecan Hill Acquisition, LLC tract to the **PLACE OF BEGINNING** and containing 0.336 acre of land.

BASIS OF BEARINGS & DISTANCES:

Grid North, State Plane Coordinate System of 1983, Central Zone, Leica RTK Network. All distances and areas are grid and can be converted to surface by dividing by a combined scale factor of 0.999 933 503 43.



Steven M. Wisnoski April 24, 2023
Registered Professional Land Surveyor
State of Texas No. 6006
Job #: 2023-04-06-01





Scale: 1" = 200'

BASIS OF BEARINGS & DISTANCES
Grid North, State Plane Coordinate System
of 1983, Central Zone, Leica RTK Network

JESSE B. McNEALY SURVEY A-44

LEGEND

- Set $\frac{1}{8}$ " IR
- Fence

Residue of called 75 Acres
Jinx M. Lee
(610-824, 585-445, 557-66,
554-488, 526-29, 495-795)

0.336 ACRE EASEMENT

- 20' wide -

Point Of
Beginning
(Fd) $\frac{1}{8}$ " IR

Called 1,239.10 Acres
Pecan Hill Acquisition, LLC
(2021-320767)

Called 189.48 Acres
The Edwin H. Kettler & Leona
Kettler Revocable Living Trust
(871-147)

Called $\frac{1}{2}$ interest in
approximately 275.13 Acres
Jeannette Welch
(1626-637)

Called $\frac{1}{2}$ interest in
approximately 275.13 Acres
Stanley Kettler
(1626-644)

Called 4.355 Acres,
more or less
Dennis Underwood, et ux
(1309-47)

Client: The City of Navasota, Texas

I, Steven M. Wisnoski, Registered Professional Land
Surveyor No. 6006 of the State of Texas do hereby certify
that this plat represents an on the ground survey made
under my personal and direct supervision.

Steven M. Wisnoski
R.P.L.S. 6006

Date: April 24, 2023



Wisnoski Land Surveying, LLC
PO Box 1744
Navasota, Texas 77868
936-870-7100
TBPELS Firm No. 10085300

Job #:
2023-04-06-01

Situated in Grimes County, Texas, out of the Jesse B.
McNealy Survey, Abstract No. 44 & being a part of the
residue of First Tract, called 75 acres, as described in a
Deed from Adeline T. Boehm to Jinx M. Lee, dated
February 2, 1988, of record in Volume 610, Page 824
of the Real Property Records of Grimes County, Texas.

CITY OF NAVASOTA, TEXAS

ANNEXATION SERVICE PLAN AGREEMENT

Introduction:

Pursuant to the Local Government Code, Chapter 43, Section 43.0672, the City of Navasota has prepared this service plan agreement for the delivery of municipal services to the territory being proposed for annexation to the City. The area proposed for annexation consists of one tract of land containing a total of 0.336 acres. The area proposed for annexation is located on and along the Eastern city limits line. The annexation of this property is requested by Jinx Lee, by a petition dated May 4th, 2023. The property boundaries are contiguous with the existing city limits and are entirely within the City's extraterritorial jurisdiction (ETJ). There are no industrial businesses in this area. The land is Agricultural Open Space (AO) in all areas.

FOR SERVICES ON THE EFFECTIVE DATE OF ANNEXATION:

1. POLICE PROTECTION

The City of Navasota, Texas, and its Police Department will provide police protection to the newly annexed area at the same or similar level of service now being provided to other areas of the City of Navasota, Texas, with similar topography, land use and population density within the newly annexed area.

2. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

The City of Navasota, Texas, is presently serviced by the Navasota Fire Department, which will provide fire protection and emergency medical services to the newly annexed tract at the same or similar level of service now being provided to other areas of the City of Navasota, Texas, with similar topography, land use and population density within the City.

3. SOLID WASTE COLLECTION

At the present time the City of Navasota, Texas, is using a franchised contractor for collection of solid waste and refuse within the city limits of the City of Navasota, Texas. Upon payment of any required deposits and the agreement to pay lawful service fees and charges, solid waste collection will be provided to citizens in the newly annexed area to the extent that the City's contractor has access to the area to be serviced.

4. MAINTENANCE OF WATER AND WASTE WATER FACILITIES

Any and all water and wastewater facilities owned or maintained by the City of Navasota, Texas, and situated in the area at the time of the proposed annexation shall continue to be maintained by the City of Navasota, Texas. Any and all water facilities which may be acquired subsequent to the annexation of the proposed area shall be maintained by the City of Navasota, Texas, to the extent of its ownership. The now existing water and wastewater mains at their existing locations, or as may be extended, shall be available for point of use

extension based upon the current City's standard water and wastewater extension policies now existing or as may be amended.

5. MAINTENANCE OF ROADS AND STREETS

The City Council of the City of Navasota, Texas, is not aware of the existence of any roads or streets now located in the area proposed for annexation. In the event any such roads or streets do exist and are public facilities owned by or dedicated to the City of Navasota, Texas, the City will maintain such areas to the same extent and degree that it maintains roads and streets and other similar facilities of the City of Navasota, Texas. Any and all roads or streets which have been dedicated to and accepted by the City of Navasota, Texas, or which are owned by the City of Navasota, Texas, shall be maintained to the same degree and extent that other roads and streets are maintained in areas with similar topography, land use and population density. Any and all lighting of road and streets which may be positioned in a right-of-way, roadway or utility company easement shall be maintained by the applicable utility company servicing the City of Navasota, Texas, pursuant to the rules, regulations and fees of such utility.

6. MAINTENANCE OF PARKS, PLAYGROUNDS AND SWIMMING POOLS

The City Council of the City of Navasota, Texas, is not aware of the existence of any parks, playgrounds or public swimming pools now located in the area proposed for annexation. In the event any such parks, playgrounds or swimming pools do exist and are public facilities, the City of Navasota, Texas, will maintain such areas to the same extent and degree that it maintains parks, playgrounds and swimming pools and other similar areas of the City now incorporated in the City of Navasota, Texas.

7. MAINTENANCE OF ANY PUBLICLY OWNED FACILITY, BUILDING OR MUNICIPAL SERVICE

The City Council of the City of Navasota, Texas, is not aware of the existence of any publicly owned facility, building or other municipal service now located in the area proposed for annexation. In the event any such publicly owned facility, building or municipal service does exist and are public facilities, the City of Navasota, Texas, will maintain such areas to the same extent and degree that it maintains publicly owned facilities, buildings or municipal services of the City now incorporated in the City of Navasota, Texas.

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BEGIN WITHIN 2-1/2 YEARS:

1. POLICE PROTECTION, FIRE PROTECTION & SOLID WASTE COLLECTION

The City Council of the City of Navasota, Texas, finds and determines it to be unnecessary to acquire or construct any capital improvement within 2-1/2 years of the effective date of the annexation of the particular annexed area for the purposes of providing police protection, fire protection or solid waste collection. The City Council finds and determines

that it has at the present time adequate facilities to provide the same type, kind and level of protection and service which is presently being administered to other areas already incorporated in the City of Navasota, Texas, with the same or similar topography, land use and population density.

2. WATER AND WASTEWATER FACILITIES

For the next 2-½ years the City Council of the City of Navasota, Texas, believes that City water and wastewater mains exist, or may be extended, for points of connection for serviceable extensions to provide water and wastewater service within the area to be annexed pursuant to the City's standard water extension policies now in existence or as may be amended by the City Council.

3. ROADS AND STREETS

Maintenance of properly dedicated roads and streets will be consistent with the maintenance provided by the City to other roads and streets in areas of similar topography, land use and population density.

4. MAINTENANCE OF PARKS, PLAYGROUNDS, AND SWIMMING POOLS, AND THE MAINTENANCE OF ANY OTHER PUBLICLY OWNED FACILITY, BUILDING OR SERVICE

To the extent that it becomes necessary because of development demands, population growth, and a bona fide need, the City Council of the City of Navasota, Texas, will undertake to provide any such facility which it deems necessary to adequately provide for the health and safety of the citizens of the newly incorporated area based upon the standard considerations of topography, land use and population density.

SPECIFIC FINDINGS

The City Council of the City of Navasota, Texas, finds and determines that this proposed Service Plan will not provide any fewer services, and it will not provide a lower level of service in the area proposed to be annexed than were in existence in the proposed area at the time immediately preceding the annexation process.

Furthermore, the City Council of the City of Navasota, Texas, finds and determines the nature of the area is characteristically different from other developed areas within the corporate limits of the City of Navasota, Texas. Consequently, because of the differing characteristics of topography, land use and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from services provided to other areas of the City of Navasota, Texas. These differences are specifically dictated because of differing characteristics of the property and the City of Navasota, Texas, will undertake to perform consistent with this service plan so as to provide this newly annexed area with the same type, kind and quality of service presently enjoyed by the citizens of the City of Navasota, Texas, who reside in areas of similar topography, land use and population density.

APPROVED on this the 8th day of May 2023.

CITY OF NAVASOTA, TEXAS

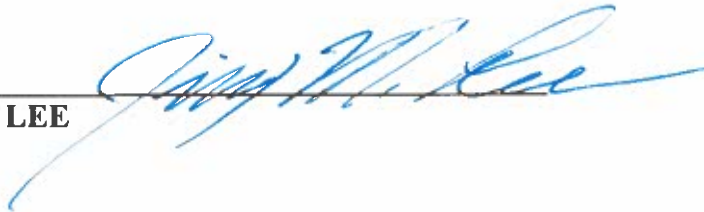
HON. BERT MILLER, Mayor

ATTEST:

SUSIE HOMEYER, City Secretary

LAND OWNER

JINX LEE

A handwritten signature in blue ink, appearing to read "Jinx M. Lee", is written over a horizontal line. The signature is fluid and cursive.



REQUEST FOR CITY COUNCIL AGENDA ITEM #8

Agenda Date Requested: <u>May 8, 2023</u>	Appropriation
Requested By: <u>Lupe Diosdado, Director</u>	Source of Funds: <u>N/A</u>
Department: <u>Development Services</u>	Account Number: <u>N/A</u>
<input type="radio"/> Report <input checked="" type="radio"/> Resolution <input type="radio"/> Ordinance	Amount Budgeted: <u>N/A</u>
	Amount Requested: <u>N/A</u>
	Budgeted Item: <input type="radio"/> Yes <input checked="" type="radio"/> No

Exhibits: Resolution No.738-23, Annexation
Petition Grimes Altamira, LLC, Approved Service
Plan

AGENDA ITEM #8

Consideration and possible action on Resolution No. 738-23, regarding the requested annexation petition submitted by Grimes Altamira, LLC, for a 96.618-acre tract of land in the Jesse B. McNealy Survey, A-44, located in Grimes County, Texas 77868, setting a date, time, and place for a public hearing on a proposed annexation of said property by the City of Navasota.

SUMMARY & RECOMMENDATION

The City of Navasota received a voluntary petition for annexation by property owner Grimes Altamira, LLC, (Chandler Arden) for a 96.618-acre tract located out of the Jesse B. McNealy Survey, A-44. The area proposed for annexation is located along Highway 90S, Grimes County, Texas 77868.

Since early 2022 staff have been working closely with developer Chandler Arden on a plan to provide municipal services to his proposed 96.618 acre, 400 lot single-family residential development. Also, the plan includes the construction of a City of Navasota water tower and other water facilities within the property boundaries. Staff has coordinated with contiguous property owners Jinx M. Lee, Stanley Kettler & Jeannette Welch to allow for an annexation strip connecting the proposed project area to city limits.

The attached Resolution sets the date and time for public hearings and approves the annexation service plan that outlines the current and proposed city services provided to the affected area.

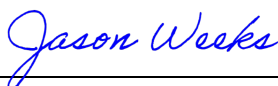


City staff recommend approving Resolution No. 738-23, outlining the voluntary annexation process for a 96.618-acre tract of land.

ACTION REQUIRED BY CITY COUNCIL

Approve or deny Resolution No. 738-23, regarding the requested annexation petition submitted by Grimes Altamira, LLC, for a 96.618-acre tract of land in the Jesse B. McNealy Survey, A-44, located in Grimes County, Texas 77868, setting a date, time, and place for a public hearing on a proposed annexation of said property by the City of Navasota.

Approved for the City Council meeting agenda.



Jason B. Weeks, City Manager

5/3/23

Date

RESOLUTION NO. 738-23

A RESOLUTION REGARDING THE REQUESTED ANNEXATION OF CERTAIN PROPERTY; SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON A PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF NAVASOTA, TEXAS AT THE REQUEST OF THE OWNER OF THE PROPERTY; AUTHORIZING THE CITY SECRETARY TO NOTIFY THE PUBLIC OF SAID PUBLIC HEARING AND TO TAKE ADDITIONAL ACTIONS IN FURTHERANCE OF THE ANNEXATION; ACCEPTING SERVICE PLAN AGREEMENT NEGOTIATED WITH PROPERTY OWNER; AND AUTHORIZING THE MAYOR TO MAKE ANY NECESSARY OR APPROPRIATE CHANGES AND EXECUTE ANY NECESSARY DOCUMENTATION.

WHEREAS, Chapter 43 of the Texas Local Government Code, V.T.C.A., and the City Charter of the City of Navasota, Texas ("City") authorizes the City to annex territory in accordance with the procedures provided for therein; and

WHEREAS, the City received a written request of the property owner requesting the annexation of the area described in Exhibit "A" attached hereto and incorporated herein for all purposes; and

WHEREAS, the City desires to annex the area described in Exhibit "A";
Now Therefore,

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

Section 1. That on the 22nd day of May, 2023, at 6:00 o'clock p.m. in the City Council Chambers, City Hall, 200 E. McAlpine, Navasota, Texas, the City Council will hold a public hearing giving all interested persons the right to appear

and be heard on the proposed annexation by the City of Navasota, Texas of the property described in Exhibit "A", which is attached and incorporated herein for all purposes.

