

**STATE OF TEXAS  
COUNTY OF WALLER  
CITY OF HEMPSTEAD**

**BE IT REMEMBERED** that on the 20<sup>th</sup> day of December, A.D., 2021 at 6:00 P.M. the City Council met in Regular Session at the Hempstead Recreation Center, 635 Business Highway 290 E, Second Floor, Hempstead, Texas, there being present, to-wit:

Dave Shelburne, Mayor  
Lonnie Garfield, Mayor Pro-Tem  
Erica Gillum, Councilmember  
Cindy Pearce, Councilmember

Raul Villarreal, Councilmember  
Chase Murray, Councilmember  
Barbara Haffelfinger, City Secretary

Via Telephone – Bridgette Begle, City Attorney

Others present at the meeting included Sabrina Alvarez, David Hartley, Kollye Kilpatrick, Mary Ann Drawl, Robert Thomas, Cheryl Hardwick, Albert Garfield, and Vicki Spiess – GrantWorks.

Mayor Shelburne called the meeting to order at 6:00 P.M. and Mayor Pro-Tem Garfield gave the invocation.

The Pledge of Allegiance was given.

No Public Comments were made.

Mayor Pro-Tem Garfield made a motion to approve the minutes of the November 15, 2021; December 6, 2021; and December 9, 2021 meetings.

A Resolution was introduced by Mayor Pro-Tem Garfield. The motion was seconded by Councilmember Pearce and carried the following vote, to-wit:

AYES: Mayor Pro-Tem Lonnie Garfield, Councilmember Erica Gillum,  
Councilmember Cindy Pearce, Councilmember Raul Villarreal,  
Councilmember Chase Murray

NOES: None

ABSENT: None

**RESOLUTION  
NO. 21-059**

**RESOLUTION AUTHORIZING SIGNATORIES**

**A RESOLUTION BY THE CITY COUNCIL OF CITY OF HEMPSTEAD  
DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL**

**DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS  
PERTAINING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT  
– MITIGATION PROGRAM (CDBG-MIT) GENERAL LAND OFFICE  
(GLO) STATE CONTRACT NUMBER 22-085-034-D278.**

**WHEREAS**, the City of Hempstead has received a Community Development Block Grant – Mitigation award to provide Flood & Drainage Improvements; and

**WHEREAS**, it is necessary to appoint persons to execute contractual documents and documents requesting funds from the Texas General Land Office; and

**WHEREAS**, an original signed copy of the CDBG-MIT Depository/Authorized Signatories Designation Form is to be submitted with a copy of this Resolution; and

**WHEREAS**, the City of Hempstead acknowledges that in the event that an authorized signatory changes (elections, illness, resignations, etc.) the following will be required:

- a resolution stating the new authorized signatory (A new resolution is not required if this original resolution names only the title and not the name of the signatory); and
- a revised CDBG-MIT *Depository/Authorized Signatories Designation Form*.

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

**Section 1.** The Mayor and Mayor Pro-Tem be authorized to execute contractual documents between the Texas General Land Office and the City for the Community Development Block Grant Mitigation Program.

**Section 2.** The Mayor, Mayor Pro-Tem, Council Members, and City Secretary be authorized to execute the *State of Texas Purchase Voucher* and *Request for Payment Form* documents required for requesting funds approved in the Community Development Block Grant Mitigation Program.

**Section 3.** The Mayor and Mayor Pro-Tem be authorized to execute environmental review and related documents as the responsible entity (RE) for the Community Development Block Grant Mitigation Program.

**PASSED AND APPROVED BY THE CITY COUNCIL OF CITY OF HEMPSTEAD, TEXAS**, on this the 20th day of December, A.D., 2021.

**APPROVED:**

**/s/ Dave Shelburne, Mayor**

**ATTEST:**

**/s/ Barbara Haffelfinger, City Secretary**

A Resolution was introduced by Councilmember Pearce. The motion was seconded by Councilmember Murray and carried the following vote, to-wit:

AYES: Mayor Pro-Tem Lonnie Garfield, Councilmember Erica Gillum,  
Councilmember Cindy Pearce, Councilmember Raul Villarreal,  
Councilmember Chase Murray

NOES: None

ABSENT: None

**RESOLUTION  
NO. 21-060**

**RESOLUTION REGARDING CIVIL RIGHTS  
CITY OF HEMPSTEAD, TEXAS**

**WHEREAS**, City of Hempstead, Texas, (hereinafter referred to as “City of Hempstead”) has been awarded a Community Development Block Grant – Mitigation (CDBG-MIT) grant from the Texas General Land Office (hereinafter referred to as “GLO”);

**WHEREAS**, City of Hempstead, in accordance with Section 109 of the Title 1 of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG-MIT activity, on the basis of race, color, religion, sex, national origin, age, or disability;

**WHEREAS**, City of Hempstead, in consideration for the receipt and acceptance of federal funding for the Contract, agrees to comply with all federal rules and regulations, including those rules and regulations governing citizen participation and civil rights protections;

**WHEREAS**, City of Hempstead, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 135 is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the CDBG-MIT project area;

**WHEREAS**, City of Hempstead, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State’s certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibit the use of excessive force against non-violent civil rights demonstrations;

**WHEREAS**, City of Hempstead, in accordance with Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with Limited English Proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each CDBG-MIT project;

**WHEREAS**, City of Hempstead, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds;

**WHEREAS**, City of Hempstead, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period, to affirmatively further fair housing;

**WHEREAS**, City of Hempstead, has designated an overseer and will maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

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

1. Section 3 Policy;
2. Excessive Force Policy;
3. Limited English Proficiency (LEP) Standards Plan;
4. Section 504 Policy and Grievance Procedures;
5. Code of Conduct Policy; and
6. Fair Housing Policy

**PASSED AND APPROVED** this the 20<sup>th</sup> day of December, A.D., 2021.

**APPROVED:**

**/s/ Dave Shelburne, Mayor**

**ATTEST:**

**/s/ Barbara Haffelfinger, City Secretary**

A Proclamation was introduced by Mayor Pro-Tem Garfield. The motion was seconded by Councilmember Villarreal and carried the following vote, to-wit:

**AYES:** Mayor Pro-Tem Lonnie Garfield, Councilmember Erica Gillum, Councilmember Cindy Pearce, Councilmember Raul Villarreal, Councilmember Chase Murray

**NOES:** None

**ABSENT:** None

## **PROCLAMATION OF APRIL AS FAIR HOUSING MONTH**

**WHEREAS**, Title VIII of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares it a national policy to provide, within constitutional limits, for fair housing in the United States; and

**WHEREAS**, the principle of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and

**WHEREAS**, the National Fair Housing Law, during the month of April, provides an opportunity for all Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans.

**NOW, THEREFORE, WE** the **CITY COUNCIL** of City of Hempstead, do proclaim April as Fair Housing Month in City of Hempstead and do hereby urge all the citizens of this locality to become aware of and support the Fair Housing Law.

Passed and adopted by the **CITY COUNCIL** of City of Hempstead, State of Texas, on the 20<sup>th</sup> day of December, 2021.

**APPROVED:**

**/s/ Dave Shelburne, Mayor**

**ATTEST:**

**/s/ Barbara Haffelfinger, City Secretary**

Discussion was held on an Ordinance of the City of Hempstead, Texas, amending Ordinance No. 00-107, Article 3 “Zoning Districts”, Section 3.11.03 “Planning Unit Development” and Section 3.12 “Lot Standards” to increase the minimum size of a PUD from 2 acres to 20 acres and to provide a minimum lot width of 40’. Councilmember Gillum expressed concern over the 40’ minimum lot width, stating that the townsite minimum lot width of 50’ is too narrow for a lot of homes. Councilmember Gillum expressed that she would like to see something with increased lot width, with maybe allowing a percentage of homes to be built on a smaller lot. Council was in unanimous agreement to table this agenda item until further consideration can be given.

