

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

BE IT REMEMBERED that on the 4th day of October, 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
Bridgette Begle, City Attorney
Barbara Haffelfinger, City Secretary

Others present at the meeting included Sabrina Alvarez, Rooster Smith, David Hartley, Kollye Kilpatrick, Ben Rosenberg – U.S. Capital Advisors, Derrick Mitchell – Holland & Knight, Angela Cervantes, Dorothy Brooks, Shirley Thompson, Robert Thomas, Alfonso Vega, Jimmy Economou, Albert Garfield, and Marcus Lang.

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.

Bond Attorney Derrick Mitchell advised that this is the first of two meetings that will be necessary in order to issue certificates of obligation in a principal amount not to exceed \$4,800,000. The second meeting will be held in December and the certificates should be issued in January 2022. Mayor Shelburne advised that this bond will be used to get water, gas, and sewer utilities under Highway 290, North to Highway 6. Mayor Shelburne said this is necessary for the future of the community because this is where major growth will be in the coming years. Ben Rosenberg, U.S. Capital Advisors said the bond will be for twenty-five years with an annual cost of approximately \$275,000 of which payment will be made from debt service of property taxes.

A Resolution was introduced by Mayor Pro-Tem Lonnie Garfield. The motion was seconded by Councilmember Chase Murray, with 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. 21-046**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMPSTEAD, TEXAS AUTHORIZING THE PUBLICATION OF THE NOTICE OF INTENTION TO ISSUE CITY OF HEMPSTEAD, TEXAS CERTIFICATES OF OBLIGATION IN A PRINCIPAL AMOUNT NOT TO EXCEED \$4,800,000 FOR THE CONSTRUCTION OF PUBLIC WORKS AND ANY ITEMS RELATED THERETO AND FOR THE PAYMENT OF CONTRACTUAL OBLIGATIONS FOR PROFESSIONAL SERVICES; AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT RELATING TO SUCH CERTIFICATES; AND CONTAINING OTHER PROVISIONS RELATING THERETO

WHEREAS, the City Council (the “City Council”) of the City of Hempstead, Texas (the “City”), is authorized to issue certificates of obligation to pay contractual obligations to be incurred for the construction of public works and machinery, any items related thereto, and for the payment of contractual obligations for professional services pursuant to Subchapter C of Chapter 271, Texas Local Government Code, as amended; and

WHEREAS, the City Council has determined that it is in the best interest of the City and otherwise desirable to issue certificates of obligation in a principal amount not to exceed \$4,800,000 (the “Certificates of Obligation”) for the purpose of (1) the construction of public works, more specifically, the construction and improvement to the City’s water, sewer, drainage and natural gas systems, and any items related thereto, and (2) payment of professional services incurred in connection with item (1); and

WHEREAS, pursuant to Section 271.049 of the Texas Local Government Code, prior to the issuance of the Certificates of Obligation, the City is required to publish notice of its intention to issue the Certificates of Obligation (the “Notice”) in a newspaper of general circulation in the City stating (i) the time and place the City Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates of Obligation,(ii) the maximum amount of Certificates of Obligation proposed to be issued, (iii) the purpose for which the Certificates of Obligation are to be issued, (iv) the manner in which the Council proposes to pay for the Certificates of Obligation, (v) the following: (A) the then-current principal of all outstanding debt obligations of the issuer; (B) the then-current combined principal and interest to pay all outstanding debt obligations of the issuer on time and in full, which may be based on the issuer’s expectations relative to the interest due on any variable rate debt obligations; (C) the maximum principal amount of the certificates to be authorized; and (D) the estimated combined principal and interest required to pay the certificates to be authorized on time and in full; (vi) the estimated interest rate for the certificates to be authorized of that the maximum interest rate for the certificates may not exceed the maximum legal interest rate; and (vii) the maximum maturity date of the certificates to be authorized; and

WHEREAS, for purposes of providing for the sale of the Certificates of Obligation, the City Council intends to authorize the preparation of a Preliminary Official Statement (the

“Preliminary Official Statement”) to be used in the public offering of the Certificates of Obligation; and

WHEREAS, the City Council has been presented with and has examined the proposed form of the Notice and finds that the form and substance thereof are satisfactory, and that the recitals and findings contained therein are true, correct and complete; now therefore,

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

Section 1. The facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

Section 2. Attached hereto and marked “Exhibit A” is a copy of the Notice, the form and substance of which are hereby adopted and approved.

