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 20th 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 minutes of November 15, 2021; December 6, 2021; and December 9, 2021 meetings.
- 5. Consideration and action on a Resolution to designate authorized signatories for the Community Development Block Grant Mitigation (CDBG-MIT) program for GLO State Contract Number 22-085-034-D278.
- 6. Consideration and action on a Resolution regarding Civil Rights which includes the following polices:
 - a) Section 3 Policy;
 - b) Excessive Force Policy;
 - c) Limited English Proficiency (LEP) Standards Plan;
 - d) Section 504 Policy and Grievance Procedures;
 - e) Code of Conduct Policy; and
 - f) Fair Housing Policy.
- 7. Consideration and action on Proclaiming April as Fair Housing Month.
- 8. Consideration and action 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 Planned Unit Development and provide for a minimum lot width for a Planned Unit Development; providing for an effective date; and providing for severability and repealing all ordinances in conflict herewith.
- 9. A. Public Hearing on adoption of the following building codes to be effective March 1, 2022:
 - 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
 - B. Consideration and action on 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.
- 10. Consideration and action on Abatement Order issued October 4, 2021 to Mariel and Taylor Thomas, c/o Bessie M. Hall, Block 152, Lots W/2 of 4 and 5 2130 Wilkins Street.
- 11. Consideration and action on a Resolution approving the 2022 City of Hempstead Holidays.
- 12. Sales Tax for December 2021.
- 13. Consideration and action on payment of C & C Sports and Apparel Invoice.
- 14. Consideration and action on payment of current bills.
- 15. 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 <u>Texas Government Code</u>, 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 17th day of December, A.D., 2021.

David and Haffalfin and

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 17, 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 17th 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 20th 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 20th 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



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

RESOLUTION NO. 21-

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:

<u>Section 1</u>. 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.

<u>Section 2</u>. 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.

<u>Section 3.</u> 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:	
	Dave Shelburne, Mayor	
ATTEST:		
Barbara Haffelfinger, City Secretary		



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

RESOLUTION NO. 21-

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 20th day of December, A.D., 2021.

	APPROVED:	
	Dave Shelburne, Mayor	
ATTEST:		
 Barhara Haffelfinger City Secretary		

SECTION 3 POLICY

In accordance with 12 U.S.C. 1701u, (Section 3), City of Hempstead agrees to implement the following steps, which, to the *greatest extent feasible*, will provide job training, employment and contracting opportunities for Section 3 residents and Section 3 businesses of the areas in which the program/project is being carried out.

- A. Introduce and pass a resolution adopting this plan as a policy to strive to attain goals for compliance to Section 3 regulations by increasing opportunities for employment and contracting for Section 3 residents and businesses.
- B. Assign duties related to implementation of this plan to the designated Section 3 Coordinator.
- C. Notify Section 3 residents and business concerns of potential new employment and contracting opportunities as they are triggered by CDBG-MIT grant awards through the use of: Public Hearings and related advertisements; public notices; bidding advertisements and bid documents; notification to local business organizations such as the Chamber(s) of Commerce or the Urban League; local advertising media including public signage; project area committees and citizen advisory boards; local HUD offices; regional planning agencies; and all other appropriate referral sources. Include Section 3 clauses in all covered solicitations and contracts.
- D. Maintain a list of those businesses that have identified themselves as Section 3 businesses for utilization in CDBG-MIT funded procurements, notify those businesses of pending contractual opportunities, and make this list available for general Grant Recipient procurement needs.
- E. Maintain a list of those persons who have identified themselves as Section 3 residents and contact those persons when hiring/training opportunities are available through either the Grant Recipient or contractors.
- F. Require that all Prime contractors and subcontractors with contracts over \$100,000 commit to this plan as part of their contract work. Monitor the contractors' performance with respect to meeting Section 3 requirements and require that they submit reports as may be required by HUD or GLO to the Grant Recipient.
- G. Submit reports as required by HUD or GLO regarding contracting with Section 3 businesses and/or employment as they occur; and submit reports within 20 days of federal fiscal year end (by October 20) which identify and quantify Section 3 businesses and employees.
- H. Maintain records, including copies of correspondence, memoranda, etc., which document all actions taken to comply with Section 3 regulations.