Section 2. The City Secretary of the City of Navasota is hereby authorized and directed to cause notice of said hearing to be published once in a newspaper having general circulation in the City and in the above-described territory not more than twenty (20) days nor less than ten (10) days prior to the date of said public hearing, in accordance with Chapter 43 of the Texas Local Government Code. The City Secretary of the City of Navasota is hereby further authorized and directed to cause notice of said hearing to be posted on the City of Navasota's Internet website on or after the 20th day but before the 10th day before the date of the hearing and must remain posted until the date of the hearing, in accordance with Chapter 43 of the Texas Local Government Code. The City Secretary, or other appropriate staff, of the City of Navasota is hereby further authorized and directed to take any and all actions and to cause any additional notices as may be required by state law or the City Charter in furtherance of the annexation of the property described herein.

Section 3. The City Council accepts the service plan agreement negotiated with the property owner, which is attached as Exhibit "B" and incorporated herein for all purposes, and authorizes the Mayor to execute said agreement.

Section 4. In the event it is necessary or appropriate to revise any hearing

date or hearing notices provided for herein, the Mayor is hereby authorized to make said changes and execute any necessary documentation regarding same.

PASSED AND APPROVED THIS THE 8TH DAY OF MAY, 2023.

HON. BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

Exhibit "A"

Petition for Annexation

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF NAVASOTA, TEXAS, A HOME RULE MUNICIPALITY:

The undersigned owner(s) of the hereinafter described tract of land hereby petition(s) the governing body to extend the present city limits so as to include and annex as part of the City of Navasota, Texas (pursuant to Texas Local Government Code, Chapter 43 and the Navasota Home Rule Charter, Article II) the following described territory, to wit:

[describe the area by metes and bounds, and attach as exhibit if necessary]

96.618 Acres out of the Jesse B McNealy Survey, A-44, - Exhibit "A"

The undersigned owner(s) certify that the above-described land adjoins the existing corporate limits of the City of Navasota, there are no qualified voters residing in the territory to be annexed, and the persons signing this petition own a majority of the land in the territory to be annexed.

Chandler Arden
Printed Name: Signature Shut

Title:

Chandler Arden
Printed Name:

Title:

THE STATE OF TEXAS §

§

COUNTY OF GRIMES §

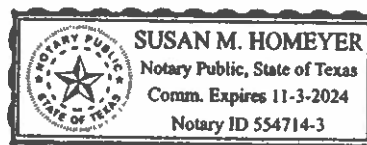
Before me, the undersigned authority, on this day personally appeared Chandler Arden, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he/she/they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 28th day of April, 2023.

Susan M. Homeyer
Notary Public in and for the State of Texas

Printed Name:

Commission Expires:



FIELD NOTES
96.618 ACRES

Being all that certain tract or parcel of land lying and being situated in the JESSE B. McNEALY SURVEY, Abstract No. 44, Grimes County, Texas and being comprised of all of the called 50.00 acre tract described in the deed from Kenneth Robert Skillern, Independent Executor of the Estate of Patricia Wier Skillern to Kenneth Robert Skillern recorded in Volume 1746, Page 24 of the Real Property Records of Grimes County, Texas (R.P.R.G.C.) and part of called 50.66 acre tract described in the deed from Kenneth Robert Skillern, Independent Executor of the Estate of Patricia Wier Skillern to Jess Henry H. Beal recorded in Volume 1746, Page 29 (R.P.R.G.C.) and being more particularly described by metes and bounds as follows:

BEGINNING: at a 3/8-inch iron rod marking the most easterly corner of this herein described tract, said iron rod also marking the south corner of the called 28.63 acre Frederick Buchanan Sullivan tract recorded in Volume 1445, Page 478 (R.P.R.G.C.) and being in the northwesterly line of the called 461.68 Gerard W. Trione tract recorded in Volume 1002, Page 484 (R.P.R.G.C.), bearing system shown herein are NAD83 (Texas State Plane Central Zone Grid North) and as established by gps observation. Distances shown herein are grid distances to determine surface distances multiply by a combined scale factor of 1.0000787723;

THENCE: along the fenced common lines of this tract, the called 50.66 acre Beal tract, the called 50.00 acre Skillern tract and the called 461.68 acre Trione tract for the following four (4) calls:

- 1) S 66°37'18" W (DEED CALL: S 69°22'13" W) for a distance of 911.45 feet to a found 3/8-inch iron rod for angle,
- 2) S 37°39'26" W (DEED CALL: S 40°24'21" W) for a distance of 292.51 feet to a found 1/2-inch iron rod for corner,
- 3) S 20°02'59" E (DEED CALL: S 17°18'04" E) for a distance of 10.32 feet to a found 3/8-inch iron rod for corner, and
- 4) S 50°06'55" W (DEED CALL: S 52°51'50" W) for a distance of 1,199.39 feet to a found 3/8-inch iron rod marking the most southerly corner of this tract, said iron rod also marking the west corner of the called 461.068 acre Trione tract, the north corner of the called 38.947 acre Jinx M. Lee tract recorded in Volume 610, Page 824 (R.P.R.G.C.) and being in the fenced east line of the called 75 acre Jinx M. Lee tract recorded in Volume 380, Page 617 of the Grimes County Deed Records (G.C.D.R.);

THENCE: N 24°01'49" W (DEED CALL: S 21°16'54" W) along the common line of this tract, the called 50.00 acre Skillern tract and the called 75 acre Lee tract (380/617) for a distance of 775.04 feet to a found 3/8-inch iron rod marking the lower most westerly corner of this tract, said iron rod also marking the northeast corner of the called 75 acre Lee tract (380/617), the southeast corner of the called 4.99 acre James Bailey, et ux tract recorded in Volume 836, Page 14 (R.P.R.G.C.) and the southwest corner of the called 4.79 acre MNL Properties, LLC tract recorded in Volume 1754, Page 605 (R.P.R.G.C.);

THENCE: along the fenced common lines of the this tract, the called 50.00 acre Skillern tract and the called 4.79 acre MNL Properties, LLC tract for the following two (2) calls:

- 1) N 65°57'01" E (DEED CALL: N 68°41'56" E) for a distance of 267.69 feet to a found 3/8-inch iron rod for corner, and
- 2) N 28°07'48" W (DEED CALL: N 25°22'53" W) for a distance of 924.94 feet to a found 1/2-inch iron rod marking the upper westerly corner of this herein described tract, said iron rod also marking the north corner of the called 4.79 acre MNL Properties, LLC tract and being in the southeast margin of State Highway No. 90;

THENCE: along the southeast margin of said State Highway No. 90 for the following ten (10) calls:

- 1) N 41°14'53" E (DEED CALL: N 43°59'48" E) for a distance of 199.83 feet to a 1/2-inch iron rod set for angle,
- 2) N 37°11'05" E (DEED CALL: N 39°56'00" E) for a distance of 139.06 feet to a 1/2-inch iron rod set for angle,
- 3) N 35°15'05" E (DEED CALL: N 38°00'00" E) for a distance of 138.17 feet to a 1/2-inch iron rod set for angle,
- 4) N 32°08'05" E (DEED CALL: N 34°53'00" E) for a distance of 176.81 feet to a 1/2-inch iron rod set for angle,
- 5) N 28°33'05" E (DEED CALL: N 31°18'00" E) for a distance of 137.58 feet to a 1/2-inch iron rod set for angle,
- 6) N 27°02'05" E (DEED CALL: N 29°47'00" E) for a distance of 277.78 feet to a 1/2-inch iron rod set for angle,
- 7) N 26°09'05" E (DEED CALL: N 28°54'00" E) for a distance of 238.11 feet to a 1/2-inch iron rod set for angle,
- 8) N 24°59'05" E (DEED CALL: N 27°44'00" E) for a distance of 138.03 feet to a 1/2-inch iron rod

set for angle,

- 9) N 23°53'05" E (DEED CALL: N 26°38'00" E) for a distance of 138.42 feet to a 1/2-inch iron rod set for angle, and
- 10) N 23°04'05" E (DEED CALL: N 25°49'00" E) for a distance of 30.98 feet to a 1/2-inch iron rod set for the northwest corner of this tract, from whence a found 1-inch iron bar marking the north corner of the called 50.66 acre Beal tract and the west corner of the called 5.2 acre Fredrick Buchanan Sullivan and Tammie Jones Sullivan tract recorded in Volume 1421, Page 832 (R.P.R.G.C.) bears N 21°43'18" E at a distance of 417.09 feet for reference;

THENCE: into and through the called 50.66 acre Beal tract and along an existing fence for the following two (2) calls:

- 1) S 65°35'05" E for a distance of 400.89 feet to a 4-inch round fence post for corner, and
- 2) N 23°43'10" E for a distance of 451.86 feet to a 1/2-inch iron rod set for corner, said iron rod also being in the fenced southwest line of the called 5.2 acre Sullivan tract (1421/832);

THENCE: S 70°25'55" E (DEED CALL: S 67°41'00" E) along the fenced common line of this tract, the called 50.66 acre Beal tract and the called 5.2 acre Sullivan tract (1421/832) for a distance of 314.98 feet to a found 3/8-inch iron rod marking an angle point in the tract, said iron rod also marking an angle point in the 50.66 acre Beal tract, the south corner of the called 5.2 acre Sullivan tract (1421/832) and being in the southwest line of the called 28.63 acre Sullivan tract (1445/478);

THENCE: S 23°37'55" E (DEED CALL: S 20°53'00" E) along the fenced common line of this tract, the called 50.66 acre Beal tract, the called 28.63 acre Sullivan tract (1445/478) for a distance of 1,952.63 feet to the POINT OF BEGINNING and containing 96.618 acres of land (calculated surface).

[illegible]

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State Highway 90

LAND TITLE SURVEY

96.618 ACRES

BEING ALL OF THE CALLED 50.66 ACRE BEAL TRACT RECORDED IN VOLUME 1746, PAGE 29 * & ALL OF THE CALLED 50.00 ACRE SKILLERN TRACT RECORDED IN VOLUME 1746, PAGE 24

JESSE B. MCNEALY SURVEY, A-44
GRIMES COUNTY, TEXAS
DECEMBER 23, 2021

Presented by
Mary Curran, Curran Art
& Photo Institute

CITY OF NAVASOTA, TEXAS

ANNEXATION SERVICE PLAN AGREEMENT

Introduction:

Pursuant to the Local Government Code, Chapter 43, Section 43.0672, the City of Navasota has prepared this service plan agreement for the delivery of municipal services to the territory being proposed for annexation to the City. The area proposed for annexation consists of one tract of land containing a total of 96.618 acres. The area proposed for annexation is located on and along the Eastern city limits line. The annexation of this property is requested by Chandler Arden, with Grimes Altamira, LLC, by a petition dated April 28th, 2023. The property boundaries are contiguous with the existing city limits and are entirely within the City's extraterritorial jurisdiction (ETJ). There are no industrial businesses in this area. The land is Agricultural Open Space (AO) in all areas.

FOR SERVICES ON THE EFFECTIVE DATE OF ANNEXATION:

1. POLICE PROTECTION

The City of Navasota, Texas, and its Police Department will provide police protection to the newly annexed area at the same or similar level of service now being provided to other areas of the City of Navasota, Texas, with similar topography, land use and population density within the newly annexed area.

2. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

The City of Navasota, Texas, is presently serviced by the Navasota Fire Department, which will provide fire protection and emergency medical services to the newly annexed tract at the same or similar level of service now being provided to other areas of the City of Navasota, Texas, with similar topography, land use and population density within the City.

3. SOLID WASTE COLLECTION

At the present time the City of Navasota, Texas, is using a franchised contractor for collection of solid waste and refuse within the city limits of the City of Navasota, Texas. Upon payment of any required deposits and the agreement to pay lawful service fees and charges, solid waste collection will be provided to citizens in the newly annexed area to the extent that the City's contractor has access to the area to be serviced.

4. MAINTENANCE OF WATER AND WASTE WATER FACILITIES

Any and all water and wastewater facilities owned or maintained by the City of Navasota, Texas, and situated in the area at the time of the proposed annexation shall continue to be maintained by the City of Navasota, Texas. Any and all water facilities which may be acquired subsequent to the annexation of the proposed area shall be maintained by the City of Navasota, Texas, to the extent of its ownership. The now existing water and wastewater

mains at their existing locations, or as may be extended, shall be available for point of use extension based upon the current City's standard water and wastewater extension policies now existing or as may be amended.

5. MAINTENANCE OF ROADS AND STREETS

The City Council of the City of Navasota, Texas, is not aware of the existence of any roads or streets now located in the area proposed for annexation. In the event any such roads or streets do exist and are public facilities owned by or dedicated to the City of Navasota, Texas, the City will maintain such areas to the same extent and degree that it maintains roads and streets and other similar facilities of the City of Navasota, Texas. Any and all roads or streets which have been dedicated to and accepted by the City of Navasota, Texas, or which are owned by the City of Navasota, Texas, shall be maintained to the same degree and extent that other roads and streets are maintained in areas with similar topography, land use and population density. Any and all lighting of road and streets which may be positioned in a right-of-way, roadway or utility company easement shall be maintained by the applicable utility company servicing the City of Navasota, Texas, pursuant to the rules, regulations and fees of such utility.

6. MAINTENANCE OF PARKS, PLAYGROUNDS AND SWIMMING POOLS

The City Council of the City of Navasota, Texas, is not aware of the existence of any parks, playgrounds or public swimming pools now located in the area proposed for annexation. In the event any such parks, playgrounds or swimming pools do exist and are public facilities, the City of Navasota, Texas, will maintain such areas to the same extent and degree that it maintains parks, playgrounds and swimming pools and other similar areas of the City now incorporated in the City of Navasota, Texas.

7. MAINTENANCE OF ANY PUBLICLY OWNED FACILITY, BUILDING OR MUNICIPAL SERVICE

The City Council of the City of Navasota, Texas, is not aware of the existence of any publicly owned facility, building or other municipal service now located in the area proposed for annexation. In the event any such publicly owned facility, building or municipal service does exist and are public facilities, the City of Navasota, Texas, will maintain such areas to the same extent and degree that it maintains publicly owned facilities, buildings or municipal services of the City now incorporated in the City of Navasota, Texas.

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BEGIN WITHIN 2-1/2 YEARS:

1. POLICE PROTECTION, FIRE PROTECTION & SOLID WASTE COLLECTION

The City Council of the City of Navasota, Texas, finds and determines it to be unnecessary to acquire or construct any capital improvement within 2-1/2 years of the effective date of the annexation of the particular annexed area for the purposes of providing police

protection, fire protection or solid waste collection. The City Council finds and determines that it has at the present time adequate facilities to provide the same type, kind and level of protection and service which is presently being administered to other areas already incorporated in the City of Navasota, Texas, with the same or similar topography, land use and population density.

2. WATER AND WASTEWATER FACILITIES

For the next 2-½ years the City Council of the City of Navasota, Texas, believes that City water and wastewater mains exist, or may be extended, for points of connection for serviceable extensions to provide water and wastewater service within the area to be annexed pursuant to the City's standard water extension policies now in existence or as may be amended by the City Council.

3. ROADS AND STREETS

Maintenance of properly dedicated roads and streets will be consistent with the maintenance provided by the City to other roads and streets in areas of similar topography, land use and population density.

4. MAINTENANCE OF PARKS, PLAYGROUNDS, AND SWIMMING POOLS, AND THE MAINTENANCE OF ANY OTHER PUBLICLY OWNED FACILITY, BUILDING OR SERVICE

To the extent that it becomes necessary because of development demands, population growth, and a bona fide need, the City Council of the City of Navasota, Texas, will undertake to provide any such facility which it deems necessary to adequately provide for the health and safety of the citizens of the newly incorporated area based upon the standard considerations of topography, land use and population density.

SPECIFIC FINDINGS

The City Council of the City of Navasota, Texas, finds and determines that this proposed Service Plan will not provide any fewer services, and it will not provide a lower level of service in the area proposed to be annexed than were in existence in the proposed area at the time immediately preceding the annexation process.

Furthermore, the City Council of the City of Navasota, Texas, finds and determines the nature of the area is characteristically different from other developed areas within the corporate limits of the City of Navasota, Texas. Consequently, because of the differing characteristics of topography, land use and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from services provided to other areas of the City of Navasota, Texas. These differences are specifically dictated because of differing characteristics of the property and the City of Navasota, Texas, will undertake to perform consistent with this service plan so as to provide this newly annexed area with the same type, kind and quality of service presently enjoyed by the citizens of the City of Navasota, Texas, who reside in areas of similar topography, land use and population density.

APPROVED on this the 8th day of May 2023.

CITY OF NAVASOTA, TEXAS

HON. BERT MILLER, Mayor

ATTEST:

SUSIE HOMEYER, City Secretary

LAND OWNER



CHANDLER ARDEN - GRIMES ALTAMIRA, LLC



REQUEST FOR CITY COUNCIL AGENDA ITEM #9

Agenda Date Requested: <u>May 8, 2023</u>	Appropriation
Requested By: <u>Jennifer Reyna, Director</u>	Source of Funds: <u>200 - Water Fund</u>
Department: <u>Public Works</u>	Account Number: <u>200-210-511.01</u>
<input checked="" type="radio"/> Report <input type="radio"/> Resolution <input type="radio"/> Ordinance	Amount Budgeted: <u>\$25,000</u>
	Amount Requested: <u>\$129,438</u>
	Budgeted Item: <input type="radio"/> Yes <input checked="" type="radio"/> No

Exhibits: Water Well No. 4 Quote, Pump Inspection Report

AGENDA ITEM #9

Consideration and possible action on a contract between the City of Navasota and Weisinger Inc. in the amount of \$129,438 for the purchase of materials and associated items related to the emergency repairs to the Water Well No. 4, located at 6559 Link Drive, as authorized by Section 252.022(a)(3), Texas Local Government Code, as a procurement necessary because of unforeseen damage to public machinery, equipment, or other property.

SUMMARY & RECOMMENDATION

The City of Navasota Water Well No. 4 is located near the intersection of FM 421 and Industrial drive, adjacent to Tex-Fab Navasota. This water well is one of six (6) wells operated by the City and is typically used in rotation with other wells during days with moderate summertime water usage levels or heavy wintertime usages. This water well is rated to produce enough water for approximately 550 homes using a 50 HP electric motor, and it is currently not operational.

A pump failure was recently detected, and the water well was inspected. The pump and motor had both failed and some mineral build up was noted in the water well screens. The pump and motor are 24 years old and have reached the end of usable life. Both need to be replaced. The mineral build up restricts the amount of water let into the water well, which would increase the wear on a new pump as it would have to work harder and longer to meet the city's demands. The screens can be rehabilitated. First, they would be mechanically cleaned to remove scale. If not sufficiently cleared, the scale can be further removed using an acid wash.

Staff recommends that funds be allocated for these emergency repairs prior to the high demand seen during the summer months. The cost includes the labor and materials

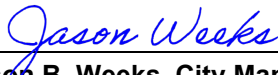
required to place Water Well No. 4 back in service, and all work can be completed in approximately six weeks.

Section 252.022(a)(3) of the Texas Local Government Code, states “as a procurement necessary because of unforeseen damage to public machinery, equipment, or other property” the City would not be required to competitively bid this project out. With summer fast approaching, this is an emergency procurement of services and products to provide water services to our community. Staff have reached out and identified Weisinger Inc. as the vendor to provide these services in the amount of \$129,438. Therefore, staff recommends City Council approving the contract with Weisinger Inc. in the amount of \$129,438.00 for the purchase of materials and associated items for the emergency repairs to the Water Well No. 4, located at 6559 Link Drive.

ACTION REQUIRED BY CITY COUNCIL

Approve a contract between the City of Navasota and Weisinger Inc. in the amount of \$129,438.00 for the purchase of materials and associated items for the emergency repairs to the Water Well No. 4, located at 6559 Link Drive, as authorized by Section 252.022(a)(3), Texas Local Government Code, as a procurement necessary because of unforeseen damage to public machinery, equipment, or other property.

Approved for the City Council meeting agenda.



Jason B. Weeks, City Manager

5/3/23

Date

May 2, 2023

City of Navasota
P.O. Box 910
Navasota, TX 77868

Attn: Brian Colbert
bcolbert@navasotatx.gov

Ref: Water Well No. 04

Mr. Colbert:

As you requested, we have removed the pumping equipment and performed an inspection of the pumping equipment. Listed below are our findings.

Pumping Equipment

Inspections of the pumping equipment found that the bronze bearings in the intermediate bowls are worn above acceptable tolerances and all of the bowls have the beginnings of metal washout due to the loss of the porcelain linings. All but four of the 6" pump columns and all of the 2" oil tubes contain heavy rust pits on their ID/OD surfaces along with pitting in their sealing faces and the existing 1 3/16" line shafts are very discolored and rusty with some containing wear and bronze impregnation at the bearing locations. All of the 1 3/16" x 2"-line shaft bearings including the tension bearing are worn above acceptable tolerances. The discharge head and the column adapter flange are in good condition. The existing 50 HP US motor megs to ground on all three legs. Please see the attached report with pictures.

Well Rehabilitation

The city's Water Well No. 4 was televised on 03/29/2023 and the finding are as follow. The well is a two-piece construction consisting of 16" casing with a 10" liner extending from 174' to 356' or total depth viewed. The well was noted to have heavy mineral scale with 90% of the screens being plugged. For this reason, it is our recommendation that the well be mechanically cleaned, re-televised, followed by a chemical cleaning if needed, and finally disinfection. Please see the attached television survey log and pictures of the well.

Scope of Services and Materials

Well Rehabilitation

- Mobilize Workover Equipment On-site.
- Mechanically clean Well with a Wire Brush.
- Airlift Debris from Well.
- Televisе Well
- Insert & Agitate Sodium Hypochlorite into the Well Screens.
- Insert & Agitate Hydrochloric Acid into Well.
- Neutralize Chemical & Airlift from Well.
- Televisе Well.

May 2, 2023
Brian Colbert
Ref: City of Navasota Water Well No. 4
Page -2-

Pumping Equipment and Installation

- New enclosed line shaft pump bowl assembly designed to produce 400 GPM @ 380' TDH with stainless steel collets
- 260 ft of New 6" x 2" x 1 3/16" column, tube and shaft assemblies complete with new suction pipe and 304 stainless steel cone strainers
- New 50 HP, GE, premium efficient motor
- New 1 3/16" motor drive shaft complete with head shaft nut and gib key
- New 1 3/16" x 2" tension bearing with O-rings
- New lubrication kit for the existing oil reservoir
- Steam clean, prime and paint the existing discharge head and its appurtenances
- 270 ft of New 1/4" stainless steel airline complete with water level detector kit
- New micarta package for the discharge head and motor
- New set of zinc anode rings for the column pipe ID and the oil tube OD
- Miscellaneous items to make operational
- Shop labor to assemble the new equipment and load for shipment
- Haul the new pump equipment to the well site and unload
- Furnish pump service rig and crew and install the water well pumping equipment
- Perform start up and bacteriological sampling

Total of Scope of Services Outlined Above \$129,438.00

Note: The provided quote comes with a one year limited warranty on all labor and materials, from defects caused by faulty workmanship or materials from the date of start-up. Additionally, the motor comes with a three year limited warranty.

Thank you for the opportunity to offer you our services as we await your response.

Sincerely,



BJ Alldredge
Weisinger Incorporated

ACCEPTED BY: **City of Navasota**

BY: _____

POSITION: _____

DATE: _____

PUMP INSPECTION REPORT OIL LUBRICATED

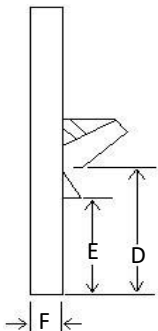
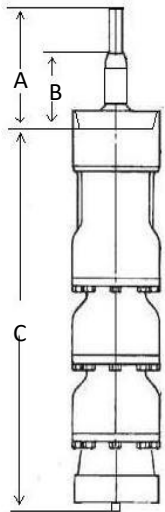
Customer:	City of Navasota	Date:	2/28/2023
Pump #	4	Job #:	3277

MOTOR DATA

Manufacturer:	US Motors	Serial #:	MOI-30268255-GT	Horsepower:	50
Frame:	326TP	Volts:	1	RPM:	1,780

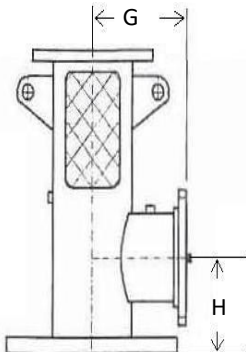
PUMP DATA

Manufacturer:	Floway	Serial #:	NA	Model:	8JKH
Design Point:	400	g.p.m. @	380	ft. TDH	# of Stages: 15
Column Size:	6"	Shaft (in.)	1 3/16"	Setting (ft):	260'
Projection:	10" X 20"	Tube size:	2"	Lateral (in):	5/8"



Bowl shaft size (in):		Good:		Bad:	X
Tube adapter bearing:		Good:		Bad:	X
Lip seal size:		Good:		Bad:	X
Bowl bearing size:		Good:		Bad:	X
Throttle Bearing		Good:		Bad:	X
Suction case bearing:		Good:		Bad:	X
Wear rings:		Good:		Bad:	X
Impeller type:	Bronze Closed	Good:	X	Bad:	
Impeller trim:	Top 5.440 / Bottom 6.125				
Collet type:	S.S. Taper	Good:	X	Bad:	
Intermediate bowls:	Possible Wash Out	Good:		Bad:	X
Discharge case:		Good:	X	Bad:	
Suction case:		Good:	X	Bad:	
Column adapter (bowl):		Good:	X	Bad:	
Suction coupling/adapter:		Good:	X	Bad:	
Intermediate bowl bolting:	Threaded Bowls	Good:		Bad:	
Discharge case bolting:		Good:		Bad:	
Sand collar:		Good:	X	Bad:	
Bowl shaft coupling:		Good:		Bad:	X
Oil reservoir size:	Cast Iron Dirty	Good:	X	Bad:	
Mounting bracket assembly		Good:	X	Bad:	
Solenoid valve:		Good:		Bad:	X
Site feed valve:		Good:		Bad:	X
Oil line w/ fittings:		Good:		Bad:	X
PVC:		Size:		Good:	Bad:

Customer:	City of Navasota	Date:	2/28/2023
Pump #	4	Job #:	3277

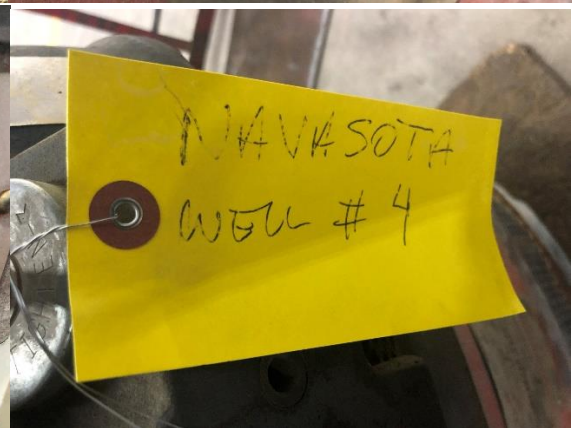
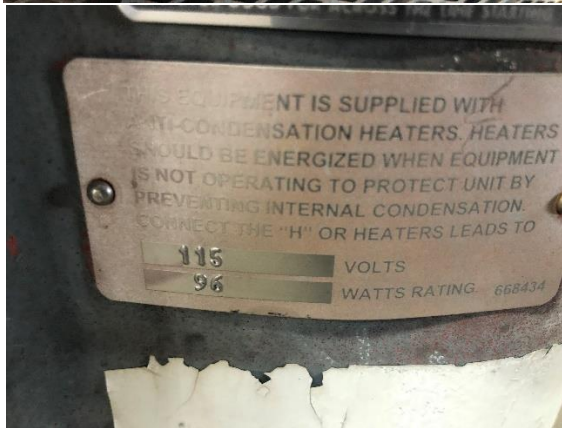
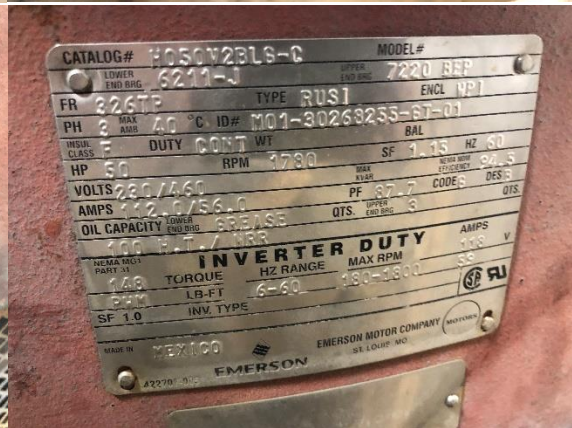
	Discharge head type:		Cast Iron Dirty	Manufacturer:		Layne					
	Discharge head size:		6" X 13 12"				Good:	X	Bad:		
	Tension plate:		Layne Style Broken Bolts				Good:		Bad:	X	
	Tension plate o-ring:						Good:		Bad:	X	
	Tension plate bolts:						Good:		Bad:	X	
	Discharge column adapter:		Adjusting With Lock Ring				Good:	X	Bad:		
	adapter stud and nuts:						Good:		Bad:	X	
	Tension nut:						Good:		Bad:	X	
	Discharge head to motor bolts:							Good:		Bad:	X
	Water level detector kit:							Good:		Bad:	X
	Airline type:	1/4" S.S.	Length:	265'		Good:		Bad:	X		
	Suction pipe:	6"	Length:	10'		Good:		Bad:	X		
	Suction strainer/type:		Galvanized Cone				Good:		Bad:	X	
	Column pipe (20' length):	Quantity:	12		Good:	4	Bad:	8			
	Column pipe (10' length):	Quantity:	1		Good:	0	Bad:	1			
	Oil tubes (5' length):	Quantity:	51		Good:	2	Bad:	49			
	Line shaft bearings:	Quantity:	51		Good:	0	Bad:	51			
	Line shaft (20' length):	Quantity:	12		Good:	0	Bad:	12			
	Line shaft (10' length):	Quantity:	1		Good:	0	Bad:	1			
	Line shaft couplings:	Quantity:	13		Good:	0	Bad:	13			
	Tube stabilizers:	Material:	BWS		Good:		Bad:	X			
	Top special column pipe:	Length:	10'		Good:		Bad:	X			
	Top special tube:	Length:	107 3/4"		Good:		Bad:	X			
	Top special shaft:	Length:	32 7/8"		Good:		Bad:	X			
	Motor drive shaft:	Length:			Good:		Bad:	X			
	Head shaft nut & keyway:						Good:		Bad:	X	
	Gear drive:		Type:			Good:		Bad:			
	Bore size:						Good:		Bad:		