Section 3. The Mayor or the City Secretary shall cause the Notice to be published in substantially the form attached hereto, (i) in a newspaper, as described in Section 2051.044, Texas Government Code, of general circulation in the City for two consecutive weeks with the date of first publication to before the 45th day before the date tentatively set for the passage of the ordinance authorizing the issuance of the Certificates of Obligation; and (ii) continuously on the City’s website for at least 45 days before the date tentatively set for the passage of the ordinance authorizing the issuance of the Certificates of Obligation.

Section 4. The City Council hereby approves the preparation and distribution by the City’s financial advisor to prospective purchasers of the Certificates of Obligation of the Preliminary Official Statement, as the same may be completed, modified, or supplemented with the approval of the Mayor or other authorized officers and agents of the City.

Section 5. The Mayor, City Secretary and other officers and agents of the City are hereby authorized and directed to do any and all things necessary or desirable to carry out the provisions of this Resolution.

Section 6. The following is a list of the outstanding general obligation debt of the City:

Bond issue	Self-Supporting Amount
General Obligation Refunding Bonds, Series 2017	\$5,170,000
Combination Tax & Revenue Certificates of Obligation, Series 2014B	2,560,000
Combination Tax & Revenue Certificates of Obligation, Series 2014	1,983,000
Total	\$9,713,000

PASSED, APPROVED AND ADOPTED this the 4th day of October, 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

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. 21-047**

**IN RECOGNITION OF MUNICIPAL COURT WEEK
NOVEMBER 1 – 5, 2021**

**A RESOLUTION RECOGNIZING THE IMPORTANCE OF MUNICIPAL
COURTS, THE RULE OF LAW, AND THE FAIR AND IMPARTIAL
ADMINISTRATION OF JUSTICE.**

WHEREAS, municipal courts play a significant role in preserving public safety and promoting quality of life in Texas;

WHEREAS, more people come in contact with municipal courts than all other Texas courts combined and public impression of the Texas judicial system is largely dependent upon the public's experience in municipal court;

WHEREAS, the City of Hempstead has hosted the Municipal Court Week since 2017;

WHEREAS, state law authorizes a municipality to either appoint or elect a municipal judge for a term of office, the Hempstead Municipal Court is a state court and its judges are members of the state judiciary;

WHEREAS, the procedures for the Hempstead Municipal Court operations are set forth in the Texas Code of Criminal Procedure and other laws of the State of Texas;

WHEREAS, the City of Hempstead is committed to the notion that our legal system is based on the principle that an independent, fair, and competent judiciary will interpret and apply the laws that govern us and that judges and court personnel should comply with the law and act in a manner that promotes public confidence in the integrity and impartiality of the judiciary;

WHEREAS, the Hempstead Municipal Judge is not policy makers for the City of Hempstead but is bound by the law and the Canons of Judicial Conduct and are required to make decisions independent of the governing body of the City Council, city officials, and employees;

WHEREAS, the City Council recognizes that the Constitution and laws of the State of Texas contain procedural safeguards in criminal cases for all defendants, including indigent defendants, and supports the Hempstead Municipal Court in complying with such legal requirements.

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

That the week of November 1 – 5, 2021 is hereby recognized as Municipal Court Week in recognition of the fair and impartial justice offered to our citizens by the Municipal Court of Hempstead.

PASSED AND APPROVED this the 4th day of October, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

Mayor Shelburne opened a Public Hearing on abatement or demolition of property declared to be substandard, abandoned and dangerous – Adrian Cervantes – Block 371, Lot 8 – 1525 15th Street. Angelica Cervantes was present and informed Council that they would have the mobile home demolished by November 4, 2021. Mayor Shelburne closed the public hearing.