As officers and representatives of the City of Hempstead, we the undersigned have read and fully agree to this plan and become a party to the full implementation of this program.

Signature	<u>Dave Shelburne, Mayor</u> Name, Title
December 20, 2021 Date	_

Excessive Force Policy

In accordance with 24 CFR 91.325(b)(6), City of Hempstead hereby adopts and will enforce the following policy with respect to the use of excessive force:

- 1. It is the policy of City of Hempstead to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations.
- 2. It is also the policy of City of Hempstead to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.
- 3. City of Hempstead will introduce and pass a resolution adopting this policy.

As officers and representatives of City of Hempstead, we the undersigned have read and fully agree to this plan and become a party to the full implementation of this program.

Signature	Dave Shelburne, Mayor Name, Title
December 20, 2021	

Limited English Proficiency Plan - 22-085-034-D278 Texas General Land Office

Comm	nunity Development Block Grant-Mitigation	
Grant	t Subrecipient:	City of Hempstead
Comr	munity Population:	6,857
LEP	Population:	1,090 15.9 %
Langi	uages spoken:	10.5 70
	more than 5% of the eligible population or beneficiaries	Spanish
	has more than 50 in number; or	
	more than 1,000 individuals in the eligible population in	
	narket area or among current beneficiaries	
110 11	lance area of among sarron perionelaries	
Prog	ram activities to be accessible to LEP persons:	
1109	Public Notices and hearings regarding applications for grant	funding amendments to project activities, and completion
	of grant-funded project	and any arriending to project doublines, and completion
56	Publications regarding CDBG-MIT application, grievance p	rocedures, complaint procedures, complaint procedures.
_	answers to complaints, notices, notices of rights and disci	
	program requirements	
123	Other program documents:	
	Documents available in Spanish for directly assisted benefic	ciaries, if applicable.
	urces available to Grant Recipient:	
12	Translation services: available upon request	
12	Interpreter services: available upon request with prior notice	
	Other resources:	
Lang	uage Assistance to be provided:	
Œ	Translation (oral and/or written) of advertised notices and vita	al documents for:
-	Public hearing, Complaint and Grievance, Equal Opportunity	
	and Fair Housing notices are available in Spanish. Other CDB	
	request.	
<u>Je</u>	Referrals to community liaisons proficient in the language of I	LEP persons
	Spanish-speaking liaisons are available upon request.	
J.C	Public meetings conducted in multiple languages:	
	Available upon request with two days advance notice.	
E	Notices to recipients of the availability of LEP services:	
	Included in translated notices.	
	Other services:	
		December 20, 2021
Signat	ture - Chief Elected Official or Civil Rights Officer	Date
Jigilai	die Onioi Elected Onioidi of Olyii Nights Onioci	
See als	o: http://www.lep.gov/resources/2011_Language_Access_Assess	sment_and_Planning_Tool.pdf

Section 504 Policy against Discrimination based on Handicap and Grievance Procedures

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), City of Hempstead hereby adopts the following policy and grievance procedures:

- 1. <u>Discrimination prohibited.</u> No otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD).
- 2. City of Hempstead does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.
- 3. City of Hempstead's recruitment materials or publications shall include a statement of this policy in 1. above.
- 4. City of Hempstead shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violation of 24 CFR Part 8.
- 5. For hearing and visually impaired individuals eligible to be served or likely to be affected by the CDBG-MIT program, City of Hempstead shall ensure that they are provided with the information necessary to understand and participate in the CDBG-MIT program.

6. <u>Grievances and Complaints</u>

- a. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for City of Hempstead to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
- b. Complaints should be addressed to the Mayor, 1125 Austin St, Hempstead, TX, 77445 or call (979) 826-2486, who has been designated to coordinate Section 504 compliance efforts.
- c. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
- d. A complaint should be filed within thirty (30) working days after the complainant becomes aware of the alleged violation.
- e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by the Mayor. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
- f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Mayor, and a copy forwarded to the complainant with fifteen (15) working days after the filing of the complaint where practicable.
- g. The Section 504 coordinator shall maintain the files and records of the City of Hempstead relating to the complaint files.
- h. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for reconsideration should be

made to City of Hempstead within ten working days after the receipt of the written determination/resolution.