DIMENSIONS:	A	B	C	D	E	F	G	H

COMMENTS
This job has 1/8" thick , rolled Annodes in column pipe and on oil tubes
Possible Micarta package on discharge head
50 HP Motor meggs bad.

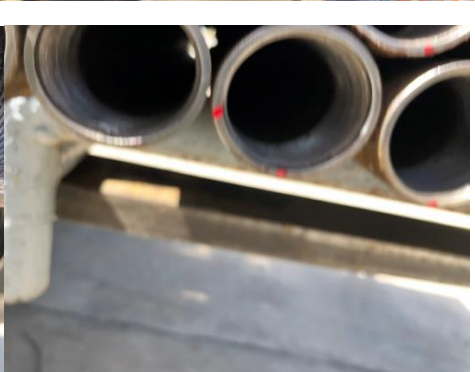
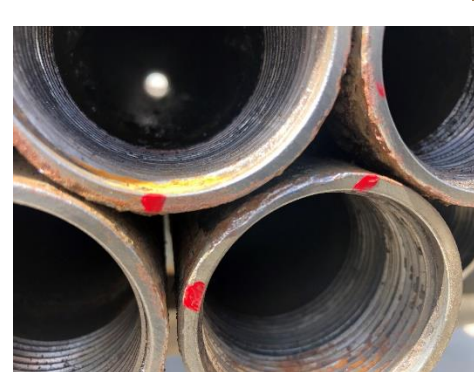
















REQUEST FOR CITY COUNCIL AGENDA ITEM #10

Agenda Date Requested: <u>May 8, 2023</u>	Appropriation
Requested By: <u>Jennifer Reyna, Director</u>	Source of Funds: <u>200-Water Fund</u>
Department: <u>Public Works</u>	Account Number: <u>200-510-311.01</u>
<input checked="" type="radio"/> Report <input type="radio"/> Resolution <input type="radio"/> Ordinance	Amount Budgeted: <u>\$25,000</u>
	Amount Requested: <u>\$98,103</u>
	Budgeted Item: <input type="radio"/> Yes <input checked="" type="radio"/> No

Exhibits: Water Well No. 7 Quote

AGENDA ITEM #10

Consideration and possible action on a contract between the City of Navasota and Weisinger Inc. in the amount of \$98,103.00 for the purchase of materials and associated items related to the emergency repairs to the Water Well No. 7, located at 11167 CR 451, as authorized by Section 252.022(a)(3), Texas Local Government Code, as a procurement necessary because of unforeseen damage to public machinery, equipment, or other property.

SUMMARY & RECOMMENDATION

The City of Navasota Water Well No. 7 is located at the south end of the city off CR 451. This water well is the largest of the six (6) wells operated by the City and produces enough water to support approximately 1,000 homes with a 100 HP motor, which is currently not operational.

A pump failure was recently detected, and the water well was inspected. The consultant discovered that while the physical water well shaft is in good shape, the pump and its motors had both failed. These are approximately 13 years old. The pump is a good candidate for a rebuild, but the motor is not; therefore, the motor will need to be replaced.

Staff recommends that funds be allocated for these emergency repairs prior to the high demand seen during the summer months. The cost includes the labor and materials required to place Water Well No. 7 back in service, and all work can be completed in approximately one month.

Section 252.022(a)(3) of the Texas Local Government Code, states "as procurement necessary because of unforeseen damage to public machinery, equipment, or other property" the City would not be required to competitively bid this project out. With summer fast approaching, this is an emergency procurement of services and products to provide water services to our community. Staff have reached out and identified Weisinger Inc. as

the vendor to provide these services in the amount of \$98,103. Therefore, staff recommends the City Council approve the contract with Weisinger Inc. in the amount of \$98,103 for the purchase of materials and associated items for the emergency repairs to the Water Well No. 7, located at 11167 CR 451.

ACTION REQUIRED BY CITY COUNCIL

Approve a contract between the City of Navasota and Weisinger Inc. in the amount of \$98,103.00 for the purchase of materials and associated items related to the emergency repairs to the Water Well No. 7, located at 11167 CR 451, as authorized by Section 252.022(a)(3), Texas Local Government Code, as a procurement necessary because of unforeseen damage to public machinery, equipment, or other property.

Approved for the City Council meeting agenda.



Jason B. Weeks, City Manager

5/3/23

Date

May 2, 2023

City of Navasota
P.O. Box 910
Navasota, TX 77868

Attn: Brian Colbert
bcolbert@navasotatx.gov

Ref: Water Well No. 07

Mr. Colbert:

As you requested, we have removed the pumping equipment and have completed a TV Survey of the well. Listed below are our findings and recommendations.

Inspections of the pumping equipment found that the thrust bearing in the motor failed which resulted in the impellers on the pump to run on bottom. This action caused the bowl wear rings to seize to the skirts of the 316 stainless steel impellers. Two of the impellers have seized inside of the stainless steel intermediate bowls and cannot be removed. The 100 HP 316 stainless steel motor also megged to ground and the 2/0 cable megged very low dry and megged to ground during the water immersion testing. The existing 6" certalok column pipe and the discharge head appear to be in good condition.

A TV Survey was performed on 04/28/2023 to investigate the conditions of the well after removing the pumping equipment from the well. The static water level was 148' and the total depth viewed was 506'. Reviewing the survey video revealed mild scale at 1' onward. The screens appear to be mostly open. There were no structural issues noted at this time. Based on the review of the TV survey, we are recommending no downhole rehabilitation efforts and proceed with setting the permanent pumping equipment back in the well. Please consider the following:

Recommended Pumping Equipment and Services

- Rebuild existing stainless steel submersible pump
- New 100 HP, 8", 460 volt, 3600 RPM 316 stainless steel submersible motor
- 360 ft of New 2/0 3C WG submersible cable with splice kits
- 36 Sets of new 6" splines and O-rings for the existing Certalok column pipe
- 18 new Certalock couplings
- 345 ft of New 1/4" stainless steel airline complete with water level detector kit
- Steam clean, prime and paint the existing discharge head
- Eaton motor saver with CT's
- Miscellaneous items to make well operational
- Shop labor to assemble and prepare new equipment for shipment
- Haul pumping equipment to the well site
- Service rig and crew to install pumping equipment in the well
- Service Technician to start-up, test the well, and collect 1 bacteriological sample

Total of Services and Materials Outlined Above \$98,103.00



May 2, 2023
Brian Colbert
Ref: Water Well No. 07
Page -2-

Notes:

- 1. The provided quote comes with a one year limited warranty on all labor and materials, from defects caused by faulty workmanship or materials from the date of start-up. Additionally, the motor comes with a three year limited warranty.*
- 2. Leadtime on equipment is 2 weeks*

Thank you for the opportunity to offer you our services as we await your response.

Sincerely,

A handwritten signature in blue ink, appearing to read "BJ Alldredge". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

BJ Alldredge
Weisinger Incorporated

ACCEPTED BY: **City of Navasota**

BY: _____

POSITION: _____

DATE: _____



REQUEST FOR CITY COUNCIL AGENDA ITEM #11

Agenda Date Requested: <u>May 8, 2023</u>	Appropriation
Requested By: <u>Jason Weeks, City Manager</u>	Source of Funds: <u>N/A</u>
Department: <u>Administration</u>	Account Number: <u>N/A</u>
<input type="radio"/> Report <input type="radio"/> Resolution <input checked="" type="radio"/> Ordinance	Amount Budgeted: <u>N/A</u>
	Amount Requested: <u>N/A</u>
	Budgeted Item: <input type="radio"/> Yes <input checked="" type="radio"/> No

Exhibits: Ordinance No. 1022-23

AGENDA ITEM #11

Consideration and possible action on the first reading of Ordinance No. 1022-23, authorizing the settlement of the proposed rate increase of Entergy Texas, Inc.

SUMMARY & RECOMMENDATION

On or about July 1, 2022, Entergy Texas, Inc. filed a statement of intent and application for authority to change rates. The application was filed with municipal regulatory authorities that have ratemaking authority over Entergy's electric rates. Also, the application was filed with the Public Utility Commission of Texas. Entergy's rate increase had an effective date of August 5, 2022. Each of the cities within the Steering Committee took action to suspend the Company's effective date for an additional 90 days until November 3, 2022. Cities must now take final rate action prior to November 3, 2022.

During the suspension period, The Lawton Law firm hired four regulatory consultant firms to review Entergy's request. The expert regulatory consultant groups retained for the case review are the same experts used in the past – as these experts were familiar with Entergy in general, as well as the Texas regulatory process. The summary of their findings is that Entergy's application was unreasonable, and the City Council denied the rate increase.

On April 25, 2023, staff received an update from The Lawton Law Firm concerning Entergy's rate case. Entergy, the Public Utility Commission of Texas staff, and other intervening parties have reached a final agreement regarding ETI's request for a base rate increase, including revenue requirement, class allocation, and rate design. The one remaining issue to be decided by the PUCT is ETI's request to own and operate transportation electrification related infrastructure, including electric vehicle charging facilities.

Entergy agreed to a revenue requirement increase of \$54 million, which is approximately 58.9% lower than their original requested revenue requirement increase of \$131.4 million. Other key components of the proposed settlement include:

- A return on equity of 9.57% as opposed to ETI's proposed 10.8% return. This 9.57% profit level is a slight decrease from the Company's current return on equity of 9.65%.
- Several adjustments to the Company's proposed depreciation rates, lowering the Company's depreciation expense by approximately \$23.7 million per year.
- Longer amortization periods for recovery of expenses related to the Company's pension accounts, self-insurance storm reserve accrual, bad debt recovery related to COVID-19 costs and impacts, and its transition to AMS or "Smart" meters. Lengthening the amortization periods will lower costs to customers by about \$6.5 million per year compared to the Company's original proposal.
- A reasonable allocation of the revenue requirement between the various customer classes. The breakdown of the settlement revenue requirement between the customer classes can be seen in Table 1, below.
- A smaller increase to the residential fixed monthly customer charge than what was proposed by ETI and Commission Staff. In the past, the Commission has approved a gradualist approach to ratemaking where, for instance, monthly customer charges could be adjusted downward to prevent a dramatic rate increase. Commission Staff has recently shifted to setting customer charges strictly according to cost basis, regardless of the impact on customers. To support this policy shift, Commission Staff cited their concern that gradualism may result in improper cost-shifting between rate classes. ETI calculated that a cost-based customer charge in this case would be \$16.33, but the parties ultimately settled on \$14.00 for the monthly residential customer charge. The lower customer charge reduces the risk of "rate shock" and is particularly beneficial for the lower-usage customers.

In addition, the reduced return on equity and depreciation rates will continue to benefit customers in expected future interim rate adjustment filings such as Distribution Cost Recovery Factor, Transmission Cost Recovery Factor, and Generation Cost Recovery Rider proceedings. The statutory formulas to calculate these rate adjustments utilize the rate of return and depreciation rates approved in the Company's most recent base rate case; therefore, keeping these components of base rates as low as possible reduces future interim rate increases.

There were many contested issues in this case. Although our consultants' recommended adjustments to Entergy's proposed base rate increase were all reasonable, the final litigated outcome is not known on each contested issue. Given the cost of successfully litigating each issue and litigation risk, a settlement at \$54 million increase is reasonable. Settlement of the case reduces the risk of an unanticipated or negative outcome and reduces litigation expenses. In addition, Table 1 below highlights

the proposed percentage increase to each customer class, with and without fuel costs included:

Table 1 Proposed Settlement Base Rate Increase by Customer Class			
Customer Class	Proposed Settlement Allocation	Change in Non-Fuel Revenues	Change in Total Revenues
Residential	\$40,360,687	6.59%	4.74%
Small General Service	\$875,244	1.85%	1.33%
General Service	\$7,705,142	3.41%	2.22%
Large General Service	\$683,493	1.01%	0.58%
Large Industrial	\$3,553,240	1.74%	0.73%
Lighting Service	\$823,964	5.04%	4.16%
Total:	\$54,001,770	4.60%	2.86%

The rate impact of the proposed settlement on the various customer classes can be seen below on Table 2. The typical bill amounts shown include the base rate charge, fuel charges, and all applicable riders.