Mayor Shelburne opened a Public Hearing at 6:25 P.M. on adoption of building codes to be effective March 1, 2022 as follows:

- a) International Building Code, 2021 Edition
- b) International Residential Code, 2021 Edition
- c) International Fuel Gas Code, 2021 Edition
- d) International Mechanical Code, 2021 Edition

- e) International Fire Code 2021 Edition
- f) International Property Maintenance Code, 2021 Edition
- g) National Electrical Code, 2020 Edition

The above Codes will update the current codes being used. Mayor Shelburne closed the Public Hearing at 6:27 P.M.

An Ordinance was introduced by Mayor Pro-Tem Garfield. The motion was seconded by Councilmember Pearce and carried the following vote, to-wit:

AYES: Mayor Pro-Tem Lonnie Garfield, Councilmember Erica Gillum, Councilmember Cindy Pearce, Councilmember Raul Villarreal, Councilmember Chase Murray

NOES: None

ABSENT: None

**ORDINANCE  
NO. 22-115**

**AN ORDINANCE OF THE CITY OF HEMPSTEAD, TEXAS ADOPTING THE INTERNATIONAL BUILDING CODE, 2021 EDITION, THE INTERNATIONAL RESIDENTIAL CODE, 2021 EDITION, THE INTERNATIONAL FUEL GAS CODE, 2021 EDITION, THE INTERNATIONAL MECHANICAL CODE, 2021 EDITION, THE INTERNATIONAL FIRE CODE, 2021 EDITION, THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2021 EDITION, AND THE NATIONAL ELECTRICAL CODE, 2020 EDITION, FOR THE CITY OF HEMPSTEAD; PROVIDING FOR PENALTIES; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**WHEREAS**, the City Council has conducted a Public Hearing on December 20, 2021 at 6:00 P.M. regarding the adoption of Building Codes for the City of Hempstead.

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

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct and are incorporated herein for all purposes.

**Section 2.** That the City of Hempstead hereby adopts the following Building Codes as the Building Codes for the City of Hempstead, Texas, as they may be amended from time to time:

1. The International Building Code, 2021 edition, and appendixes thereto, and subsequent amendments and additions, is hereby adopted by reference as though it were copied herein word for word.
2. The International Residential Code, 2021 edition, and appendixes thereto, and subsequent amendments and additions, is hereby adopted by reference as though it were copied herein word for word.
3. The International Fuel Gas Code, 2021 edition, and appendixes thereto, and subsequent amendments and additions, is hereby adopted by reference as though it were copied herein word for word.
4. The International Mechanical Code, 2021 edition, and appendixes thereto, and subsequent amendments and additions, is hereby adopted by reference as though it were copied herein word for word.
5. The International Fire Code, 2021 edition and appendixes thereto, and subsequent amendments and additions, is hereby adopted by reference as though it were copied herein word for word.
6. The International Property Maintenance Code, 2021 edition, and appendixes thereto, and subsequent amendments and additions, is hereby adopted by reference as though it were copied herein word for word.
7. The National Electrical Code, 2020 edition, and appendixes thereto, and subsequent amendments and additions, is hereby adopted by reference as though it were copied herein word for word.

**Section 3.** That a violation of this ordinance shall be a Class C misdemeanor and the penalty for violating this Ordinance shall be a maximum fine of \$2,000.00, and each day a violation exists shall be a separate offense.

**Section 4.** That if any provision of this Ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision has never been a part hereof.

**Section 5.** That this Ordinance becomes effective at 12:01 A.M. March 1, 2022.

**Section 6.** That it is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law, and that public notice of the time, place and purpose of said meeting was given as required.

**PASSED AND APPROVED** this the 20<sup>th</sup> day of December, A.D., 2021.

**APPROVED:**

**/s/ Dave Shelburne, Mayor**

**ATTEST:**

**/s/ Barbara Haffelfinger, City Secretary**

Robert Thomas presented a request to be allowed to rehabilitate the property located at Block 152, Lots W/2 of 4 and 5 – 2130 Wilkins Street. Mr. Thomas requested that he be allowed until March to start renovation of the house. He will make sure that it is properly secured and has set up a lawn maintenance service to keep it clean around the house. Mr. Thomas advised that it will take until sometime in March to be able to clean out the house and determine if it is able to be rehabilitated. If it is not, he will have the home demolished. Mayor Pro-Tem Garfield made a motion to allow Mr. Thomas until April 30, 2022 to begin either rehabilitation or to demolish the property located at 2130 Wilkins Street. The motion was seconded by Councilmember Villarreal and carried unanimously.