- i. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- j. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that City of Hempstead complies with Section 504 and HUD regulations.

Signature	<u>Dave Shelburne, Mayor</u> Name, Title
December 20, 2021	_

Code of Conduct Policy of City of Hempstead

As a Grant Recipient of a CDBG-MIT contract City of Hempstead shall avoid, neutralize or mitigate actual or potential conflicts of interest so as to prevent an unfair competitive advantage or the existence of conflicting roles that might impair the performance of the CDBG-MIT contract or impact the integrity of the procurement process.

For procurement of goods and services, no employee, officer, or agent of City of Hempstead shall participate in the selection, award, or administration of a contract supported by CDBG-MIT funds if he or she has a real or apparent conflict of interest. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

No officer, employee, or agent of City of Hempstead shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.

For all other cases, no employee, agent, consultant, officer, or elected or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or subrecipients which are receiving CDBG-MIT funds, that has any CDBG-MIT function/responsibility, or is in a position to participate in a decision-making process or gain inside information, may obtain a financial interest or benefit from the CDBG-MIT activity.

The conflict of interest restrictions and procurement requirements identified herein shall apply to a benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a CDBG-MIT contract or award, or that is required to complete some or all work under the CDBG-MIT contract in order to meet the National Program Objective.

Any person or entity including any benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a CDBG-MIT contract or award, or that is required to complete some or all work under the CDBG-MIT contract in order to meet a National Program Objective, that might potentially receive benefits from CDBG-MIT awards may not participate in the selection, award, or administration of a contract supported by CDBG-MIT funding.

Any alleged violations of these standards of conduct shall be referred to the City of Hempstead Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

Signature	<u>Dave Shelburne, Mayor</u> Name, Title
December 20, 2021 Date	_

These procedures are intended to serve as guidelines for the procurement of supplies, equipment, construction services and professional services for the Community Development Block Grant (CDBG-MIT) Program. The regulations related to conflict of interest and nepotism may be found at the Texas Government Code Chapter 573, Texas Local Government Code Chapter 171, Uniform Grant Management Standards by Texas Comptroller, 24 CFR 570.489(g) &(h), and 2 CFR 200.318

Fair Housing Policy

In accordance with Fair Housing Act, City of Hempstead hereby adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

- 1. City of Hempstead agrees to affirmatively further fair housing choice for all seven protected classes (race, color, religion, sex, disability, familial status, and national origin).
- 2. City of Hempstead agrees to plan at least one activity during the contract term to affirmatively further fair housing.
- 3. City of Hempstead will introduce and pass a resolution adopting this policy.

As officers and representatives of City of Hempstead, we the undersigned have read and fully agree to this plan and become a party to the full implementation of this program.

Signature	
December 20, 2021 Date	-

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 20th day of December, 2021.

APPROVED:	
Dave Shelburne, Mayor	_
ATTEST:	
Barbara Haffelfinger City Secretary	-



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RESOLUTION NO. 21- 005

ZONING TEXT AMENDMENT ARTICLE 3, "ZONING DISTRICTS, SECTION 3.11.03 "PLANNED UNIT DEVELOPMENT", AND SECTION 3.12 "LOT STANDARDS

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HEMPSTEAD PLANNING AND ZONING COMMISSION OF THE CITY OF HEMPSTEAD, TEXAS:

To request City Council to **approve** a Zoning Text Amendment by amending Article 3 "Zoning Districts", Section 3.11.03 "Planning Unit Development" and Section 3.12 "Lot Standards" to increase the minimum size of a Planned Unit Development and provide for a minimum lot width for a Planned Unit Development.

PASSED AND APPROVED this the 6th day of December, A.D., 2021.