Table 2 Comparison of Average Monthly Bills for Entergy Texas, Inc.				
Customer Class	Typical Usage	Entergy Present Rates	Entergy Proposed Rates	Proposed Settlement Rates
Residential	1000 kWh	\$140.81	\$154.31	\$147.16
Small General Service	1000 kWh	\$135.97	\$142.48	\$137.50
General Service	50 kW 12,775 kWh	\$1,458.52	\$1,532.86	\$1,483.24
Large General Service	1000 kW 401,500 kWh	\$38,055.87	\$39,480.20	\$38,329.16
Industrial Service	10,000 kW 5,840,000 kWh	\$347,283.54	\$362,469.30	\$352,188.66

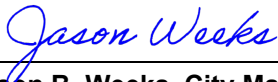
The average residential customer (using 1000 kWh per month) is expected to see an increase of approximately \$6.35 per month, or 4.51% over current rates.

Given the above, The Lawton Law Firm and city staff are recommending that City Council approve the settlement as detailed above by approving the attached rate ordinance. In the attorney's opinion, a settlement on the terms discussed above will provide economic benefits to customers versus continued litigation of this matter.

ACTION REQUIRED BY CITY COUNCIL

City Council to approve the first reading of Ordinance No. 1022-23, authorizing the settlement of the proposed rate increase of Entergy Texas, Inc.

Approved for the City Council meeting agenda.



Jason B. Weeks, City Manager

5/3/23

Date

ORDINANCE NO. 1022-23

**AN ORDINANCE BY THE CITY OF NAVASOTA, TEXAS
("CITY") AUTHORIZING THE SETTLEMENT OF THE
PROPOSED RATE INCREASE OF ENTERGY TEXAS,
INC.; FINDING THAT THE MEETING COMPLIES WITH
THE OPEN MEETINGS ACT; MAKING OTHER
FINDINGS AND PROVISIONS RELATED TO THE
SUBJECT; AND DECLARING AN EFFECTIVE DATE**

WHEREAS, on or about July 1, 2022, Entergy Texas, Inc. ("ETI" or the "Company") filed a Statement of Intent and Application for Authority to Change Rates with the City of Navasota ("City") and concurrently with the Public Utility Commission of Texas (Commission") to increase electric rates in the Entergy Service Area by approximately \$131.4 million per year; and

WHEREAS, the City denied the Company's rate request and the Company appealed the City's rate denial ordinance to the Commission; and

WHEREAS, ETI, Commission Staff, and other intervening parties including the Steering Committee of Cities participated in settlement discussions to resolve the rate case issues without litigation; and

WHEREAS, ETI has agreed to settle the rate request at a rate increase level of \$54 million per year; and

WHEREAS, the Lawton Law Firm and Commission Staff have recommended approval of the Settlement terms as a reasonable alternative to resolve the rate case issues without litigation.

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 authorizes the settlement of the ETI rate case proceedings at the rate increase level of \$54 million per year.

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 ON FIRST READING THIS THE 8TH DAY OF MAY, 2023

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

PASSED AND APPROVED ON SECOND READING THIS THE 15TH DAY OF MAY, 2023

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY



REQUEST FOR CITY COUNCIL AGENDA ITEM #12

Agenda Date Requested: <u>May 8, 2023</u>	Appropriation
Requested By: <u>Evette Fannin, Grant Coord.</u>	Source of Funds: <u>N/A</u>
Department: <u>Finance</u>	Account Number: <u>N/A</u>
<input type="radio"/> Report <input checked="" type="radio"/> Resolution <input type="radio"/> Ordinance	Amount Budgeted: <u>N/A</u>
	Amount Requested: <u>N/A</u>
	Budgeted Item: <input type="radio"/> Yes <input checked="" type="radio"/> No

Exhibits: Resolution No. 739-23

AGENDA ITEM #12

Consideration and possible action on Resolution No. 739-23, authorizing city representatives in matters pertaining to the city's participation in the Texas Community Development Block Grant Program.

SUMMARY & RECOMMENDATION

Though it's been several years, the City of Navasota has been fortunate to receive Community Development Block Grants (CDBG) throughout the years. The city has potential to rank high in the selection process and has an exceptionally good chance to receive CDBG funding for the 2023-2024. Therefore, staff is recommending City Council approve Resolution No. 739-23 that authorizes City of Navasota staff to represent matters pertaining to the city's participation in the Texas Community Development Block Grant program.

- The Mayor and City Manager shall serve as the City's Chief Executive Officers and Authorized Representatives to
 - execute a grant application and any subsequent contractual documents,
 - certify environmental review documents between the Texas Department of Agriculture and the City, and
 - certify the Payment Request form and/or other forms required for requesting funds to reimburse project costs and be assigned the role of Authorized Official in the TDA-GO grant management system.
- In addition to the above designated officials, should any grant be funded, the Finance Director and Grants Coordinator are authorized to:
 - certify the Payment Request form and/or other forms required for requesting funds to reimburse project costs,
 - prepare and submit other financial documentation, and

- be assigned the role of Project Director or Payment Processor in the TDA-GO grant management system.

This CDBG grant relates to the City of Navasota capital improvement project on Minnie Street.

ACTION REQUIRED BY CITY COUNCIL

Approve Resolution No. 739-23, authorizing city representatives in matters pertaining to the city's participation in the Texas Community Block Grant program.

Approved for the City Council meeting agenda.



Jason B. Weeks, City Manager

5/3/23

Date

RESOLUTION NO. 739-23

A RESOLUTION OF THE CITY COUNCIL OF NAVASOTA, TEXAS AUTHORIZING CITY REPRESENTATIVES IN MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the City of Navasota desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, it is necessary and in the best interests of the City to participate in the Texas Community Development Block Grant Program; and

WHEREAS, Navasota is committed to compliance with federal, state, and program rules, including the current TxCDBG Project Implementation Manual.

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

That the City Council directs and designates the following to act in all matters in connection with any grant application and the City's participation in the Texas Community Development Block Grant Program:

- The Mayor and City Manager shall serve as the City's Chief Executive Officers and Authorized Representatives to
 - execute a grant application and any subsequent contractual documents,
 - certify environmental review documents between the Texas Department of Agriculture and the City, and
 - certify the Payment Request form and/or other forms required for requesting funds to reimburse project costs, and
 - be assigned the role of Authorized Official in the TDA-GO grant management system.
- In addition to the above designated officials, should any grant be funded, the Finance Director and Grants Coordinator are authorized to
 - certify the Payment Request form and/or other forms required for requesting funds to reimburse project costs,
 - prepare and submit other financial documentation, and
 - be assigned the role of Project Director or Payment Processor in the TDA-GO grant management system.

PASSED AND APPROVED THIS THE 8TH DAY OF MAY 2023.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY



REQUEST FOR CITY COUNCIL AGENDA ITEM #13

<p>Agenda Date Requested: <u>May 8, 2023</u></p> <p>Requested By: <u>Ryan Hendricks, Manager</u></p> <p>Department: <u>Parks and Recreation</u></p> <p><input checked="" type="radio"/> Report <input type="radio"/> Resolution <input type="radio"/> Ordinance</p>	<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th colspan="2" style="text-align: center; padding: 5px;">Appropriation</th></tr></thead><tbody><tr><td style="padding: 5px;">Source of Funds:</td><td style="padding: 5px;"><u>N/A</u></td></tr><tr><td style="padding: 5px;">Account Number:</td><td style="padding: 5px;"><u>N/A</u></td></tr><tr><td style="padding: 5px;">Amount Budgeted:</td><td style="padding: 5px;"><u>N/A</u></td></tr><tr><td style="padding: 5px;">Amount Requested:</td><td style="padding: 5px;"><u>N/A</u></td></tr><tr><td style="padding: 5px;">Budgeted Item:</td><td style="padding: 5px;"><input type="radio"/> Yes <input checked="" type="radio"/> No</td></tr></tbody></table>	Appropriation		Source of Funds:	<u>N/A</u>	Account Number:	<u>N/A</u>	Amount Budgeted:	<u>N/A</u>	Amount Requested:	<u>N/A</u>	Budgeted Item:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Appropriation													
Source of Funds:	<u>N/A</u>												
Account Number:	<u>N/A</u>												
Amount Budgeted:	<u>N/A</u>												
Amount Requested:	<u>N/A</u>												
Budgeted Item:	<input type="radio"/> Yes <input checked="" type="radio"/> No												

Exhibits: Ordinance No. 1021-23

AGENDA ITEM #13

Consideration and possible action on the first reading of Ordinance No. 1021-23, amending the Code of Ordinances, Appendix A Fee Schedule, Article A4.000 Parks and Recreation, Section A4.009 adopting the revised Parks and Recreation Municipal Pool Fees, for the City of Navasota, Texas, with an effective date of May 22, 2023; amending Code of Ordinances, Appendix A with the addition of Article A6.000 Miscellaneous Fees, Section A6.001(f) Credit Card Processing Fees, to cover cost of credit card processing fees with an effective date of May 22, 2023.

SUMMARY & RECOMMENDATION

Municipal Pool Fees

The City of Navasota adopted fees for the municipal swimming pool in 2014, those fees are currently still in effect today. Due to the pool renovations and price inflation on chemicals & operational costs, there is a need to adjust the fees accordingly. However, staff are recommending pricing/fees for services that are competitive with neighboring cities. Therefore, a revision is needed to reflect the proposed pricing/fee in the Code of Ordinances.

The Navasota Municipal Pool has undergone a series of renovations and expenses that were expected and unexpected during 2022 and 2023. New plumbing, filters, pumps, chemical controllers are just some to mention. Professional labor cost to install equipment and clean the pools was yet another expense. In addition, the cost of chemicals to keep our water clear, sanitized, and safe for swimming has gone up. Lastly, our new pool staff and increases in hourly wages to remain competitive with neighboring cities are another expense. All these expenses are justified in their own way and have been necessary to ensure the Grand Re-Opening of the Navasota Municipal Pool. Although the pricing/fees will never cause the municipal pool to break even in terms of expenditures, Navasota needs to do our due diligence to equalize as best we can.

Below is the pricing for surrounding cities and their premier swimming pools. The surrounding cities have more than one pool. However, suggested fee increases are based on the pricing of the pool that most closely resembles the Navasota Municipal Pool. The pricing structures included are for the City of Brenham, College Station, and Bryan, along with the current fee schedule and proposed fee schedule for the City of Navasota.

City of Brenham

Memorial Day – Labor Day

M-F: 6 AM – 1 PM & 6 PM – 8 PM

Sat: 9 AM – 1 PM

Sun: Closed

Lifeguard Wages: \$10 per hour

Type	Fee
Daily Admission	\$4
Children 3 and under	\$2
Individual Season Pass	\$85
Family Season Pass (up to 4 people)	\$145
Each additional family member for season pass	\$48
Swim Lessons	\$35
Water Fitness Monthly Pass	\$65
Water Fitness Monthly Senior Pass (55+)	\$55
Rental/Party	
*2 hour block	\$100 deposit
*Up to 100 people	\$350
*Bring your own food	\$50

City of College Station

May 27 – Aug 13

M-F: 1 PM – 7 PM

Weekends: 12 PM – 7 PM

Lifeguard Wages: \$12 per hour

Type	Fee
Daily Admission	\$7
Children 2 and under	Free
Individual Season Pass	\$210
Family Season Pass (up to 5 people)	\$365
Each additional family member for season pass	\$32
25 Punch Pass	\$126
Swim Lessons (Resident)	\$48
Swim Lessons (Non-resident)	\$57
Water Fitness Aqua Fitness Pass (15+)	\$105
Rental/Party	
*2 hour block	\$210 deposit
*Up to 100 people	\$394 or \$468
*101 to 300 people	\$630 or \$756
*301 to 600 people	\$840 or \$1,010

City of Bryan

May 28 – Aug 6

Mon: Closed

Tues - Sun: 1 PM – 7 PM

Lifeguard Wages: \$12 per hour

Type	Fee
Child Admission (Ages 4-11)	\$2
Adult Admission (Ages 12+)	\$3
Individual Season Pass	\$200 or \$250
Family Season Pass (up to 4 people)	\$350 or \$420
Each additional family member for season pass	\$30 or \$36
25 Punch Pass	\$40 - \$48
Replacement Pass	\$5
Swim Lessons (Resident)	\$40
Swim Lessons (Non-resident)	\$50
Water Fitness Single Pass	\$7 - \$9
Water Fitness 8 Pack Pass	\$51 - \$67
Rental/Party	
*2 hour block	No Deposit
*Up to 100 people	\$250 or \$300
**Each additional hour	\$125 or \$150
*101 to 200 people	\$300 or \$360
**Each additional hour	\$150 or \$180
*201 to 300 people	\$400 or \$480
**Each additional hour	\$200 or \$240
*301 to 400 people	\$500 or \$600
**Each additional hour	\$250 or \$300

City of Navasota

Type	Old Fee	Proposed Fee
Daily Admission	\$3	\$5
Children 2 and under	Free	Free
Individual Season Pass	\$50	\$125
Family Season Pass (up to 4 people)	\$150	\$300
Each additional family member for season pass	\$30	\$25
Swim Lessons	\$35	\$40
Water Fitness (Per hour)	\$15	\$50 for water fit pass
Rental/Party		
*2 hour block (non-refundable deposit)	\$50 deposit	\$150 deposit
*Up to 100 people	\$150	\$300
*101-200 people	\$300	N/A
**Each additional hour	\$75	N/A
**Cabana Space During Public Swim	\$25	N/A

The lifeguard wages for the City of Navasota are \$12 per hour for lifeguards and \$15 per hour for head guard/pool operator. The proposed hours for the 2023 season are listed below:

Tues – Sat at: 1:00 PM – 7:00 PM
Tues – Sat: 7:00 PM – 8:00 PM (Flex – in-services, programming, maintenance)
Sun & Mon: Closed

Miscellaneous Fees (Credit Card Processing Fees)

Local Government Code Sec. 132.002(b) authorizes cities to collect reimbursement fees for processing credit card payments. The section of the code specifies that the fee has to be:

“[an] amount that is reasonably related to the expense incurred by the municipal official in processing the payment by credit card. However, the governing body may not set the fee authorized by this subsection in an amount that exceeds five percent of the amount of the fee, fine, court cost, or other charge being paid.” (Loc. Gov’t Code Sec. 132.003)

Currently, the City of Navasota uses Stripe as an online platform where customers pay their online fees for utility deposits, vendor fees for the Farmers’ Market, Texas Birthday Bash, and vendor fees & deposits for facility room rentals. Therefore, the customer only pays the face value of the deposit, and the City pays the processing fee to Stripe upon collection of funds. The proposed revision of the fee schedule will allow the City of Navasota to pass along the fees associated with credit card payments onto the consumer, in an amount not to exceed 5%.