An Order for Abatement was introduced by Councilmember Pearce. The motion was seconded by Councilmember Gillum 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

**ADRIAN CERVANTES
BLOCK 371, LOT 8
1525 6TH STREET**

ORDER

**TO REGULATE AND ABATE PUBLIC NUISANCES
CAUSED BY SUBSTANDARD BUILDINGS
WITHIN THE CITY OF HEMPSTEAD**

Whereas, following due notice, as required by Section 9C (6) of Chapter 3 of the Code of Ordinances (the “Code”) of the City of Hempstead, Texas (the “City”) by certified mail, return receipt requested to Adrian Cervantes, the owner(s) of the hereinafter described property and all other persons having an interest in said property, if any (hereinafter collectively referred to as the “Owner”), a hearing was held before the City Council on October 4, 2021, regarding the condition of the building or structure located at 1525 6th Street, said tract or lot being located within the corporate limits of the City and being more particularly described as Block 371, Lot 8, City of Hempstead, and located in Waller County, Texas; and

Whereas, the purpose of such hearing was to afford the Owner of the Tract an opportunity to present evidence to the City Council and to show cause why the building or structure should not be declared substandard and ordered vacated, secured, repaired, removed, and/or demolished pursuant to said Code, and further to provide an opportunity for said Owner to present evidence of the scope of work required to comply with the Code, the length of time it will take to perform such work, as well as the starting and ending dates for the performance of such work; and

Whereas, the Owner of the Tract [and/or his representative] did [or did not] personally appear before City Council and was given the opportunity to participate in the hearing concerning the condition of the property and building or structure located thereon; and

Whereas, City Council deems it necessary to order such substandard conditions to be abated in a reasonable and timely manner; now, therefore,

IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF HEMPSTEAD, TEXAS:

Section 1. That the Owner of the Tract, which is also known as 1525 6th Street, is hereby ordered to abate all substandard conditions identified in the Inspection Report and Notice of Hearing attached hereto as Exhibit “A,” which presently exist at the building or structure located on the Tract described above. Such abatement shall include:

Repairing such building or causing such building to be repaired; and/or vacation of the premises, pending abatement of such substandard conditions, during such pending abatement the Owner shall take all necessary steps to secure the building from unauthorized entry, it being found by the City Council that occupancy of the above described building in its present condition is dangerous and an unreasonable hazard to the health of any occupant thereof. During such abatement, the Owner shall comply with the City's building code and all other applicable laws and regulations and shall apply for and receive all necessary permits as required; or

Demolition and removal of such building or structure.

Section 2. That the Owner begin the work ordered in Section 1 above on or before **October 4, 2021**, and complete, or cause to be completed, such work on or before **November 4, 2021**. In the event the Owner does not comply with this Order on or before such date, the City will secure [and repair, remove, and/or demolish] the building or structure located on the above-referenced property and cause such building, structure, and/or debris to be removed. If the City is required to perform any such work, the City will then cause a lien to be assessed against the property to secure payment therefore.

Issued pursuant to order of the City Council of the City of Hempstead, Texas, and adopted this the 4th day of October, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

Mayor Shelburne opened a Public Hearing on the abatement or demolition of property declared to be substandard, abandoned and dangerous – Dwain Manning, c/o Melanie London – Block 11, S 3' of Lot 3 and 8 and all of 4, 5, 9 and 10 – 102 Red River Road. Jimmy Economou spoke and stated that Mr. Manning's daughter has received none of the certified notices, and that the City needs to take action to try to notify her again. It was explained that the City is only required to send notice to the address contained on the Tax Roll. There being no further comments, Mayor Shelburne closed the public hearing.

An Order for Abatement 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

**DWAIN MANNING, C/O MELANIE LONDON
BLOCK 11, LOTS 3' OF 3 & 8, AND ALL OF 4, 5, 9 & 10
102 RED RIVER ROAD**

ORDER

**TO REGULATE AND ABATE PUBLIC NUISANCES
CAUSED BY SUBSTANDARD BUILDINGS
WITHIN THE CITY OF HEMPSTEAD**

Whereas, following due notice, as required by Section 9C (6) of Chapter 3 of the Code of Ordinances (the “Code”) of the City of Hempstead, Texas (the “City”) by certified mail, return receipt requested to Dwain Manning, c/o Melanie London, the owner(s) of the hereinafter described property and all other persons having an interest in said property, if any (hereinafter collectively referred to as the “Owner”), a hearing was held before the City Council on October 4, 2021, regarding the condition of the building or structure located at 102 Red River Road, said tract or lot being located within the corporate limits of the City and being more particularly described as Block 11, Lots 3’ of 3 and 8, and all of 4, 5, 9 and 10, City of Hempstead, and located in Waller County, Texas; and