A Resolution was introduced by Councilmember Pearce. The motion was seconded by Councilmember Villarreal and carried the following vote, to-wit:

AYES: Mayor Pro-Tem Lonnie Garfield, Councilmember Erica Gillum, Councilmember Cindy Pearce, Councilmember Raul Villarreal, Councilmember Chase Murray

NOES: None

ABSENT: None

**RESOLUTION  
NO. 21-061**

**APPROVING THE CITY OF HEMPSTEAD'S  
2022 CITY HOLIDAYS**

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

That the following dates be approved by the City Council to be the  
2022 City Holidays:

Friday	December 31, 2021	New Years Day
Monday	January 17	M. L. King, Jr. Day
Monday	February 21	Presidents Day
Friday	April 15	Good Friday
Monday	May 30	Memorial Day
Monday	June 20	Juneteenth
Monday	July 4	Independence Day
Monday	September 5	Labor Day
Friday	November 11	Veterans Day
Thursday	November 24	Thanksgiving Day
Friday	November 25	Additional Thanksgiving Day
Friday	December 23	Christmas Eve
Monday	December 26	Christmas Day



**PASSED AND APPROVED** this the 20<sup>th</sup> day of December, A.D., 2021.

**APPROVED:**

**/s/ Dave Shelburne, Mayor**

**ATTEST:**

**/s/ Barbara Haffelfinger, City Secretary**

Sales Tax for the month of December 2021 was positive at 9.75%.

Mayor Pro-Tem Garfield made a motion to approve payment of the C&C Sports and Apparel invoice. The motion was seconded by Councilmember Pearce and carried the following vote, to-wit:

AYES: Mayor Pro-Tem Lonnie Garfield, Councilmember Erica Gillum,  
Councilmember Cindy Pearce, Councilmember Raul Villarreal

NOES: None

ABSENT: None

ABSTAIN: Councilmember Chase Murray

**AFFIDAVIT TO ABSTAIN  
HEMPSTEAD CITY COUNCIL**

**THE STATE OF TEXAS  
COUNTY OF WALLER  
CITY OF HEMPSTEAD**

**I, Chase Murray**, as a member of the Hempstead City Council make this affidavit and hereby on oath state the following:

I have a substantial interest in a business entity or real property that may receive a special economic effect that is distinguishable from the effect on the public by a vote or decision of the Hempstead City Council as those terms are defined in Chapter 171 of the Local Government Code. The business entity or real property is:

Owner of C&C Sports Apparel

I, Chase Murray, have a substantial interest in this business entity or real property for the following reason:

The interest is ownership of 10% or 5,000 or more of the fair market

Value of the business entity;

Upon the filing of this affidavit with the official record keeper for the City of Hempstead, I affirm that I shall abstain from any discussion, vote, or decision involving this business entity or real property and from any further participation in this matter whatsoever.

Signed this the 20<sup>th</sup> day of December, 2021.

/s/ Chase Murray  
Signature of Public Official

Councilmember  
Title

**THE STATE OF TEXAS  
COUNTY OF WALLER**

**BEFORE ME**, the undersigned authority, on this the 20<sup>th</sup> day of December, 2021, personally appeared Chase Murray, Councilmember, and by oath stated that the facts hereinabove stated are true and correct to the best of his knowledge.

/s/ Barbara Haffelfinger  
Notary Public in and for the State of Texas

My commission expires: 09-13-25

Councilmember Villarreal made a motion to approve payment of the current bills. The motion was seconded by Councilmember Murray and carried unanimously.

There being no further business, Mayor Pro-Tem Garfield made a motion to adjourn the meeting at 6:35 P.M.

**PASSED AND APPROVED** this the 18<sup>th</sup> day of January, A.D., 2022.

**APPROVED:**

**/s/ Dave Shelburne, Mayor**

**ATTEST:**

**/s/ Barbara Haffelfinger, City Secretary**