APPROVED:

John Busby, Vice-Chairman

ATTEST:

Barbara Haffelfinger City Secretary



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ORI	INA	NCE
NO.	21-	

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 PLANNED UNIT DEVELOPMENT AND PROVIDE FOR A MINIMUM LOT WIDTH FOR A PLANNED UNIT DEVELOPMENT; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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

<u>Section 1.</u> That Section 3.11.03 and Section 3.12 of Article 3 of the Code of Ordinances of the City of Hempstead, Texas is hereby amended as follows with additions being underlined and deletions being struck through:

Section 3.11 PUD - Planned Unit Development

•••

3.11.03 <u>PUD Location and Size:</u> A PUD shall be permitted in any R-1, R-2, R-3, NC, HC, or PS zone and shall be a minimum of two (2) twenty (20) acres in size.

Section 3.12 Lot Standards

ZONING DISTRICT	Minimum Lot Area	Minimum Lot Width	Minimum Lot Depth	Maximum Residential Density	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Maximum Lot Coverage	Maximum Lot Height
PUD – Planned Unit Development	2 acres 20 acres	40 feet	-	-	-	-	-	-	-

<u>Section 2</u>. All portions of the City of Hempstead Zoning Ordinance not in conflict with this Ordinance remain in effect.

<u>Section 3.</u> In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances 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.

<u>Section 4.</u> All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 5. This Ordinance shall become effective on December 20, 2021.

PASSED AND APPROVED this the 20th day of December, 2021.

	APPROVED:	
	Dave Shelburne, Mayor	
ATTEST:		
Barbara Haffelfinger, City Secretary		



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

ORDINANCE NO. 22-___

AN ORDINANCE OF THE CITY OF HEMPSTEAD, TEXAS ADOPTING THE INTERNATIONAL BUILDING CODE, 2021 EDITION, INTERNATIONAL RESIDENTIAL CODE, 2021 EDITION, THE CODE, INTERNATIONAL **FUEL** GAS 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:

<u>Section 1</u>. 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.
- <u>Section 3</u>. 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.
- <u>Section 4</u>. 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.

<u>Section 6</u>. 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 December, A.D., 2021.

	APPROVED:	
	Dave Shelburne, Mayor	
ATTEST:		
Barbara Haffelfinger, City Secretary		

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:

Dave Shelburne, Mayor City of Hempstead

ATTEST:

Barbara Haffelfinger City Secret

STATE OF TEXAS COUNTY OF WALLER

This instrument was acknowledged before me on the 4th day of October, 2021 by Dave Shelburne, the Mayor of the City of Hempstead, Texas.

BARBARA HAFFELFINGER Notary Public, State of Texas My Commission Expires September 13, 2025 NOTARY ID 188395-6 Notary Public, State of Le

BARBARA HAFFELFENGER

Notary's Printed Name

Commission Expires: 09-13-25

FILED AND RECORDED

Instrument Number: 2112001

Filing and Recording Date: 10/12/2021 03:56:55 PM Pages: 3 Recording Fee: \$20.00 I hereby certify that this instrument was FILED on the date and time stamped hereon by

me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



Floritai Hellen

Debbie Hollan, County Clerk Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

Donna Jackson, Deputy

Returned To: CITY OF HEMPSTEAD 1125 AUSTIN STREET HEMPSTEAD, TX 77445 CITY OF HEMPSTEAD

DANGEROUS BUILDING OR STRUCTURE REPORT Street Address / Location Legal Description Owner(s) / Mailing Address Any building or structure, regardless of the date of its construction, having any of the following defects, shall be deemed to be substandard and/or unfit for human habitation and, as a result, a danger to the public health, safety and welfare and thus, declared to be a dangerous building or structure: Any building or structure that has become so deteriorated or damaged such that its roof, walls, or flooring is not weathertight and weatherproof. **(B)** Any building or structure that is so structurally deteriorated or damaged that is in danger of collapse or that cannot be expected to withstand reasonably anticipated weather conditions, such as storms or hurricanes. Conditions within any building or structure that violate any provision of the City's building, electrical, plumbing, fire, or other such codes, when such nonconformity constituted a danger to the public health, safety, and welfare. Any unsafe or defective electrical wiring, devices or equipment, or unsafe or defective gas plping or appliances that are apt to cause or promote fires. Dilapidated, decayed, unsafe, unsanitary, or substandard conditions or any condition that fails to provide amenities essential to decent living so that the premises are unfit for human habitation, or are likely to cause sickness or disease, so as to cause injury to the public health, safety, and welfare. Buildings and structures, regardless of their structural condition, that have been, during times that they were not actually occupied by their owners, lessees or other legal invitees, left unsecured from unauthorized entry to the extent that they may be entered by vagrants or other uninvited persons as a place of harborage or could be entered by children. Buildings and structures, which are secured, though by inadequate means to prevent unauthorized entry or use in a manner described in paragraph (F) above. Any building or structure so constructed or maintained as to constitute a menace to the public health, safety, including: 1. All conditions conductive to the harboring of rats, snakes, mice, other diseased-carrying animals, or insects reasonably capable of spreading disease. 2. Conditions hazardous to the safety of persons or property, such as inadequate bracing, structural support, construction, or the presence of deteriorated materials.

