

**NOTICE OF A MEETING**  
**OF THE CITY COUNCIL OF THE CITY OF HEMPSTEAD**

Notice is hereby given that a Regular Meeting of the City Council of the City of Hempstead will be held on **Monday, the 6<sup>th</sup> day of December, A.D., 2021 at 6:00 P.M.** at the **Hempstead Recreation Center, 635 Business Highway 290 E, Second Floor, Hempstead, Texas**, at which time the following subjects will be discussed, to-wit:

1. Call to order and invocation.
2. Pledge of Allegiance.
3. Public Comments.
4. Consideration and action on an Ordinance of the City of Hempstead, Texas, authorizing the issuance and sale of City of Hempstead, Texas, Tax and Revenue Certificates of Obligation, Series 2021 in the aggregate principal amount not to exceed \$4,800,000 for the construction of public works; levying a tax in payment thereof; making other provisions regarding such Certificates of Obligation, including authorizing the preparation and distribution of one or more preliminary official statements, one or more official statements and matters incident thereto; awarding the sale of the certificates; authorizing the execution and delivery of one or more purchase agreements; authorizing the execution and delivery of a paying agent/registrar agreement; authorizing and confirming the engagement of certain professionals in connection with the issuance of the Certificates of Obligation; finding and determining that the meeting at which this Ordinance is passed is open to the public as required by law; and enacting other provisions relating thereto.
5. Consideration and action on a Resolution approving Change Order No. 1 for 13<sup>th</sup> Street Elevated Storage Tank Rehabilitation.
6. Consideration and action on a Resolution for selection of an engineering service provider for gas utility services to complete project implementation for the American Rescue Plan Act (ARP Act) funding administered by the U.S. Department of Treasury or other federal or state agency.
7. Consideration and action on a Resolution for selection of an engineering service provider for electric utility services to complete project implementation for the American Rescue Plan Act (ARP Act) funding administered by the U.S. Department of Treasury or other federal or state agency.
8. Consideration and action on rescinding request for Hotel/Motel Funds from Quilts for Vets for presentation at the 80<sup>th</sup> Anniversary of Pearl Harbor in Pearl Harbor, HI on December 5 - 11, 2021.
9. Adjourn City Council Meeting.


The City Council of the City of Hempstead reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below authorized by Texas Government Code, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), and 551.086 (Certain Public Power Utilities: Competitive Matters). Council may act in Open Session on any item listed for Executive Session.

Dated this the 1<sup>st</sup> day of December, A.D., 2021.

By:   
Barbara Haffelfinger, City Secretary

I, the undersigned authority, do hereby certify that the above Notice of a Regular Meeting of the governing body of the City of Hempstead is a true and correct copy of said Notice, and that a true and correct copy of said Notice was posted on the City Hall bulletin board and entrances to City Hall, in the City Hall of said City of Hempstead, Texas, a place convenient and readily accessible to the general public at all times, and that said Notice was posted on December 1, 2021 at 1:00 P.M. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this the 1<sup>st</sup> day of December, A.D., 2021.

By:   
Barbara Haffelfinger, City Secretary

## **PUBLIC PARTICIPATION BY TELEPHONE**

The City of Hempstead City Council **may** conduct the meeting scheduled at **6:00 P.M. on Monday the 6<sup>th</sup> day of December at the Hempstead Recreation Center, 635 Business Highway 290 E, Second Floor, Hempstead, Texas.** The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. A recording of the telephonic meeting will be made and will be available to the public upon written request.

The toll-free dial-in number to participate in the meeting telephonically is:

**1-346-248-7799; Access Code 989-478-2100**

**IF CITY COUNCIL MEMBERS ARE GOING TO APPEAR BY VIDEOCONFERENCE A QUORUM OF COUNCILMEMBERS MUST BE PRESENT AT THE LOCATION.**

## **NOTICE OF MEETING BY VIDEO CONFERENCE**

The City of Hempstead City Council **may** conduct the meeting scheduled at **6:00 P.M. on Monday, the 6<sup>th</sup> day of December at the Hempstead Recreation Center, 635 Business Highway 290 E, Second Floor, Hempstead, Texas** by videoconference in addition to allowing in person attendance. A quorum of the City Council will be physically present at the Hempstead Recreation Center, 635 Business Highway 290 E, Second Floor, Hempstead. The public may participate in the City Council Meeting by using the following information:

**1-346-248-7799, Access Code 979-478-2100**

**CERTIFICATE FOR ORDINANCE**

THE STATE OF TEXAS                   §  
COUNTY OF WALLER                   §

I, the undersigned City Secretary of the City of Hempstead, Texas (the “City”), hereby certify as follows:

1.       The City Council of the City convened in regular meeting on December 6, 2021, at the place stated in the notice of such meeting given as stated below, and the roll was called of the duly constituted official and members of said City Council, to wit:

Dave Shelburne	Mayor
Lonnie Garfield	Mayor Pro-Term
Erica Gillum	Councilmember
Cindy Pearce	Councilmember
Raul Villarreal	Councilmember
Chase Murray	Councilmember

And all of said persons were present except \_\_\_\_\_, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

**AN ORDINANCE OF THE CITY OF HEMPSTEAD, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF HEMPSTEAD, TEXAS TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021 IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$4,800,000 FOR THE CONSTRUCTION OF PUBLIC WORKS; LEVYING A TAX IN PAYMENT THEREOF; MAKING OTHER PROVISIONS REGARDING SUCH CERTIFICATES OF OBLIGATION, INCLUDING AUTHORIZING THE PREPARATION AND DISTRIBUTION OF ONE OR MORE PRELIMINARY OFFICIAL STATEMENTS, ONE OR MORE OFFICIAL STATEMENTS AND MATTERS INCIDENT THERETO; AWARDING THE SALE OF THE CERTIFICATES; AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE PURCHASE AGREEMENTS; AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT/REGISTRAR AGREEMENT; AUTHORIZING AND CONFIRMING THE ENGAGEMENT OF CERTAIN PROFESSIONALS IN CONNECTION WITH THE ISSUANCE OF THE CERTIFICATES OF OBLIGATION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND ENACTING OTHER PROVISIONS RELATING THERETO.**

was duly introduced for the consideration of said City Council and read in full. It was then duly moved and seconded that said ordinance be adopted; and after due discussion, such motion, carrying with it the adoption of said ordinance, prevailed and carried by the following vote:

AYES: All those present voted "aye"  
NOES: 0  
ABSTENTIONS: 0

2. That a true, full, and correct copy of the aforesaid ordinance adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that said ordinance has been duly recorded in said City Council's minutes of said meeting; that the above and foregoing paragraph is a true, full, and correct excerpt from the said City Council's minutes of said meeting pertaining to the adoption of said ordinance; that the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, place, and purpose of the aforesaid meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of said meeting was given as required by the Texas Open Meetings Act.

SIGNED AND SEALED this 6th day of December, 2021.

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City Secretary  
City of Hempstead, Texas

(SEAL)



# *City of Hempstead*

1125 Austin Street • Hempstead, Texas 77445 • Tel: 979-826-2486 • Fax: 979-826-6703

## RESOLUTION NO. 21-\_\_\_\_\_

### **CHANGE ORDER NO. 1 FOR REHABILITATION OF 75,000-GALLON ELEVATED STORAGE TANK LOCATED AT 13<sup>TH</sup> AND MAIN STREET.**

#### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HEMPSTEAD, TEXAS:**

That the City hereby approves Change Order No. 1 from Tankez Coatings in the amount of \$9,000.00 for rehabilitation of the 75,000-gallon elevated storage tank located at 13<sup>th</sup> and Main Street.

**PASSED AND APPROVED** this the 6<sup>th</sup> day of December, A.D., 2021.

**APPROVED:**

\_\_\_\_\_  
**Dave Shelburne, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Barbara Haffelfinger, City Secretary**

Date of Issuance: November 17, 2021  
 Owner: City of Hempstead  
 Contractor: Tankez Coatings  
 Engineer: Dunham Engineering  
 Project: 13<sup>th</sup> Street EST Rehab

Effective Date:  
 Owner's Contract No.: N/A  
 Contractor's Project No.: N/A  
 Engineer's Project  
 No.: 27500093  
 Contract Name:

The Contract is modified as follows upon execution of this Change Order:

Description:

1) Price increase due to the cost of material and labor increase with upgraded lighting selection.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price:  \$ 360,000.00	Original Contract Times: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___:  \$ 0.00	[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: Substantial Completion: _____ Ready for Final Payment: _____ days
Contract Price prior to this Change Order:  \$ 360,000.00	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
[Increase] [ <del>Decrease</del> ] of this Change Order:  \$ 9,000.00	[Increase] [Decrease] of this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order:  \$ 369,000.00	Contract Times with all approved Change Orders: Substantial Completion: <u>February 1, 2022</u> Ready for Final Payment: <u>March 3, 2022</u> days or dates

<p>RECOMMENDED:</p> <p>By: <u>Dalton Warren</u> Engineer (if required)</p> <p>Title: <u>Project Engineer</u></p> <p>Date: <u>11/17/2021</u></p>	<p>ACCEPTED:</p> <p>By: _____ Owner (Authorized Signature)</p> <p>Title: _____</p> <p>Date: _____</p>	<p>ACCEPTED:</p> <p>By: _____ Contractor (Authorized Signature)</p> <p>Title: _____</p> <p>Date: _____</p>
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Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_



