

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

BE IT REMEMBERED that on the 20th day of September, 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
Charles Williams, City Attorney
Barbara Haffelfinger, City Secretary

Others present at the meeting included Sabrina Alvarez, Rooster Smith, David Hartley, Kollye Kilpatrick, Ann Hartley, Terry Kolenovsky, and Mildred Jefferson.

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 August 16, 2021; August 19, 2021; August 26, 2021 – 10:00 A.M.; August 26, 2021 – 6:00 P.M.; September 3, 2021; September 7, 2021; September 9, 2021; and September 15, 2021 meetings. The motion was seconded by Councilmember Murray and carried unanimously.

Discussion was held on an Ordinance of the City of Hempstead, Texas providing for the assessment, levy, and collection of ad valorem taxes for the 2021 tax year and for each year thereafter until otherwise provided; providing the date on which such taxes shall be due and payable; providing for severability and repealing all ordinances and parts of ordinances in conflict therewith.

Consideration and action was taken on adopting an ad valorem tax at the rate of \$0.028577 on each \$100.00 of assessed valuation for debt services, with the following vote, to-wit:

Mayor Pro-Tem Lonnie Garfield	AYE
Councilmember Erica Gillum	AYE
Councilmember Cindy Pearce	AYE
Councilmember Raul Villarreal	AYE
Councilmember Chase Murray	AYE

Mayor Pro-Tem Garfield made a motion on adopting an ad valorem tax at the rate of \$0.532328 on each \$100.00 of assessed valuation for maintenance and operations. The motion was seconded by Councilmember Villarreal, with the following vote, to-wit:

Mayor Pro-Tem Lonnie Garfield	AYE
Councilmember Erica Gillum	AYE
Councilmember Cindy Pearce	AYE
Councilmember Raul Villarreal	AYE
Councilmember Chase Murray	AYE

Discussion was held on an Ordinance providing for the assessment, levy, and collection of ad valorem taxes for the year 2021. Mayor Pro-Tem Garfield made a motion that the property tax be increased by the adoption of a tax rate of \$0.560905, which is effectively an 11.35 percent increase in the tax rate. The motion was seconded by Councilmember Villarreal, with the following vote, to-wit:

Mayor Pro-Tem Lonnie Garfield	AYE
Councilmember Erica Gillum	AYE
Councilmember Cindy Pearce	AYE
Councilmember Raul Villarreal	AYE
Councilmember Chase Murray	AYE

**ORDINANCE
NO. 21-110**

AN ORDINANCE OF THE CITY OF HEMPSTEAD, TEXAS PROVIDING FOR THE ASSESSMENT, LEVY, AND COLLECTION OF AD VALOREM TAXES FOR THE 2021 TAX YEAR AND FOR EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED; PROVIDING THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID; PROVIDING FOR SEVERABILITY AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

WHEREAS, Section 26.05 of the Texas Tax Code provides that by September 30th or the 60th day after the date the certified appraisal roll is received by the taxing unit, the governing body of each taxing unit shall adopt a tax rate for the current tax year; and

WHEREAS, Section 26.05 of the Texas Tax Code further provides that where the tax rate consists of two components (one which will impose the amount of taxes needed to pay the City’s debt service and the other which will impose the amount of taxes needed to fund maintenance and operation expenditures of the City for the next fiscal year), each of such two components must be approved separately; and

WHEREAS, the proposed tax rate for the current tax year of the City of Hempstead, Texas, consists of two such components, a tax rate of \$0.028577 on each \$100.00 of assessed valuation for debt service and a tax rate of \$0.532328 on each \$100.00 of assessed valuation to fund maintenance and operation expenditures; and

WHEREAS, by separate motions heretofore adopted by the City Council of the City of Hempstead, Texas, at a meeting of said City Council held on the 20th day of September 2021, said City Council have approved separately the tax rate heretofore specified for each of said components; and

WHEREAS, having thus separately approved the tax rate for each of such components, it is necessary and appropriate for the City Council to now formally pass, approve, and adopt a 2021 tax rate ordinance for the City of Hempstead, Texas; and

WHEREAS, all notices and hearings required by law as a prerequisite to the passage, approval, and adoption of said tax rate ordinance have been timely and properly given and held; now, therefore:

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

Section 1. The facts and recitations set forth in the preamble of this Ordinance are found to be true and correct and are hereby adopted, ratified, confirmed and incorporated herein for all purposes.

Section 2. All property including real, personal, and mixed subject to ad valorem taxation by the City of Hempstead, Texas, shall be equally and uniformly assessed for such purposes at One Hundred Percent (100%) of the fair market value of such property.

Section 3. For the purpose of paying the interest on bonds, warrants, certificates of obligation, or other lawfully authorized evidence of indebtedness issued by the City of Hempstead, Texas, including the various installments of principal due on the serial bonds, warrants, certificates of obligation, or other lawfully authorized evidence of indebtedness issued by the City as such installments shall respectively mature, and for the purpose of paying any sums borrowed in anticipation of current revenues for use in the payment of bonds and certificates of obligation and interest thereon maturing in the fiscal year 2021-2022, and for the purpose of repaying interest and making provisions for the sinking fund on such other bond issues, warrants, certificates of obligation, or other lawfully authorized evidence of indebtedness as may be authorized, there is hereby levied for the year 2021 and for each year thereafter until otherwise provided, to be assessed and collected upon all property described in Section 2 of this Ordinance, an ad valorem tax at the rate of \$0.028577 on each \$100.00 of assessed valuation for debt service.