3. Conditions constituting an attractive nuisance and a hazard to the health

or safety of minors.

Building Official



MARIEL & TAYLOR THOMAS
c/o BESSIE M. HALL
2130 WILKINS STREET
BLOCK 152 / LOT W/2 OF 4 & 5



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

RESC	DLUTI	ON
NO.	21-	

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 20th day of December, A.D., 2021.

	APPROVED:
	Dave Shelburne, Mayor
ATTEST:	
Barbara Haffelfinger, City Secretary	_





Tax Allocations

City Sales and Use Tax Comparison SummaryDecember 2021

Download and further analyze current and historic data using the Texas Open Data CenterExternal Link: undefined.

NOTE: Some jurisdictions may have changed tax rates, thus affecting the comparison. See Local Sales Tax Rate Information Report [comptroller.texas.gov/taxes/sales/rate-report.php] for a list of jurisdictions who have changed rates in the preceding 14 months.

U/C = Unable To Compute Percentage Change

Total Net Payments This Period: \$596,783,538.14; Comparable Payment Prior Year: \$510,721,711.14; Percent Change: 16.85%

Total Payments YTD: \$7,137,261,063.12; Total Prior Year Payment YTD: \$6,225,241,462.83; Percent Change: 14.65%

Search

City	Net Payment This Period	Comparable Payment Prior Year	% Chang e	Payment YTD	Prior Year Payment YTD	% Chang e
Haskeli	\$52,425.95	\$51,048.19	2.69%	\$806,811.77	\$712,857.94	13.17%
Haslet	\$521,757.20	\$452,423.49	15.32%	\$5,023,704.75	\$3,997,566.37	25.66%
Hawk Cove	\$2,761.91	\$3,690.66	-25.16%	\$42,584.52	\$37,340.68	14.04%
Hawkins	\$34,733.11	\$26,343.61	31.84%	\$432,488.52	\$336,694.10	28.45%
Hawley	\$42,366.44	\$12,890.51	228.66%	\$202,681.67	\$119,656.51	69.38%
Hays	\$2,436.87	\$1,887.67	29.09%	\$22,878.61	\$20,963.97	9.13%
Hearne	\$124,061.78	\$117,623.58	5.47%	\$1,392,889.48	\$1,672,933.61	-16.73%
Heath	\$194,963.56	\$184,253.97	5.81%	\$2,301,043.02	\$2,014,932.83	14.19%
Hebron	\$9,832.02	\$9,957.98	-1.26%	\$122,698.20	\$107,043.03	14.62%
Hedley	\$738.35	\$576.08	28.16%	\$13,042.60	\$10,735.84	21.48%
Hedwig Village	\$172,758.90	\$146,351.07	18.04%	\$2,065,952.11	\$1,861,226.37	10.99%
Helotes	\$649,476.29	\$625,499.77	3.83%	\$7,992,669.17	\$5,838,628.63	36.89%
Hemphill	\$44,690.71	\$33,939.77	31.67%	\$613,363.29	\$501,117.27	22.39%
Hempstead	\$168,271.02	\$164,592.61	2.23%	\$2,056,888.39	\$1,874,041.89	9.75%
Henderson	\$572,255.74	\$453,332.88	26.23%	\$6,862,160.65	\$6,236,062.39	10.03%
Henrietta	\$58,197.71	\$48,342.93	20.38%	\$712,097.34	\$609,390.09	16.85%
Hereford	\$259,149.39	\$204,933.91	26.45%	\$2,965,948.91	\$2,703,450.21	9.70%
Hewitt	\$271,783.91	\$242,839.59	11.91%	\$3,382,959.11	\$3,062,140.37	10.47%
Hickory Creek	\$166,144.26	\$158,061.62	5.11%	\$2,077,689.74	\$1,839,384.59	12.95%
Hico	\$42,098.67	\$38,633.01	8.97%	\$531,261.91	\$484,065.24	9.75%