# City of Hempstead

1125 Austin Street • Hempstead, Texas 77445 • Tel: 979-826-2486 • Fax: 979-826-6703

## RESOLUTION

NO. 21-\_\_\_\_\_

**A RESOLUTION OF THE CITY OF HEMPSTEAD, TEXAS,  
AUTHORIZING PROFESSIONAL SERVICE PROVIDER(S) SELECTION  
FOR GAS UTILITY SERVICES FOR THE AMERICAN RESCUE PLAN  
ACT (ARP ACT) PROGRAM.**

**WHEREAS**, the ARP ACT program(s) requires implementation by professionals experienced in federally-funded projects;

**WHEREAS**, in order to identify qualified and responsive providers for these services a Request for Qualifications (RFQ) process for engineering services has been completed in accordance with federal requirements;

**WHEREAS**, the Statement of Qualifications received by the due date have been reviewed to determine the most qualified and responsive providers for each professional service giving consideration to ability to perform successfully under the terms and conditions of the proposed procurement, integrity, compliance with public policy, record of past performance, and financial and technical resources.

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

**Section 1.** That Strand Associates be selected to provide application and project-related **professional engineering services** for gas utility services for the ARP ACT program(s).

**Section 2.** That any and all project-related services contracts or commitments made with the above-named service provider are dependent on the award of ARP ACT funds and successful negotiation of a contract with the service provided.

**PASSED AND APPROVED** this the 6<sup>th</sup> day of December, A.D., 2021.

**APPROVED:**

\_\_\_\_\_  
**Dave Shelburne, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Barbara Haffelfinger, City Secretary**



# City of Hempstead

1125 Austin Street • Hempstead, Texas 77445 • Tel: 979-826-2486 • Fax: 979-826-6703

## RESOLUTION NO. 21- \_\_\_\_\_

### **A RESOLUTION OF THE CITY OF HEMPSTEAD, TEXAS, AUTHORIZING PROFESSIONAL SERVICE PROVIDER(S) SELECTION FOR ELECTRIC UTILITY SERVICES FOR THE AMERICAN RESCUE PLAN ACT (ARP ACT) PROGRAM.**

**WHEREAS**, the ARP ACT program(s) requires implementation by professionals experienced in federally-funded projects;

**WHEREAS**, in order to identify qualified and responsive providers for these services a Request for Qualifications (RFQ) process for engineering services has been completed in accordance with federal requirements;

**WHEREAS**, the Statement of Qualifications received by the due date have been reviewed to determine the most qualified and responsive providers for each professional service giving consideration to ability to perform successfully under the terms and conditions of the proposed procurement, integrity, compliance with public policy, record of past performance, and financial and technical resources.

### **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HEMPSTEAD, TEXAS:**

**Section 1.** That McCord Engineering be selected to provide application and project-related **professional engineering services** for electric utility services for the ARP ACT program(s).

**Section 2.** That any and all project-related services contracts or commitments made with the above-named service provider are dependent on the award of ARP ACT funds and successful negotiation of a contract with the service provided.

**PASSED AND APPROVED** this the 6<sup>th</sup> day of December, A.D., 2021.

**APPROVED:**

\_\_\_\_\_  
**Dave Shelburne, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Barbara Haffelfinger, City Secretary**



# GRANT APPLICATION

CITY OF HEMPSTEAD, TEXAS

## SECTION A: GENERAL INFORMATION

Please type or print neatly

TODAY'S DATE: 11-3-2021	EVENT DATE: 12-5-21 / 12-11-2021
OFFICIAL NAME OF ORGANIZATION/BUSINESS: Quilts For Vets	DATE ORGANIZATION/BUSINESS FOUNDED: January 19, 2019
<input type="checkbox"/> Private Entity <input checked="" type="checkbox"/> Non-Profit Entity <input type="checkbox"/> Public Entity	Tax ID Number: 84-4261389
MAILING ADDRESS (Including City/State/Zip Code): 815 4th Street Hempstead, TX 77445	
CHIEF ADMINISTRATIVE OFFICER: Address: 815 4th St Hempstead, TX 77445	Phone(s): 409-656-5955 E-Mail: quiltsforvets2016@aol.com
FINANCIAL OFFICER: Address: Same as Above	Phone(s): E-Mail:
CONTACT NAME(s) Scott Duncan Address: 2125 15th St Hempstead, TX 77445	Phone(s): 479 826-8777 E-Mail: Scottduncan357@aol.com
PURPOSE AND/OR MISSION STATEMENT OF YOUR ORGANIZATION/BUSINESS: To honor all WWII & Korean War Veterans with presenting them with a quilt and interview them to preserve their history.	

## SECTION B: PROJECT INFORMATION

Please answer all items that apply to your request

NAME OF EVENT OR EXPENDITURE: 80th Ann. of Pearl Harbor	AMOUNT REQUESTED: \$ 5,000.00 *** Attach Line Item Budget *** (Must Equal Amount Requested)
PRIMARY LOCATION OF EVENT OR EXPENDITURE: Pearl Harbor, HI	DATE OF EVENT(S) OR EXPENDITURE: 12-5-21 - 12-11-21
LIST ALL COMMUNITIES DIRECTLY SERVED BY THIS EVENT OR EXPENDITURE: Nation wide & Recognizing Hempstead TX	
IN THE SPACE BELOW, PROVIDE A CLEAR DESCRIPTION OF THE EVENT OR EXPENDITURE. EXPLAIN HOW THE FUNDS WILL BE USED AND HOW THIS EVENT OR EXPENDITURE WILL IMPACT YOUR ORGANIZATION, ENHANCE AND PROMOTE TOURISM AND THE CONVENTION AND HOTEL INDUSTRY IN THE CITY OF HEMPSTEAD. <u>ADDITIONAL PAGES FOR THE DESCRIPTION WILL NOT BE ACCEPTED</u> The Quilts For Vets organization will be on stage with the Pearl Harbor survivors. There will be national coverage and a special recognition of Q.F.V. and the City of Hempstead. Our brochures will feature the City of Hempstead and will be distributed.	

## Sec. 351.101. USE OF TAX REVENUE.

(a) Revenue from the municipal hotel occupancy tax may be used only to promote tourism and the convention and hotel industry, and that use is limited to the following:

(1) the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both;

(2) the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants;

(3) advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity;

(4) the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms;

(5) historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums:

(A) at or in the immediate vicinity of convention center facilities or visitor information centers; or

(B) located elsewhere in the municipality or its vicinity that would be frequented by tourists and convention delegates;

(6) expenses, including promotion expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the municipality or its vicinity if:

(A) the municipality is located in a county with a population of one million or less;

(B) the municipality has a population of more than 67,000 and is located in two counties with 90 percent of the municipality's territory located in a county with a population of at least 580,000, and the remaining territory located in a county with a population of at least four million; or

(C) the municipality has a population of at least 200,000 and shares a border with:

(i) a municipality described by Section 351.102(e)(7); and

(ii) Lake Ray Hubbard;

(7) subject to Section 351.1076, the promotion of tourism by the enhancement and upgrading of existing sports facilities or fields if:

(A) the municipality owns the facilities or fields;

(B) the municipality:

- (i) has a population of 80,000 or more and is located in a county that has a population of 350,000 or less;
  - (ii) has a population of at least 75,000 but not more than 95,000 and is located in a county that has a population of less than 200,000 but more than 160,000;
  - (iii) has a population of at least 36,000 but not more than 39,000 and is located in a county that has a population of 100,000 or less that is not adjacent to a county with a population of more than two million;
  - (iv) has a population of at least 13,000 but less than 39,000 and is located in a county that has a population of at least 200,000;
  - (v) has a population of at least 70,000 but less than 90,000 and no part of which is located in a county with a population greater than 150,000;
  - (vi) is located in a county that:
    - (a) is adjacent to the Texas-Mexico border;
    - (b) has a population of at least 500,000; and
    - (c) does not have a municipality with a population greater than 500,000;
  - (vii) has a population of at least 25,000 but not more than 26,000 and is located in a county that has a population of 90,000 or less;
  - (viii) is located in a county that has a population of not more than 300,000 and in which a component university of the University of Houston System is located;
  - (ix) has a population of at least 40,000 and the San Marcos River flows through the municipality;
  - (x) has a population of more than 67,000 and is located in two counties with 90 percent of the municipality's territory located in a county with a population of at least 580,000, and the remaining territory located in a county with a population of at least four million;
  - (xi) contains an intersection of Interstates 35E and 35W and at least two public universities; or
  - (xii) is described by Subdivision (6)(C); and
- (C) the sports facilities and fields have been used, in the preceding calendar year, a combined total of more than 10 times for district, state, regional, or national sports tournaments;
- (8) for a municipality with a population of at least 70,000 but less than 90,000, no part of which is located in a county with a population greater than 150,000, the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility;
- (9) signage directing the public to sights and attractions that are visited frequently by hotel guests in the municipality;

(10) the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility, if the municipality:

(A) has a population of at least 90,000 but less than 120,000; and

(B) is located in two counties, at least one of which contains the headwaters of the San Gabriel River; and

(11) for a municipality with a population of more than 175,000 but less than 225,000 that is located in two counties, each of which has a population of less than 200,000, the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility and related infrastructure or a venue, as defined by Section 334.001(4), Local Government Code, that is related to the promotion of tourism.

(b) Revenue derived from the tax authorized by this chapter shall be expended in a manner directly enhancing and promoting tourism and the convention and hotel industry as permitted by Subsection (a). That revenue may not be used for the general revenue purposes or general governmental operations of a municipality.