Whereas, the purpose of such hearing was to afford the Owner of the Tract an opportunity to present evidence to the City Council and to show cause why the building or structure should not be declared substandard and ordered vacated, secured, repaired, removed, and/or demolished pursuant to said Code, and further to provide an opportunity for said Owner to present evidence of the scope of work required to comply with the Code, the length of time it will take to perform such work, as well as the starting and ending dates for the performance of such work; and

Whereas, the Owner of the Tract [and/or his representative] did [or did not] personally appear before City Council and was given the opportunity to participate in the hearing concerning the condition of the property and building or structure located thereon; and

Whereas, City Council deems it necessary to order such substandard conditions to be abated in a reasonable and timely manner; now, therefore,

**IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF HEMPSTEAD,
TEXAS:**

Section 1. That the Owner of the Tract, which is also known as 102 Red River Road, is hereby ordered to abate all substandard conditions identified in the Inspection Report and Notice of Hearing attached hereto as Exhibit “A,” which presently exist at the building or structure located on the Tract described above. Such abatement shall include:

Repairing such building or causing such building to be repaired; and/or vacation of the premises, pending abatement of such substandard conditions, during such pending abatement the Owner

shall take all necessary steps to secure the building from unauthorized entry, it being found by the City Council that occupancy of the above described building in its present condition is dangerous and an unreasonable hazard to the health of any occupant thereof. During such abatement, the Owner shall comply with the City's building code and all other applicable laws and regulations and shall apply for and receive all necessary permits as required; or

Demolition and removal of such building or structure.

Section 2. That the Owner begin the work ordered in Section 1 above on or before **October 4, 2021**, and complete, or cause to be completed, such work on or before **November 4, 2021**. In the event the Owner does not comply with this Order on or before such date, the City will secure [and repair, remove, and/or demolish] the building or structure located on the above-referenced property and cause such building, structure, and/or debris to be removed. If the City is required to perform any such work, the City will then cause a lien to be assessed against the property to secure payment therefore.

Issued pursuant to order of the City Council of the City of Hempstead, Texas, and adopted this the 4th day of October, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

Mayor Shelburne opened a Public Hearing on abatement or demolition of property declared to be substandard, abandoned and dangerous – Franklin Oaks, c/o Dorothy Brooks – Block 8, Lots 3’ of 3 and all of 4 and 5, 3’ of 8, and all of 9 and 10 – 707 St. Mary’s Street. Dorothy Brooks was present and indicated that she would have the property demolished by November 4, 2021. Mayor Shelburne closed the public hearing.

An Order for Abatement 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

**FRANKLIN OAKS, C/O DOROTHY BROOKS
BLOCK 8, LOTS 3’ OF 3, AND ALL OF 4 & 5, 3’ OF 8, AND ALL OF 9 & 10**

707 ST. MARY'S STREET

ORDER

**TO REGULATE AND ABATE PUBLIC NUISANCES
CAUSED BY SUBSTANDARD BUILDINGS
WITHIN THE CITY OF HEMPSTEAD**

Whereas, following due notice, as required by Section 9C (6) of Chapter 3 of the Code of Ordinances (the "Code") of the City of Hempstead, Texas (the "City") by certified mail, return receipt requested to Franklin Oaks, c/o Dorothy Brooks, the owner(s) of the hereinafter described property and all other persons having an interest in said property, if any (hereinafter collectively referred to as the "Owner"), a hearing was held before the City Council on October 4, 2021, regarding the condition of the building or structure located at 707 St. Mary's Street, said tract or lot being located within the corporate limits of the City and being more particularly described as Block 8, Lots 3' of 3, and all of 4 and 5, 3' of 8, and all of 9 and 10, City of Hempstead, and located in Waller County, Texas; and