ACTION REQUIRED BY CITY COUNCIL

Approve first reading of Ordinance No. 1021-23, amending the Code of Ordinances, Appendix A Fee Schedule, Article A4.000 Parks and Recreation, Section A4.009 adopting the revised Parks and Recreation Municipal Pool Fees, for the City of Navasota, Texas, with an effective date of May 22, 2023; amending Code of Ordinances, Appendix A with the addition of Article A6.000 Miscellaneous Fees, Section A6.001(f) Credit Card Processing Fees, to cover cost of credit card processing fees with an effective date of May 22, 2023.

Approved for the City Council meeting agenda.



Jason B. Weeks, City Manager

5/3/23

Date

ORDINANCE NO. 1021-23

AN ORDINANCE ADOPTING REVISED PARKS AND RECREATION MUNICIPAL POOL FEES FOR THE CITY OF NAVASOTA, TEXAS EFFECTIVE MAY 22, 2023; ADOPTING REVISED MISCELLANEOUS FEES FOR THE CITY OF NAVASOTA, TEXAS EFFECTIVE MAY 22, 2023; PROVIDING FOR SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR NOTICE OF MEETING.

WHEREAS, the City Council of the City of Navasota, Texas, previously adopted the pool rates set forth in Appendix A Fee Schedule, Article A4.000 Parks and Recreation, Section A4.009 Municipal Swimming Pool, Code of Ordinances, City of Navasota, Texas; and

WHEREAS, the City Council of the City of Navasota previously adopted certain provisions related to fee schedules; and

WHEREAS, the City Council desires to amend certain regulations applicable to Parks and Recreation fees; and

WHEREAS, the City Council of the City of Navasota, Texas, previously adopted miscellaneous rates set forth in Appendix A Fee Schedule, Article A6.000 Miscellaneous, Section A6.001 Miscellaneous, Code of Ordinances, City of Navasota, Texas; and

WHEREAS, the City Council desires to amend certain regulations applicable to Miscellaneous fees; 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 below in order to protect the financial stability of the City;

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.

Appendix A Fee Schedule, Article A4.000 Parks and Recreation, Section A4.009 Municipal Swimming Pool of the Code of Ordinances, City of Navasota, Texas is hereby amended to read as follows:

ARTICLE A4.009 MUNICIPAL SWIMMING POOL

- (a) Pool Admission: \$5.00
- (b) Children 2 and under admission: Free
- (c) Individual Season Pass: \$125.00
- (d) Family Season Pass (4 members): \$300.00
- (e) Addition Family Member Season Pass: \$25.00
- (f) Public swim lessons: \$40.00
- (g) Party/Rental Non-Refundable Deposit: \$150.00
- (h) Party/Rental Up to 100 People: \$300.00

*2 HOUR BLOCK MAXIMUM AND NO ALCOHOL

**Total Fee for Party/Rental: \$450.00

SECTION 3.

Appendix A Fee Schedule, Article A6.000 Miscellaneous, Section A6.001 Miscellaneous of the Code of Ordinances, City of Navasota, Texas is hereby amended to read as follows:

ARTICLE A6.001 MISCELLANEOUS

- (a) Insufficient check charge: \$25.00
- (b) Garage sale permit fee (no more than one every 6 months): \$5.00
- (c) Culvert installation: \$400.00
- (d) Abatement of public nuisance fee: \$250.00 plus contractors fees
- (e) Sound permit: \$5.00

(f) Credit card payment processing fee: when payment for an amount owed to the City is made by credit card, the City shall charge a credit card processing fee in an amount sufficient to reimburse the City for all expenses incurred by the City in processing the payment by credit card, not to exceed five percent (5%) of the fee, fine, court cost, or other charge being paid.

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, with the sanitation rates adopted by this Ordinance being effective on May 22nd, 2023.

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 ON FIRST READING THIS THE 8TH DAY OF MAY, 2023.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

PASSED ON SECOND READING THIS THE 22ND DAY OF MAY, 2023.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY



REQUEST FOR CITY COUNCIL AGENDA ITEM #14

Agenda Date Requested: May 8, 2023

Requested By: Susie Homeyer, City Secretary

Department: Administration

☐ Report ☐ Resolution ☒ Ordinance

Exhibits: Minutes for April 2023 and Municipal Court Report for April 2023; Ordinance No. 1018-23 and Ordinance No. 1019-23.

Appropriation

Source of Funds: N/A

Account Number: N/A

Amount Budgeted: N/A

Amount Requested: N/A

Budgeted Item: ☒ Yes ☐ No

AGENDA ITEM #14

Consent agenda items are:

- A. Approve the minutes for the month of April 2023.
 - B. Approve the Municipal Court report for the month of April 2023.
 - C. Approve the second reading of Ordinance No. 1018-23, a zoning change application submitted by JCLB Investments, LLC, for the property located in the Dove Crossing Subdivision to change the zoning from Article V R-1A: high density, single dwelling unit, 7,000 square foot lot, residential district to Dove Crossing PUD, a planned unit development, for the development of a 5.04-acre single dwelling unit subdivision.
 - D. Approve the second reading of Ordinance No. 1019-23, a zoning change application submitted by James C & Dorothy Hassell, for the property located along County Road 424, Navasota, Grimes County, TX 77868. The zoning change application requests to change the zoning from A/O: Agriculture Open Space District to Pecan Lakes Estates Phase III PUD, amending the boundaries of the PUD, for the development of a 1.310-acre single dwelling unit subdivision. The property affected is legally described as A0062 J Whitesides, Tract 14-3, Tract 19-3;
-

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. The City Secretary has completed the minutes for the month of April, which includes the Regular City Council meeting minutes for April 10 & 24 2023, and the Special Council Meeting of April 19, 2023.
- B. The Court Administrator, Rochelle Jessie has submitted the monthly Municipal Court Report for April 2023.
- C. The Development Services Director is requesting City Council approve the second reading of Ordinance No. 1018-23, a zoning change application submitted by JCLB Investments, LLC, for the property located in the Dove Crossing Subdivision to change the zoning from Article V R-1A: high density, single dwelling unit, 7,000 square foot lot, residential district to Dove Crossing PUD, a planned unit development, for the development of a 5.04-acre single dwelling unit subdivision; and
- D. The Development Services Director is requesting City Council approve the second reading of Ordinance No. 1019-23, a zoning change application submitted by James C & Dorothy Hassell, for the property located along County Road 424, Navasota, Grimes County, TX 77868. The zoning change application requests to change the zoning from A/O: Agriculture Open Space District to Pecan Lakes Estates Phase III PUD, amending the boundaries of the PUD, for the development of a 1.310-acre single dwelling unit subdivision. The property affected is legally described as A0062 J Whitesides, Tract 14-3, Tract 19-3.

ACTION REQUIRED BY CITY COUNCIL

Approve Consent Agenda by approving the Minutes and Municipal Court Report for the month of April 2023, approving the second reading of Ordinance No. 1018-2023 and the second reading of Ordinance No. 1019-2023.

Approved for the City Council meeting agenda.



Jason B. Weeks, City Manager

5/3/23

Date

**MINUTES
REGULAR MEETING
APRIL 10, 2023**

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, Councilmember, Place # 1
Josh M. Fultz, Councilmember, Place # 3
Bert Miller, Mayor, Place # 4
Grant E. Holt, Mayor Pro-Tem, Place # 5**

(Pattie Pederson, Councilmember, Place # 2, was absent)

Thus constituting a quorum.

STAFF PRESENT: Jason Weeks, City Manager; Susie M. Homeyer, City Secretary; Cary Bovey, Legal Counsel; Bobbie Ullrich, Marketing and Communication Director; Jennifer Reyna, Director of Utilities; Mike Mize, Police Chief; James Byrd, Police Officer; Karolina Krozel, Police Officer; Ethan Tyler, Police Officer; Evette Fannin, Grants Coordinator; Jose Coronilla, Director of Streets and Sanitation; Rayna Teicheira, Economic Development Director; Lupe Diosdado, Director of Development Services; Pat Gruner, Municipal Judge; Tiffany Byers, Library Director; William Clark, Natural Gas Technician; and Hung Mai, IT Specialist.

VISITORS: Connie Clements, Deborah Richardson, Mac Vaughn, Stephanie Stewart, Tim Wolff, Philip Cox, James Harris, Michele Steinhauer, Zachary Votaw, Carson Kieschmick and Michelle Bobo.

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 Mayor Pro-Tem Grant Holt. 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: None.
4. Staff report:
 - a) Director of Utilities Jennifer Reyna gave an update on the 2020 Utility CIP, the AWOS system at the airport, the water and sewer project at the airport on the north end, the fire hydrant replacement project, the Hollister gas regulator station replacement and the FY 2022 street maintenance project.
 - b) Mayor Bert Miller proclaimed April 23-29, 2023 as National Library Week;

- c) There was not an update on Boards and Commissions; and
 - d) Councilmembers and staff informed the audience about upcoming events.
5. Councilmember Josh Fultz moved to award the bid to Kieschnich General Contractors for the Streets and Utilities Capital Improvement Project in the amount of \$7,572,446.90, seconded by Councilmember Bernie Gessner and with each Councilmember that was present voting AYE, the motion carried.
6. Councilmember Josh Fultz made a motion to table the agenda item to consider a sign variance submitted by KHR Properties, LLC (Jack in the Box) until the April 24, 2023 Council meeting, seconded by Councilmember Bernie Gessner and with each Councilmember that was present voting AYE, the motion carried.
7. Councilmember Bernie Gessner moved to approve authorization to issue request for proposals for administrative services and request for qualifications for the Distribution of Safety and Modernization Grant Program, seconded by Councilmember Josh Fultz and with each Councilmember that was present voting AYE, the motion carried.
8. Councilmember Bernie Gessner moved to approve the consent agenda items which include the minutes and Municipal Court Report for the month of March 2023, approving Resolution No. 730-23 and approving Resolution No. 731-23, seconded by Councilmember Josh Fultz and with each Councilmember that was present voting AYE, the motion carried.
9. The City Council met in Executive Session in accordance with the Texas Government Code, Section 551.074, Personnel Matters, concerning the evaluation and reappointment of the Navasota Municipal Judge. The time was 6:33 p.m.
10. The City Council reconvened in open session at 7:09 p.m.
11. Mayor Pro-Tem Grant Holt moved to reappoint Judge Grunner as the Navasota Municipal Judge to another two-year term at an annual salary of \$27,720.00, seconded by Councilmember Josh M. Fultz and with each Councilmember that was present voting AYE, the motion carried.
8. Mayor Bert Miller adjourned the meeting at 7:12 p.m.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

**MINUTES
SPECIAL MEETING
APRIL 19, 2023**

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 8:00 a.m., Navasota, Texas on the above date with the following being present:

**Bernie Gessner, Councilmember, Place # 1
Pattie Pederson, Councilmember, Place # 2 (arrived at 8:39 a.m.)
Josh M. Fultz, Councilmember, Place # 3
Bert Miller, Mayor, Place # 4**

(Grant E. Holt, Mayor Pro-Tem, Place # 5 was absent)

Thus constituting a quorum.

STAFF PRESENT: Jason Weeks, City Manager; Susie M. Homeyer, City Secretary; Jennifer Reyna, Public Works Director; Lupe Diosdado, Development Services Director; Jason Katkoski, Fire Chief/RMO; Rayna Teicheira, Economic Development Director and Michael Mize, Police Chief.

VISITORS: Connie Clements, Philip Cox and Alysia Cook.

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

1. Mayor Bert Miller called the meeting to order at 8:04 a.m.
2. Remarks of visitors: None.
3. Councilmember Josh Fultz moved to approve Resolution No. 734-23, opposing special districts, including MUD's in the City of Navasota and its ETJ area without the City Council consent, seconded by Councilmember Bernie Gessner. The following votes were recorded:

AYES: Mayor Bert Miller, Councilmember Bernie Gessner and Councilmember Josh Fultz

NAYS: None.

ABSENT: Mayor Pro-Tem Grant Holt and Councilmember Pattie Pederson

Mayor Bert Miller announced that the motion carried.

4. The City Council met in Executive Session in accordance with the Texas Government Code, Section 551.072, deliberation regarding real property for the purpose of discussion and deliberation regarding the City of Navasota's potential acquisition of real property for City projects/purposes. The time was 8:28 p.m.

Councilmember Pattie Pederson arrived at 8:39 a.m. and joined the Executive Session meeting.

5. The City Council reconvened in open session at 8:55 a.m.

6. Mayor Bert Miller moved that the City Council authorize the City Manager to negotiate, approve and execute all documents necessary for the City of Navasota's acquisition of certain real property interests from Union Pacific, the Kettler family, and the Navasota Theatre Alliance, seconded by Councilmember Pattie Pederson and with each member that was present voting AYE, the motion carried.

7. A workshop on the 2023-2024 Strategic Plan for the City of Navasota was held. The following items were discussed:

- Core Values
- Review of SWOT Analysis
- Review of Town Hall Feedback & Recommendations
- Review of Stakeholders Interviews & Recommendations
- Review of FY 2024-2025 Goals Recommendations from Management Team
- FY 2024-2025 Goal Development/Decisions

6. Mayor Bert Miller adjourned the meeting at 12:13 p.m.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

**MINUTES
REGULAR MEETING
APRIL 24, 2023**

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, Councilmember, Place # 1
Josh M. Fultz, Councilmember, Place # 3
Bert Miller, Mayor, Place # 4
Grant E. Holt, Mayor Pro-Tem, Place # 5**

(Pattie Pederson, Councilmember, Place # 2, was absent)

Thus constituting a quorum.