Section 4. There is hereby levied for general purposes and use by the City of Hempstead, Texas, for the year 2021, and for each year thereafter until otherwise provided, an ad valorem tax at the rate of \$0.560905 on each \$100.00 of assessed valuation on all property described in Section 2 of this Ordinance. The proceeds from such tax shall be applied to the payment of the general and current expenses, also known as maintenance and operations, of the government of the City. All such taxes shall be assessed and collected in current money of the United States of America.

“THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR’S TAX RATE.”

“THE TAX RATE WILL EFFECTIVELY BE RAISED BY 5.48% AND WILL RAISE TAXES FOR ON A \$100,000 HOME BY APPROXIMATELY \$7.23.”

Section 5. All ad valorem taxes levied hereby, in the total amount of \$0.560905 on each \$100.00 of assessed valuation, as reflected by Sections 3 and 4 hereof, shall be due and payable on or before January 31, 2022. All ad valorem taxes due the City of Hempstead, Texas, and not paid on or before January 31st following the year for which they were levied shall bear penalty and interest as prescribed in the Texas Tax Code.

Section 6. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Hempstead, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 7. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

PASSED AND APPROVED this the 20th day of September, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

An Ordinance was introduced by Councilmember Pearce. The motion was seconded by Mayor Pro-Tem Garfield 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. 21-111**

AN ORDINANCE OF THE CITY OF HEMPSTEAD, TEXAS PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF HEMPSTEAD BE AMENDED BY DELETING SECTION 7.06.03 “LAND SUBDIVISION AND PLATTING”; PROVIDING A SAVINGS CLAUSE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCILMEMBERS OF THE CITY OF HEMPSTEAD, TEXAS:

Section 1. That pursuant to the Code of Ordinances of the City of Hempstead, Texas, Article 7, “Planning and Zoning Commission” is amended to delete Section 7.06.03 as follows:

ADDITIONS

DELETIONS

~~Land Subdivision and Platting: The Planning and Zoning Commission shall be responsible for the City's review, and approval or rejection of subdivision plats within 30 days after a plat has been filed with the City. The Planning and Zoning Commission will make a recommendation to City Council for approval or rejection of the plat. The City Council shall then act on the plat within 30 days after the date the plat is approved or rejected by the Planning and Zoning Commission. A plat is considered approved by the City Council unless it is rejected within the allowed 30 day time period.~~

Section 2. 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 had never been a part hereof.

Section 3. 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 20th day of September, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

A Resolution was introduced by Councilmember Villarreal. 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. 21-042**

**A RESOLUTION OF THE CITY OF HEMPSTEAD, TEXAS,
COMMITTING THE CITY OF HEMPSTEAD TO PROVIDE LOCAL
MATCHING FUNDS TO SECURE AND COMPLETE THE FEMA
HAZARD MITIGATION GRANT PROJECTS.**

WHEREAS, the City has applied for FEMA Hazard Mitigation Assistance funds to provide the City with funding to complete the proposed Master Drainage Plan project.

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

Section 1. The city commits to providing the 25% or more local share for the FEMA Hazard Mitigation Grant projects.

Section 2. CDBG-DR, or all possible funding sources identified or not identified at this time that are acceptable sources of match for HMA.

Section 3. Should other funds not be available for whatever reason, the City will pay its local share from the General Fund.

PASSED AND APPROVED on this the 20th day of September, A.D., 2021.

APPROVED:

/s/ Dave Shelburne

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

A Resolution was introduced by Mayor Pro-Tem Garfield. 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. 21-043**

**A RESOLUTION OF THE CITY OF HEMPSTEAD, TEXAS,
AUTHORIZING THE SUBMISSION OF MULTIPLE HAZARD
MITIGATION ASSISTANCE GRANT APPLICATIONS FOR DR-4586,
APPOINTING MAYOR AS THE CHIEF EXECUTIVE OFFICER AND
AUTHORIZED REPRESENTATIVE TO ACT IN ALL MATTERS IN
CONNECTION WITH THE FEMA MITIGATION GRANTS.**

WHEREAS, the City is considering the submission of FEMA Hazard Mitigation Assistance grant applications for funds for a Master Drainage Plan for the City of Hempstead; and

WHEREAS, FEMA Mitigation Fund applicants are required to appoint an official to act as the Authorized Representative in all matters in connection with the Mitigation Grants.

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

Section 1. That the Mayor is authorizing the submission of multiple applications for FEMA's Hazard Mitigation Assistance Grant Program; and

Section 2. That the Mayor be appointed the Chief Executive Officer and Authorized Representative to act on behalf of the City in all matters in connection with the FEMA Mitigation Grants.

PASSED AND APPROVED this the 20th day, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

Terry Kolenovsky presented a request for Hotel/Motel funds in the amount of \$5,000 to be used for advertising for the Vintage Market Days event to be held at the Waller County Fairgrounds on November 12 – 14, 2021. Ms. Kolenovsky advised that the event purchases food and supplies needed from local vendors and a room block has been reserved at America’s Best Hotel in Hempstead. Councilmember Villarreal made a motion to approve the request for \$5,000 from Hotel/Motel funds for the Vintage Market Days event to be held at the Waller County Fairgrounds on November 12 -14, 2021. The motion was seconded by Mayor Pro-Tem Garfield and carried unanimously.

A Resolution was introduced by Mayor Pro-Tem Garfield. 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. 21-044**

**CITY OF HEMPSTEAD
OFFICIAL LOGO**

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

That the Logo attached as exhibit “A” is here by adopted as the official logo of the City of Hempstead.

PASSED AND APPROVED this the 20th day of September, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

Sales Tax for the month of September 2021 was positive at 8.04%.

Councilmember Pearce 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 6:16 P.M.

PASSED AND APPROVED this the 18th day of October, A.D., 2021,

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary