

**SPECIAL MEETING AND PUBLIC HEARING
CITY COUNCIL
CITY OF NASSAU BAY, TEXAS
APRIL 27, 2020
5:00 PM
VIA TELECONFERENCE**

MEMBERS OF COUNCIL PRESENT: Mayor Mark Denman, Mayor Pro Tem Don Matter, Councilmembers Ashley Graves, John Mahon, Bryce Klug, Bob Wartens, and Matt Prior

MEMBERS OF COUNCIL ABSENT: None

OTHERS PRESENT: City Attorney Dick Gregg, Jr., City Manager Jason Reynolds, City Secretary Sandra Ham, Assistant City Manager Mary Chambers, Police Chief Tim Cromie, Fire Chief Tom George, Emergency Management Coordinator Dena Mahon, Planning Commission Chairman Roscoe Lee

PRESIDING: Mayor Mark Denman

CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Mark Denman called the meeting to order at 5:00 p.m.

A quorum of City Council was present with all Councilmembers in attendance.

CITIZENS' REQUEST FOR HEARING BEFORE CITY COUNCIL

Public Hearing was opened at 5:01 p.m.

There being no one wishing to speak, the Public Hearing was immediately closed.

NEW BUSINESS

Discussion on moving the 2020 General & Special Election from the November 3, 2020 uniform election date to coincide with the July 14th special primary run-off election date

Councilmember Matt Prior indicated his opposition for moving forward with a possible July election date. Concerns with face coverings and the likelihood for COVID concerns to continue make it difficult for him to advocate for an earlier date. There are also concerns with campaigning. In the interest of public safety, he was not supportive of this initiative.

City Manager Jason Reynolds indicated this was a conditional measure, as there is no mechanism in place to hold the election. It is conditional on the basis that Governor Greg Abbott allows this election change. He suggested that if the City did not hear from Governor Abbott by June 5th that any potential measure become null and void. Mr. Reynolds indicated the probability is about one percent that Governor Abbott would allow this change. He noted it is being addressed per Council's discussion at the March City Council meeting for possible ways to have an earlier election date.

City Attorney Dick Gregg, Jr. also agreed that there is no mechanism to create this change on the City's own accord. Mayor Mark Denman emphasized that this was part of a discussion in March,

and the original postponement was based on the possibility of working towards any earlier date changes. Councilmember Bob Warters was in favor of holding a July election date. He voiced his belief that the pandemic concern was not going to go away any time soon.

Mayor Denman continued by noting the November election has a historically long ballot and will be extremely politicized. Nassau Bay would be at the bottom of the November ballot, with the additional twenty-two Charter amendments also presented. He voiced his concern regarding ballot fatigue. Councilmember Ashley Graves echoed similar sentiments, stating she believed it would be better for Nassau Bay residents to vote without the political noise of the November election. She asked that the City take the necessary steps to move forward with the earlier election date. She ended her comments by inquiring on any risks with moving forward.

City Attorney Gregg indicated one risk would be that the City has called for two elections at once. He believed the less controversial the process, the better overall for the City. He would be concerned about an individual objecting to the validity of the election. He requested an amendment be placed in the resolution stating that the resolution is conditional and noting the City's acknowledgement that there is no legal authority to call a Municipal Election for July 14, 2020. Additionally, the resolution would state if no such order from Governor Abbott is given by June 5th to allow the earlier election that the resolution automatically cancel itself. Furthermore, the resolution should indicate that the election will proceed in November as authorized without further City approval.

Councilmember John Mahon inquired whether there was indeed enough time to conduct such election, specifically with the June 5th decision date. City Secretary Sandra Ham indicated that should Council approve the resolution, she would need to begin preparations now, as there are moving parts that need to occur prior to June 5th. Work would have to be performed in anticipation of a positive decision. Mayor Denman did acknowledge the additional workload of staff and their efforts in moving forward with this date change.

Approval of a resolution ordering a General and Special Election to be held on July 14, 2020 for the purpose of electing a Mayor and three Councilmembers, Positions 2, 4 & 6 and for the purpose of presenting propositions to the voters pertaining to various amendments to the City Charter (as noted in full in the resolution), and said resolution containing other provisions related to said election

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, ORDERING A REGULAR CITY & SPECIAL ELECTION TO BE HELD IN SAID CITY ON THE 14TH DAY OF JULY 2020, FOR THE PURPOSE OF 1) ELECTING A MAYOR AND THREE MEMBERS OF COUNCIL; DESIGNATING THE DAY(S) OF THE ELECTION(S) AND THE POLLING PLACE; PROVIDING THAT ALL DULY QUALIFIED RESIDENT ELECTORS SHALL BE QUALIFIED TO VOTE; PRESCRIBING A FORM OF THE BALLOT; PROVIDING A NOTICE OF ELECTION; AND 2) PRESENTING TO VOTERS VARIOUS CHARTER AMENDMENTS AS NOTED IN FULL IN THE EXHIBIT OF THIS DOCUMENT; CONTAINING OTHER PROVISIONS RELATING TO SAID ELECTION; AND PROVIDING FOR SEVERABILITY.

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2020-2197.)

It was moved by Mayor Pro Tem Don Matter, seconded by Councilmember Bryce Klug, to approve a resolution ordering a General and Special Election to be held on July 14, 2020.

Mayor Denman took a roll call vote for the approval of the resolution ordering a General and Special Election to be held on July 14, 2020.

Councilmember Prior – Opposed
Councilmember Warters – Approve
Councilmember Klug – Approve
Councilmember Mahon – Approve
Councilmember Graves – Approve
Mayor Pro Tem Matter – Approve
Mayor Denman – Approve

Motion passed 6 – 1.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:12 p.m.

Minutes approved as submitted and/or amended this 8th day of June, A.D. 2020.



ATTEST:

Sandra V. Ham
City Secretary

CITY OF NASSAU BAY, TEXAS

Mark A. Denman
Mayor