STAFF PRESENT: Jason Weeks, City Manager; Susie M. Homeyer, City Secretary; Luke Cochran, Legal Counsel; Bobbie Ullrich, Marketing and Communication Director; Jennifer Reyna, Director of Utilities; Evette Fannin, Grants Coordinator; Jose Coronilla, Director of Streets and Sanitation; Lupe Diosdado, Director of Development Services; Tiffany Byers, Library Director; Jason Katkoski, Fire Chief/EMC; Maribel Frank, Chief Financial Officer; and John Shoemaker, Investigator.

VISITORS: Connie Clements, Deborah Richardson, Max Hill, Philip Cox, Jim Hassell, Dorothy Hassell, James Harris, Dennis Saathoff, Jason Fisher, Kay Saathoff, Teresa Lindsey, Adi Hajrulloj, Karen Hughes, Carol Medeiros, Michael Medeiros, Matt Price and Allison Chatman.

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 Mayor Pro-Tem Grant Holt. 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: Dennis Saathoff addressed the City Council about the shortage of food at the Christian Community Services Center. He wanted to spread the word and hopefully have some businesses host food drives to help the Christian Community Service Center restock their shelves.

Max Hill addressed the City Council about the need of a stop light at the intersection of Highway 105 and Fairway Drive.

4. Staff report:

- a) Director of Utilities Jennifer Reyna gave an update on the 2020 Utility CIP, the fire hydrant replacement project, the Hollister natural gas regulator station

replacement, the FY 2021-2022 Street Maintenance project, the AWOS system at the airport, the WWTP Phase II – Clarifier repairs and rotor replacement project, the water well survey, the Streetscape project on W. Washington (8th Street – 10th Street) and the water and sewer project at the airport on the north end.

- b) Library Director Tiffany Byers gave an update on the upcoming events at the library;
- c) Mayor Bert Miller proclaimed May 7, -13, 2023 as National Travel and Tourism Week;
- d) Mayor Bert Miller proclaimed May 7 – 13, 2023 as Public Service Recognition Week;
- e) Mayor Pro-Tem Grant Holt gave an update on the latest Planning and Zoning Commission meeting; and
- f) Councilmembers and staff informed the audience about upcoming events.

5. A public hearing was held for the purpose of receiving public comment and testimony regarding a recommendation by the Planning and Zoning Commission to adopt on the first reading of Ordinance No. 1018-23, a zoning change application submitted by JCLB Investments, LLC, for the property located in the Dove Crossing Subdivision to change the zoning from Article V R-1A: high density, single dwelling unit, 7,000 square foot lot, residential district to Dove Crossing PUD, a planned unit development, for the development of a 5.04-acre single dwelling unit subdivision. Mayor Bert Miller opened the public hearing at 6:30 p.m. Citizen Carmen Pettit addressed the City Council concerning the need for more patrol in that area sincere there is more housing development being constructed, more traffic and speeders. With no other comments, Mayor Bert Miller closed the public hearing at 6:37 p.m.

Mayor Pro-Tem Grant Holt moved to approve the first reading of Ordinance No. 1018-23, a zoning change application submitted by JCLB Investments, LLC, for the property located in the Dove Crossing Subdivision to change the zoning from Article V R-1A: high density, single dwelling unit, 7,000 square foot lot, residential district to Dove Crossing PUD, a planned unit development, for the development of a 5.04-acre single dwelling unit subdivision, with lot width amendment as stated, seconded by Councilmember Bernie Gessner and with each Councilmember present voting AYE, the motion carried.

6. A public hearing was held for the purpose of receiving public comment and testimony regarding a recommendation by the Planning and Zoning Commission to adopt on the first reading of Ordinance No. 1019-23, a zoning change application submitted by James C & Dorothy Hassell, for the property located along County Road 424, Navasota, Grimes County, TX 77868. The zoning change application requests to change the zoning from A/O: Agriculture Open Space District to Pecan Lakes Estates Phase III PUD, amending the boundaries of the PUD, for the development of a 1.310-acre single dwelling unit subdivision. The property affected is legally described as A0062 J Whitesides, Tract 14-3, Tract 19-3. Mayor Bert Miller opened the public hearing at 6:40

p.m. The following citizens spoke against the requested zoning change: Matthew Price, Michael Medeiros, Bert Bearden and Allison Chatman. The following citizen spoke in favor of the zoning change: Max Hill and Jim Hassell. Citizen Deborah Richardson addressed the City Council to clarify the reason the Council is voting on this item tonight which is the rezoning not the replats. The City Council Council agreed with her statement. With no other comments from the public, Mayor Bert Miller closed the public hearing at 7:18 p.m.

Mayor Pro-Tem Grant Holt moved to approve the first reading of Ordinance No. 1019-23, regarding a zoning change application submitted by James C & Dorothy Hassell, for the property located along County Road 424, Navasota, Grimes County, TX 77868. The zoning change application requests to change the zoning from A/O: Agriculture Open Space District to Pecan Lakes Estates Phase III PUD, amending the boundaries of the PUD, for the development of a 1.310-acre single dwelling unit subdivision. The property affected is legally described as A0062 J Whitesides, Tract 14-3, Tract 19-3, seconded by Councilmember Josh Fultz and with each Councilmember present voting AYE, the motion carried.

7. A public hearing was held for the purpose of receiving public comment and testimony regarding a sign variance application submitted by Joes Italian Restaurant & Pizza, for the property located at 1010 S LaSalle, Navasota, Grimes County, TX 77868, for the installation of a free-standing sign ten (10') in height, four feet taller than permitted with a clearance from the ground to the bottom of the sign six (6') in height, five (5') more feet than permitted. Mayor Bert Miller opened the public hearing at 7:20 p.m. With no comments from the public, Mayor Bert Miller closed the public hearing at 7:21 p.m.

Councilmember Josh Fultz moved to approve the sign variance request submitted by Joes Italian Restaurant & Pizza, for the property located at 1010 S. LaSalle, Navasota, Grimes County, Texas 77868, for the installation of a free-standing sign ten (10') in height, seconded by Councilmember Bernie Gessner and with each Councilmember present voting AYE, the motion carried.

8. A public hearing was held for the purpose of receiving public comment and testimony regarding a sign variance application submitted by Navasota Welding Supply for the property located at 1002 Spur 515, Navasota, Grimes County, TX 77868, for the installation of a Pylon sign eighteen feet two inches (18'2") in height, ten feet two inches (10'2") taller than permitted and a sign area of eighty (80) square feet, sixteen (16) square feet larger in area than permitted. Mayor Bert Miller opened the public hearing at 7:23 p.m. With no comments from the public, Mayor Bert Miller closed the public hearing at 7:23 p.m.

Councilmember Josh Fultz moved to approve the sign variance request submitted by Navasota Welding Supply for the property located at 1002 Spur 515, Navasota, Grimes County, Texas 77868, for the installation of a pylon sign eighteen feet two inches (18'2") in height, seconded by Councilmember Bernie Gessner and with each Councilmember present voting AYE, the motion carried.

9. A public hearing was held for the purpose of receiving public comment and testimony regarding a sign variance application submitted by KHR Properties, LLC (Jack in the Box) for the property located at 2010 State Highway 105 East, Navasota, Grimes County, TX 77868, for the installation of a freeway pole sign sixty feet (60') in height, seventeen feet five-inches (17'5") taller than permitted. Mayor Bert Miller opened the public hearing at 7:24 p.m. Representatives from Jack in the Box addressed the City Council and explained their reasoning for wanting the sixty feet in height sign. With no other comments from the public, Mayor Bert Miller closed the public hearing at 7:35 p.m.

Councilmember Bernie Gessner moved to approve sign variance request submitted by KHR Properties, LLC (Jack in the Box) for the property located at 2010 State Highway 105 East, Navasota, Grimes County, TX 77868, for the installation of a freeway pole sign sixty feet (60') in height with a condition that Lot 3 directly behind Lot 3 will not construct a freeway pole sign once the property is developed and will not be limited to a freestanding or monument sign, seconded by Mayor Pro-Tem Grant Holt. The following votes were recorded:

AYES: Mayor Bert Miller, Mayor Pro-Tem Grant Holt and Councilmember Bernie Gessner

NAYS: Councilmember Josh Fultz

ABSENT: Councilmember Pattie Pederson

Mayor Bert Miller announced that the motion carried.

10. Councilmember Josh Fultz moved to approve Resolution No. 733-23, supporting the City of Navasota Public Safety Office (PSO) grant application for the purpose of body-worn cameras for the Navasota Police Department, seconded by Councilmember Bernie Gessner and with each Councilmember present voting AYE, the motion carried.

11. Councilmember Josh Fultz moved to approve Resolution No. 732-23, supporting the City of Navasota Public Safety Office (PSO) grant application for the purchase of rifle-resistant body armor for the Navasota Police Department, seconded by Councilmember Bernie Gessner and with each Councilmember present voting AYE, the motion carried.

16. Councilmember Josh Fultz moved to approve Resolution No. 735-23, supporting the City of Navasota General Land Office (GLO) grant application for the CDBG-MIT Method of Distribution, seconded by Councilmember Bernie Gessner and with each Councilmember voting AYE, the motion carried.

12. Mayor Bert Miller moved to award the contract for FY 2021-2022 Street Maintenance Project in the amount of \$377,828.20 to Knife River Corporation, seconded by Councilmember Josh Fultz and with each Councilmember voting AYE, the motion carried.

13. The City Council met in Executive Session in accordance with Texas Government Code, Section 551.072, deliberation regarding real property for the purpose of discussion and deliberation regarding the City of Navasota's potential acquisition of real property for City projects/purposes. The time was 7:48 p.m.

14. The City Council reconvened in open session at 8:10 p.m.

15. Mayor Bert Miller authorize the City Council to create a committee and appoint two Councilmembers (Councilmember Gessner and Councilmember Fultz) to investigate and research the potential acquisition of real property for City projects/purposes, seconded by Councilmember Josh Fultz and with each Councilmember present voting AYE, the motion carried.

17. Mayor Bert Miller adjourned the meeting at 8:11 p.m.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

Official Municipal Court Monthly Report

Month April Year 2023

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	April	YEAR	2023	NON-PARKING	PARKING	CITY ORD	PENAL CODE	STATE LAW	CITY ORD
1. Total Cases Pending First of Month:				719	1	24	292	61	103
a. Active Cases				263	1	7	23	39	22
b. Inactive Cases				456	0	17	269	22	81
2. New Cases Filed				85	0	1	23	7	1
3. Cases Reactivated				14	0	0	4	0	0
4. All Other Cases Added				0	0	0	0	0	0
5. Total Cases on Docket				362	1	8	50	46	23
6. Dispositions Prior to Court Appearance or Trial:				XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
a. Uncontested Dispositions				35	0	2	1	1	1
b. Dismissed by Prosecution				1	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				15	0	0	7	3	2
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				0	0	0	1	0	5

CRIMINAL SECTION

COURT		NAVASOTA MUNICIPAL COURT		TRAFFIC			NON-TRAFFIC		
MONTH	April	YEAR	2023	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	11	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
b. After Deferred Disposition	13		0		0		0	2	1
c. After Teen Court	0		0		0		0	0	0
d. After Tobacco Awareness Course	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX		0	XXXXXXXXXX	XXXXXXXXXX
e. After Treatment for Chemical Dependency	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX		0		0	XXXXXXXXXX	XXXXXXXXXX
f. After Proof of Financial Responsibility	0	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
g. All Other Transportation Code Dismissals	3		0		0		0	0	0
9. All Other Dispositions				0	0	0	0	0	0
10. Total Cases Disposed				78	0	2	9	6	12
11. Cases Placed on Inactive Status				70	0	0	20	2	1
12. Total Cases Pending End of Month:				726	1	23	306	62	92
a. Active Cases	214		1		6		21	38	10
b. Inactive Cases	512		0		17		285	24	82
13. Show Cause Hearings Held				5	0	0	3	1	1
14. Cases Appealed:				XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
a. After Trial	0		0		0		0	0	0
b. Without Trial	0		0		0		0	0	0

CIVIL SECTION

COURT NAVASOTA MUNICIPAL COURT		
MONTH April	YEAR 2023	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	April	YEAR 2023	TOTAL
1. Transportation Code Cases Filed			2
2. Non-driving Alcoholic Beverage Code Cases Filed			0
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

COURT NAVASOTA MUNICIPAL COURT
MONTH April YEAR 2023

COURT	NAVASOTA MUNICIPAL COURT			
MONTH	April	YEAR	2023	
		NUMBER GIVEN	NUMBER REQUESTS FOR COUNSEL	
1. Magistrate Warnings:		XXXXXXXXXXXXXXX	XXXXXXXXXXXXXXX	
a.	Class C Misdemeanors	6	XXXXXXXXXXXXXXX	
b.	Class A and B Misdemeanors	0	0	
c.	Felonies	0	0	
			TOTAL	
2. Arrest Warrants Issued:			XXXXXXXXXXXXXXX	
a.	Class C Misdemeanors		93	
b.	Class A and B Misdemeanors		7	
c.	Felonies		2	
3. Capiases Pro Fine Issued			16	
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	4	
15. Cases in Which Fine and Court Costs Satisfied by Jail Credit	25	
16. Cases in Which Fine and Court Costs Waived for Indigency	1	
17. Amount of Fines and Court Costs Waived for Indigency	\$381.00	
18. Fines, Court Costs and Other Amounts Collected:	XXXXXXXXXXXXXXXXXXXX	
a. Kept by City	\$16,537.82	
b. Remitted to State	\$7,204.38	
c. Total	\$23,742.20	

Run By: rjessie
Report Type: Summary
Date Range: 4/01/2023 - 4/30/2023
Finalize Report: Yes
Correction: No

*** END OF REPORT ***

ORDINANCE NO. 1018-23

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF NAVASOTA, TEXAS TO REZONE THE PROPERTY LEGALLY DESCRIBED AS DOVE CROSSING, BLOCK 7, LOT 3, ACRES 5.04, FROM R-1A: HIGH DENSITY, SINGLE DWELLING UNIT, 7,000 SQUARE FOOT LOT, RESIDENTIAL, TO "DOVE CROSSING PUD" A PLANNED UNIT DEVELOPMENT; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on the 30th of March, 2023, JCLB Development, LLC, filed a petition requesting the rezoning of the property legally described as Dove crossing, block 7, lot 3, acres 5.04, from R-1A: high density, single dwelling unit, 7,000 square foot lot, residential, to "Dove Crossing PUD" a planned unit development, for the purpose of building single family dwelling units; and

WHEREAS, the rezoning request is in harmony with the Comprehensive Plan of the City of Navasota; and

WHEREAS, on the 13th of April 2023, 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 "Dove Crossing PUD" concept plan is also attached hereto as part of Exhibit "B", outlining the requirements and standards of the "Dove Crossing PUD" a Planned Unit Development; and

WHEREAS, the Planning and Zoning Commission recommends to the Navasota City Council that best interest and the benefit of the residents of the City of Navasota, that the 5.04 acres legally described as Dove Crossing, block 7, lot 3, be rezoned as Dove Crossing PUD a planned unit development; and

WHEREAS, on the 24th day of April 2023, 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:

SECTION 1. The Official zoning map of the City of Navasota is hereby amended to change the 5.04 acres legally described as Dove Crossing Block, Block 7, Lot 3, shown in Exhibit "A", from R-1A to "Dove Crossing PUD" a planned unit development; and such zoning shall be entered on the Official Zoning Map of the City of Navasota. Unless otherwise provided for or modified herein, the property located within the Dove Crossing PUD area shall conform to the provisions of the City's Zoning Ordinance, Subdivision Ordinance, and all other applicable ordinances.