Rows 441 to 460 of 1168 Total

If you have questions about Tax Allocation Payment Distribution Schedule, please contact us [mailto:Taxalloc.RevAcct@cpa.texas.gov].

11/1 Monday

8am – Noon (37 gym clients) (32 weight room clients)

Noon – 8pm (144 gym clients) (136 weight room clients)

11/8 Monday

8am – Noon (22 gym clients) (20 weight room clients)

Noon – 8pm (154 gym clients) (146 weight room clients)

11/15 Monday

8am - Noon (34 gym clients) (30 weight room clients)

Noon – 8pm (130 gym clients) (149 weight room clients)

11/22 Monday

8am - Noon (29 gym clients) (28 weight room clients)

Noon – 8pm (149 gym clients) (126 weight room clients)

11/29 Monday

8am - Noon (30 gym clients) (32 weight room clients) (14 Knitting clients)

Noon – 8pm (159 gym clients) (143 weight room clients)

11/2 Tuesday

8am - Noon (22 gym clients) (22 weight room clients) (8 knitting clients)

Noon – 8pm (144 gym clients) (110 weight room clients)

11/9 Tuesday

8am – Noon (25 gym clients) (50 weight room clients) (10 knitting clients)

Noon – 8pm (115 gym clients) (109 weight room clients)

11/16 Tuesday

8am – Noon (19 gym clients) (69 weight room clients) (15 knitting clients)

Noon – 8pm (137 gym clients) (136 weight room clients)

11/23 Tuesday

8am – Noon (20 gym clients) (14 weight room clients)

Noon – 8pm (149 gym clients) (116 weight room clients)

11/30 Tuesday

8am – Noon (14 gym clients) (17 weight room clients)

Noon – 8pm (137 gym clients) (123 weight room clients)

11/3 Wednesday

8am – Noon (20 gym clients) (25 weight room clients)

Noon – 8pm (116 gym clients) (133 weight room clients)

11/10 Wednesday

8am – Noon (27 gym clients) (23 weight room clients)

Noon – 8pm (110 gym clients) (144 weight room clients)

11/17 Wednesday

8am – Noon (23 gym clients) (17 weight room clients) (9 study room clients)

Noon – 8pm (101 gym clients) (91 weight room clients)

11/24 Wednesday

8am - Noon (22 gym clients) (12 weight room clients) (6 study room clients)

Noon – 8pm (115 gym clients) (90 weight room clients)

11/4 Thursday

8am – Noon (12 gym clients) (31 weight room clients) (10 study room clients)

Noon – 8pm (93 gym clients) (73 weight room clients)

11/11 Thursday

8am - Noon (12 gym clients) (19 weight room clients) (7 study room clients)

Noon – 8pm (134 gym clients) (124 weight room clients)

11/18 Thursday

8am – Noon (23 gym clients) (19 weight room clients)

Noon – 8pm (75 gym clients) (61 weight room clients)

11/25 Thursday

8am – Noon (19 gym clients) (22 weight room clients)

Noon – 8pm (29 gym clients) (35 weight room clients)

11/5 Friday

8am - Noon (15 gym clients) (23 weight room clients)

Noon – 8pm (40 gym clients) (33 weight room clients)

11/12 Friday

8am – Noon (15 gym clients) (27 weight room clients)

Noon – 8pm (60 gym clients) (39 weight room clients)

11/19 Friday

8am - Noon (30 gym clients) (40 weight room clients)

Noon – 8pm (47 gym clients) (48 weight room clients)

11/26 Friday

8am – Noon (40 gym clients) (35 weight room clients)

Noon – 8pm (57 gym clients) (37 weight room clients)