Whereas, the purpose of such hearing was to afford the Owner of the Tract an opportunity to present evidence to the City Council and to show cause why the building or structure should not be declared substandard and ordered vacated, secured, repaired, removed, and/or demolished pursuant to said Code, and further to provide an opportunity for said Owner to present evidence of the scope of work required to comply with the Code, the length of time it will take to perform such work, as well as the starting and ending dates for the performance of such work; and

Whereas, the Owner of the Tract [and/or his representative] did [or did not] personally appear before City Council and was given the opportunity to participate in the hearing concerning the condition of the property and building or structure located thereon; and

Whereas, City Council deems it necessary to order such substandard conditions to be abated in a reasonable and timely manner; now, therefore,

IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF HEMPSTEAD, TEXAS:

Section 1. That the Owner of the Tract, which is also known as 707 St. Mary's Street, is hereby ordered to abate all substandard conditions identified in the Inspection Report and Notice of Hearing attached hereto as Exhibit "A," which presently exist at the building or structure located on the Tract described above. Such abatement shall include:

Repairing such building or causing such building to be repaired; and/or vacation of the premises, pending abatement of such substandard conditions, during such pending abatement the Owner shall take all necessary steps to secure the building from unauthorized entry, it being found by the City Council that occupancy of the above described building in its present condition is dangerous and an unreasonable hazard to the health of any occupant thereof. During such abatement, the

Owner shall comply with the City's building code and all other applicable laws and regulations and shall apply for and receive all necessary permits as required; or

Demolition and removal of such building or structure.

Section 2. That the Owner begin the work ordered in Section 1 above on or before **October 4, 2021**, and complete, or cause to be completed, such work on or before **November 4, 2021**. In the event the Owner does not comply with this Order on or before such date, the City will secure [and repair, remove, and/or demolish] the building or structure located on the above-referenced property and cause such building, structure, and/or debris to be removed. If the City is required to perform any such work, the City will then cause a lien to be assessed against the property to secure payment therefore.

Issued pursuant to order of the City Council of the City of Hempstead, Texas, and adopted this the 4th day of October, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

Mayor Shelburne opened a Public Hearing on abatement or demolition of property declared to be substandard, abandoned and dangerous – Mariel and Taylor Thomas, c/o Bessie Hall – Block 152, W/2 of Lots 4 and 5 – 2130 Wilkins Street. Robert Thomas spoke and advised that the property will be demolished by November 4, 2021. Mayor Shelburne closed the public hearing.

An Order for Abatement was introduced by Councilmember Villarreal. 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

**MARIEL & TAYLOR THOMAS, C/O BESSIE M. HALL
BLOCK 152, LOTS W/2 OF 4 AND 5
2130 WILKINS STREET**

ORDER

**TO REGULATE AND ABATE PUBLIC NUISANCES
CAUSED BY SUBSTANDARD BUILDINGS
WITHIN THE CITY OF HEMPSTEAD**

Whereas, following due notice, as required by Section 9C (6) of Chapter 3 of the Code of Ordinances (the “Code”) of the City of Hempstead, Texas (the “City”) by certified mail, return receipt requested to Mariel & Taylor Thomas, c/o Bessie M. Hall, the owner(s) of the hereinafter described property and all other persons having an interest in said property, if any (hereinafter collectively referred to as the “Owner”), a hearing was held before the City Council on October 4, 2021, regarding the condition of the building or structure located at 2130 Wilkins Street, said tract or lot being located within the corporate limits of the City and being more particularly described as Block 152, Lots W/2 of 4 and 5, City of Hempstead, and located in Waller County, Texas; and

Whereas, the purpose of such hearing was to afford the Owner of the Tract an opportunity to present evidence to the City Council and to show cause why the building or structure should not be declared substandard and ordered vacated, secured, repaired, removed, and/or demolished pursuant to said Code, and further to provide an opportunity for said Owner to present evidence of the scope of work required to comply with the Code, the length of time it will take to perform such work, as well as the starting and ending dates for the performance of such work; and

Whereas, the Owner of the Tract [and/or his representative] did [or did not] personally appear before City Council and was given the opportunity to participate in the hearing concerning the condition of the property and building or structure located thereon; and

Whereas, City Council deems it necessary to order such substandard conditions to be abated in a reasonable and timely manner; now, therefore,

IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF HEMPSTEAD, TEXAS:

Section 1. That the Owner of the Tract, which is also known as 2130 Wilkins Street, is hereby ordered to abate all substandard conditions identified in the Inspection Report and Notice of Hearing attached hereto as Exhibit “A,” which presently exist at the building or structure located on the Tract described above. Such abatement shall include:

Repairing such building or causing such building to be repaired; and/or vacation of the premises, pending abatement of such substandard conditions, during such pending abatement the Owner shall take all necessary steps to secure the building from unauthorized entry, it being found by the City Council that occupancy of the above described building in its present condition is dangerous and an unreasonable hazard to the health of any occupant thereof. During such abatement, the Owner shall comply with the City's building code and all other applicable laws and regulations and shall apply for and receive all necessary permits as required; or

Demolition and removal of such building or structure.

Section 2. That the Owner begin the work ordered in Section 1 above on or before **October 4, 2021**, and complete, or cause to be completed, such work on or before **November 4, 2021**. In the event the Owner does not comply with this Order on or before such date, the City will secure [and repair, remove, and/or demolish] the building or structure located on the above-referenced property and cause such building, structure, and/or debris to be removed. If the City is required to perform any such work, the City will then cause a lien to be assessed against the property to secure payment therefore.

Issued pursuant to order of the City Council of the City of Hempstead, Texas, and adopted this the 4th day of October, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

Mayor Shelburne opened a Public Hearing on abatement or demolition of property declared to be substandard, abandoned and dangerous – Alfonso Vega – Block 152, E/2 of Lots 4 and 5 – 2140 Wilkins Street. Mr. Vega was present and advised that the property will be demolished by November 4, 2021. There being no further comments, Mayor Shelburne closed the public hearing.

An Order for Abatement was introduced by Councilmember Murray. 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

**ALFONSO VEGA
BLOCK 152, LOTS E/2 OF 4 AND 5
2140 WILKINS STREET**

ORDER

**TO REGULATE AND ABATE PUBLIC NUISANCES
CAUSED BY SUBSTANDARD BUILDINGS
WITHIN THE CITY OF HEMPSTEAD**

Whereas, following due notice, as required by Section 9C (6) of Chapter 3 of the Code of Ordinances (the “Code”) of the City of Hempstead, Texas (the “City”) by certified mail, return receipt requested to Alfonso Vega, the owner(s) of the hereinafter described property and all other persons having an interest in said property, if any (hereinafter collectively referred to as the “Owner”), a hearing was held before the City Council on October 4, 2021, regarding the condition of the building or structure located at 2140 Wilkins Street, said tract or lot being located within the corporate limits of the City and being more particularly described as Block 152, Lots E/2 of 4 and 5, City of Hempstead, and located in Waller County, Texas; and

Whereas, the purpose of such hearing was to afford the Owner of the Tract an opportunity to present evidence to the City Council and to show cause why the building or structure should not be declared substandard and ordered vacated, secured, repaired, removed, and/or demolished pursuant to said Code, and further to provide an opportunity for said Owner to present evidence of the scope of work required to comply with the Code, the length of time it will take to perform such work, as well as the starting and ending dates for the performance of such work; and

Whereas, the Owner of the Tract [and/or his representative] did [or did not] personally appear before City Council and was given the opportunity to participate in the hearing concerning the condition of the property and building or structure located thereon; and

Whereas, City Council deems it necessary to order such substandard conditions to be abated in a reasonable and timely manner; now, therefore,

IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF HEMPSTEAD, TEXAS:

Section 1. That the Owner of the Tract, which is also known as 2140 Wilkins Street, is hereby ordered to abate all substandard conditions identified in the Inspection Report and Notice of Hearing attached hereto as Exhibit “A,” which presently exist at the building or structure located on the Tract described above. Such abatement shall include:

Repairing such building or causing such building to be repaired; and/or vacation of the premises, pending abatement of such substandard conditions, during such pending abatement the Owner shall take all necessary steps to secure the building from unauthorized entry, it being found by the City Council that occupancy of the above described building in its present condition is dangerous and an unreasonable hazard to the health of any occupant thereof. During such abatement, the Owner shall comply with the City's building code and all other applicable laws and regulations and shall apply for and receive all necessary permits as required; or

Demolition and removal of such building or structure.