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. That this ordinance shall be effective upon final reading and approval of this ordinance.

PASSED AND ADOPTED ON FIRST READING THIS 24th DAY OF APRIL 2023.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

PASSED AND ADOPTED ON SECOND READING THIS 8TH DAY OF MAY 2023.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

Exhibit "A"



Exhibit "B"

Dove Crossing PUD Standards:

5.1 PERMITTED USES

A. Single dwelling units (DUs).

B. Accessory units, customarily incident to the above uses, and located on the same lot not involving the conduct of retail business except as allowed by this Ordinance, and provided that any accessory structure shall be located not less than five (5) feet from any side or rear lot line.

5.2 CONDITIONAL USES

E. Water supply reservoirs, pumping plants, transmission towers, and sewer lift stations.

5.3 DEVELOPMENT STANDARDS

A. Height restrictions. No structure shall exceed thirty-five (35) feet in height.

B. Building setbacks:

(1) Front Setback. There shall be a front setback having a depth of not less than twenty (20) feet.

(2) Rear Setback. There shall be a rear setback having a depth of not less than twenty (20) feet.

(3) Side Setback. There shall be side setbacks, on each side, having a width of not less than five (5) feet. When abutting a street, the minimum side setback shall be at least twenty (20) feet (Street Side Setback).

C. Lot dimensions.

(1) Lot Area. The minimum lot size is 4,500 square feet.

(2) Lot Width. No lot shall average less than forty-five (45) feet wide between the property lines.

(3) Lot Depth. No lot shall average less than one hundred (100) feet in depth between the side property lines.

D. Density. The maximum dwelling units (Dus) per acre shall not exceed 6 units per acre. Five lots will abut Dove Crossing for single family dwelling. Ten lots will have White Wing addresses as White Wing will extend through the property, five lots on each side.

E. Mobile homes and manufactured homes are not permitted in this District.

F. White Wing Street ROW will be extended to the eastern property line of Dove Crossing Block 7, Lot 3 as a dead end for a future extension.

ORDINANCE NO. 1019-23

AN ORDINANCE AMENDING THE "PECAN LAKES ESTATES PHASE III PUD" BOUNDARIES TO INCORPORATE 1.310 ACRES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on the 22nd of March 2023, property owner James Hassell, filed a petition requesting the rezoning of 1.310 acres more particularly described as A0062 J WHITESIDES, TRACT 14-3, TRACT 19-3, and legally described by metes and bounds in Exhibit "A" which is attached hereto and incorporated herein for all purposes pertinent, from A/O: Agriculture/Open Space District to "Pecan Lakes Estates Phase III PUD" a planned unit development to expand the existing residential subdivision Pecan Lakes Estates; and

WHEREAS, the rezoning request is in harmony with the Comprehensive Plan of the City of Navasota; and

WHEREAS, on the 13th of April 2023, 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 "B" attached hereto and incorporated herein for all purposes pertinent; and

WHEREAS, the "Pecan Lakes Estates Phase III PUD: Concept Plan" is also attached hereto as Exhibit "C" and incorporated herein for all purposes pertinent, outlining the requirements and standards of the "Pecan Lakes Estates Phase III PUD" a Planned Unit Development; and

WHEREAS, the Planning and Zoning Commission recommends to the City Council of the City of Navasota that it is in the best interest and to the benefit of the residents of the City of Navasota, that the said 1.310 acres described in Exhibit "A" be rezoned from A/O Agriculture Open Space District to Pecan Lakes Estates Phase III PUD a Planned Unit Development; and

WHEREAS, on the 24th day of April 2023, 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 property legally described in Exhibit "A" and shown on Exhibit "B" from A/O Agriculture Open Space District to "Pecan Lakes Estates Phase III PUD" a Planned Unit Development; and said 1.310 acres described in Exhibit "A" shall be incorporated into the boundaries of the Pecan Lakes Estates Phase III PUD unless otherwise provided for or modified by Exhibit "C", the property located within the Pecan Lakes Estates Phase III PUD area shall conform to the provisions of the City's Zoning Ordinance, Subdivision Ordinance and all other applicable ordinances.

SECTION 2. 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 24th DAY OF APRIL 2023.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

PASSED AND ADOPTED ON SECOND READING THIS 8TH DAY OF APRIL 2023.

BERT MILLER, MAYOR

ATTEST:

SUSIE M. HOMEYER, CITY SECRETARY

Exhibit "A"

METES AND BOUNDS DESCRIPTION

of a

1.310 Acre Tract

James Whitesides Survey, A-62, Grimes County, Texas

December 7, 2020

All certain tract or parcel of land lying and being situated in Grimes County, Texas, out of the James Whitesides Survey, Abstract No. 62, being a part of Tract Two, called 27.49 acres, as described in a Warranty Deed with Vendor' Lien from Torres Salvage, Inc. to James C. Hassell, et ux, dated March 16th, 2018, of record in Volume 1684, Page 451 of the Real Property Records of Grimes County, Texas, being a part of a called 1.2275 acre tract as described in a General Warranty Deed from Robert L. Waltrip to Meaux Hassell LLC, dated January 25, 2018, of record in Volume 1676, Page 324 of the Real Property Records of Grimes County, Texas and more fully described as follows:

COMMENCING at a found 5/8 inch iron rod, in fence line, for a Northwest corner of Pecan Lakes Estates, Phase 3, Section 1, (Plat - Doc. No. 309888), the Northwest corner of Sand Trap Lane (60 ft. ROW), the Northeast corner of a 0.607 acre tract surveyed this date to be conveyed to Grimes County, in the generally fenced and North line of the called 1.2275 acre tract mentioned above and same being in the South line of a called 9.9 acre tract as described in a Deed to Charles Greenwood, Jr. (1061/421), from which a found 1/2 inch iron rod, at the base of a t-post, for the Northwest corner of said 1.2275 acre tract and the Northerly Northeast corner of the called 27.49 acre tract mentioned above brs. S 87°19'06" W, 105.47 ft.;

THENCE S 02°44'20" E, 60.00 ft., along a portion of the West line of Pecan Lakes Estates, Phase 3, Section 1 and Sand Trap Lane to a found 5/8 inch iron rod for the Southwest corner thereof, the Southeast corner of said 0.607 acre tract surveyed this date, the Northeast corner and TRUE PLACE OF BEGINNING of the tract of land herein described;

THENCE S 02°44'20" E, 352.39 ft., along a portion of the West line of Pecan Lakes Estates, Phase 3, Section 1 to a found 1/2 inch iron rod, at t-post, for the Southeast corner of the called 1.2275 acre tract mentioned above, a Northeast corner of the called 27.49 acre tract mentioned above and same being the Southeast corner of the tract of land herein described;

THENCE S 87°15'07" W, along the South line of the called 1.2275 acre tract mentioned above, a North line of the called 27.49 acre tract mentioned above and PASSING at 15.00 ft. a set 5/8 inch iron rod for the Easterly Northeast of a 10.00 acre tract surveyed this date, in the West line of a called 15 ft. drainage easement ("to be dedicated in the future") per the Final Plat of Pecan Lakes Estates, Phase 3, Section 1, continuing along said lines and PASSING at 105.62 ft. a found 1/2 inch iron rod, at t-post, for the Southwest corner of said 1.2275 acre tract and an interior corner of said 27.49 acre tract and continuing for a TOTAL DISTANCE of 162.09 ft. to a set 5/8 inch iron rod for the Southwest corner of the tract of land herein described and same being an interior corner of said 10.00 acre tract surveyed this date;

THENCE N 02°43'02" W, 351.60 ft., along an East line of said 10.00 acre tract surveyed this date to a set 5/8 inch iron rod for the Northerly Northeast corner thereof, the Northwest corner of the tract of land herein described and same being in a South line of said 0.607 acre tract surveyed this date;

THENCE N 86°19'55" E, 56.96 ft., along a South line of said 0.607 acre tract surveyed this date to a set 5/8 inch iron rod for a common angle point in line for corner;

THENCE N 87°19'06" E, 105.01 ft., along a South line of said 0.607 acre tract surveyed this date to the TRUE PLACE OF BEGINNING and containing 1.310 acres of land.

Basis of Bearings: Grid North, State Plane Coordinate System of 1983, Central Zone, Leica RTK Network.

Steven M. Wisnoski 12-07-2020
Registered Professional Land Surveyor
State of Texas No. 6006
Job #: 2014-04-03-01



This aerial map displays a golf course with various parcels outlined in yellow and cyan. The parcels are labeled with alphanumeric codes. A large cyan-outlined area in the center-right contains several smaller parcels, including R75847, R75843, R75866, R75872, R75877, R75842, R75867, R75838, R75864, R75817, R75823, R75835, R75830, R74911, R74916, R74921, R74950, R74955, R74942, R74919, R74940, R74936, R74935, R74933, R74937, R74924, and R74987. Other labeled parcels include R14170, R73006, R14163, R73479, R69771, R19988, R14173, R15000, R14998, R70569, R15019, R15007, R35382, R15015, R15014, R15011, R39551, R15006, R75958, R75644, R56838, R72911, R14996, and R72688. The map also shows a road on the left and a body of water at the bottom right.

[illegible]

Exhibit "C"

Pecan Lakes Estates Phase III PUD: Concept Plan

Subdivision Homeowner's Association

Pecan Lakes Estates will have an HOA which will be responsible for public/common areas of the subdivision, regulate parking off of the street, provide for design covenant review/construction finishes.

Permitted Uses

1. Single dwelling units
2. Temporary construction buildings for use incidental to permitted construction work on the premises. Such buildings must be removed upon completion or abandonment of construction.
3. Real Estate sales offices during the development of residential subdivisions, but not to exceed two (2) years.
4. Accessory units, customarily incidental to the above uses, and located on the same lot not involving the conduct of retail business except as allowed by the Zoning Ordinance, and provided that any accessory structure shall be located not less than five (5) feet from any side or rear lot line.
5. Parkland and open space
6. Water supply, sanitary sewer, storm sewer and similar utility facilities

Prohibited Uses

1. Uses that are not listed as permitted uses.

Development Standards

1. Height Restrictions
 - a. Thirty-five (35) feet high is the maximum height including roof gables, chimneys, vent stacks, or other mechanical equipment
2. Building Setbacks
 - a. Front setback
 - i. Twenty-five (25) feet
 - b. Rear setback
 - i. Twenty (20) feet
 - c. Side Setback
 - i. On each side of a single dwelling unit having a width of not less than five feet. When abutting a street, the minimum side setback shall be at least twenty (20) feet.
3. Lot Dimensions
 - a. Lot Area for Single Dwelling Unit minimum lot area shall be 6,000 square feet
 - b. Lot Width for Single Dwelling Unit shall be a minimum of 50 feet wide
 - c. Lot Depth shall average a minimum of 100 feet in depth between the side lot lines

4. Density
 - a. The maximum number of single dwelling units, shall not exceed 6 units per acre
5. Parking
 - a. Two on-site parking spaces per single dwelling shall be required
6. Facades
 - a. Front and Side exterior facades of the single dwelling units shall be constructed of 100% brick or stone masonry.
7. Exterior Lighting
 - a. All Street Lighting and Exterior Lighting of the dwellings shall be designed to direct light down onto the site and away from neighboring property. Lighting shall be designed to include cut-off shielding to minimize light pollution.
8. Landscape Standards
 - a. Landscape designs shall be prepared to enhance the visual appeal of the built environment, screen undesirable views, strengthen the pedestrian scale, provide a buffer between auto and pedestrian environments, help define the site, provide congruency with the existing neighborhood, and break up large areas of hard surface.
 - b. Re-naturalization of all areas disturbed by the construction of the site and buildings is required. Re-naturalizing includes the following native plant materials:
 - i. 5–10% Trees
 - ii. 25–45% Shrubs (a minimum of 3 varieties encouraged)
 - iii. 35–55% Grasses
 - iv. 0–25% Forbs
 - c. Development shall minimize potable water consumption for irrigation. Reductions can be attributed to any combination of the following items:
 - i. Predominate use (greater than fifty (50) percent) native plant species.
 - ii. Efficient irrigation systems (WaterSense labeled irrigation controllers, rain guards, check valves, drip irrigation, etc.).
 - iii. Use of captured rainwater for irrigation.
 - d. Where landscaping is intended to provide a visual screen, the species, quantity, maturity (size), and spacing of the initial plantings shall be sufficient to provide a functional screen within a single growing season.
 - e. Landscaping shall be completed within one year of receiving building occupancy. Exceptions for weather delays to landscape completion may be considered.
 - f. No evergreen tree with a mature width greater than twenty (20) feet shall be planted within fifteen (15) feet of a hardscaped area.
9. Sidewalks
 - a. Sidewalks shall be installed on at least one side of all public streets.