Section 2. That the Owner begin the work ordered in Section 1 above on or before **October 4, 2021**, and complete, or cause to be completed, such work on or before **November 4, 2021**. In the event the Owner does not comply with this Order on or before such date, the City will secure [and repair, remove, and/or demolish] the building or structure located on the above-referenced property and cause such building, structure, and/or debris to be removed. If the City is required to

perform any such work, the City will then cause a lien to be assessed against the property to secure payment therefore.

Issued pursuant to order of the City Council of the City of Hempstead, Texas, and adopted this the 4th day of October, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

Mayor Shelburne opened a Public Hearing on abatement or demolition of property declared to be substandard, abandoned and dangerous – Johnnie Williams – Block 173, Lot 6 – 705 16th Street. A representative for Johnnie Williams had sent an email to advise that the property would be demolished by November 4, 2021. There being no further comments, Mayor Shelburne closed the public hearing.

An Order for Abatement 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

**JOHNNIE WILLIAMS
BLOCK 173, LOT 6
705 16TH STREET**

ORDER

**TO REGULATE AND ABATE PUBLIC NUISANCES
CAUSED BY SUBSTANDARD BUILDINGS
WITHIN THE CITY OF HEMPSTEAD**

Whereas, following due notice, as required by Section 9C (6) of Chapter 3 of the Code of Ordinances (the “Code”) of the City of Hempstead, Texas (the “City”) by certified mail, return receipt requested to Johnnie Williams, the owner(s) of the hereinafter described property and all other persons having an interest in said property, if any (hereinafter collectively referred to as the “Owner”), a hearing was held before the City Council on October 4, 2021, regarding the condition

of the building or structure located at 705 16th Street, said tract or lot being located within the corporate limits of the City and being more particularly described as Block 173, Lot 6, City of Hempstead, and located in Waller County, Texas; and

Whereas, the purpose of such hearing was to afford the Owner of the Tract an opportunity to present evidence to the City Council and to show cause why the building or structure should not be declared substandard and ordered vacated, secured, repaired, removed, and/or demolished pursuant to said Code, and further to provide an opportunity for said Owner to present evidence of the scope of work required to comply with the Code, the length of time it will take to perform such work, as well as the starting and ending dates for the performance of such work; and

Whereas, the Owner of the Tract [and/or his representative] did [or did not] personally appear before City Council and was given the opportunity to participate in the hearing concerning the condition of the property and building or structure located thereon; and

Whereas, City Council deems it necessary to order such substandard conditions to be abated in a reasonable and timely manner; now, therefore,

IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF HEMPSTEAD, TEXAS:

Section 1. That the Owner of the Tract, which is also known as 705 16th Street, is hereby ordered to abate all substandard conditions identified in the Inspection Report and Notice of Hearing attached hereto as Exhibit “A,” which presently exist at the building or structure located on the Tract described above. Such abatement shall include:

Repairing such building or causing such building to be repaired; and/or vacation of the premises, pending abatement of such substandard conditions, during such pending abatement the Owner shall take all necessary steps to secure the building from unauthorized entry, it being found by the City Council that occupancy of the above described building in its present condition is dangerous and an unreasonable hazard to the health of any occupant thereof. During such abatement, the Owner shall comply with the City's building code and all other applicable laws and regulations and shall apply for and receive all necessary permits as required; or

Demolition and removal of such building or structure.

Section 2. That the Owner begin the work ordered in Section 1 above on or before **October 4, 2021**, and complete, or cause to be completed, such work on or before **November 4, 2021**. In the event the Owner does not comply with this Order on or before such date, the City will secure [and repair, remove, and/or demolish] the building or structure located on the above-referenced property and cause such building, structure, and/or debris to be removed. If the City is required to perform any such work, the City will then cause a lien to be assessed against the property to secure payment therefore.

Issued pursuant to order of the City Council of the City of Hempstead, Texas, and adopted this the 4th day of October, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

There being no further business, Mayor Pro-Tem Garfield made a motion to adjourn the meeting at 6:32 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