

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

BE IT REMEMBERED that on the 22nd day of February, A.D., 2021 at 6:00 P.M. the City Council met in Special Session at the City Hall in said City, there being present, to-wit:

Dave Shelburne, Mayor
Katherine Ragston, Mayor Pro-Tem
Erica Ragston, Councilmember
Lonnie Garfield, Councilmember

Raul Villarreal, Councilmember
Ben Tibbs, Councilmember
Barbara Haffelfinger, City Secretary

Via Telephone:

John Hightower, City Attorney

Others present at the meeting included Sabrina Alvarez, Rooster Smith, David Hartley, Kollye Kilpatrick, Vicki Spiess – GrantWorks, Cynthia Powers – Prosperity Bank, Amy Carlton – Prosperity Bank, Barbara Bezub, Cheryl Hardwick, Annette Baker, Ann Hartley, and John Brandt.

Via Telephone:

Mary Ann Drawl

Mayor Shelburne called the meeting to order at 6:00 P.M. and Councilmember Gillum gave the invocation.

The Pledge of Allegiance was given.

Mayor Shelburne administered the Oath of Office to Police Officer Cheryl McCool.

Under Public Comments, Cheryl Hardwick gave praise for the City Workers during the severe weather incident the prior week.

Mayor Shelburne discussed the last week's weather events. Mayor Shelburne also advised that the City Workers did a good job. There is a of areas that need change, including the phone system which prevented communication.

Mayor Pro-Tem Ragston made a motion to approve the minutes of the January 29, 2021 and February 1, 2021 minutes. The motion was seconded by Councilmember Tibbs and carried unanimously.

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

AYES: Mayor Pro-Tem Katherine Ragston, Councilmember Erica Gillum,

Councilmember Lonnie Garfield, Councilmember Raul Villarreal,
Councilmember Ben Tibbs

NOES: None

ABSENT: None

**RESOLUTION
NO. 21-003**

DEPOSITORY CONTRACT

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

That the Mayor is authorized to execute the Depository Contract with Prosperity Bank for three years in accordance with Chapter 105 of the Texas Local Government Code and Chapter 2257 of the Texas Government Code under its current terms.

PASSED AND APPROVED this the 22nd day of February, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

Councilmember Tibbs made a motion to approve awarding the bid for the 2019 TxCDBG-TCF ADA Sidewalks, Contract No. 7219182 to Palomares Construction of Bryan, Texas in the amount of \$332,147.50, with a bid alternative of \$70,290 as recommended by Strand Associates Engineers. The motion was seconded by Councilmember Villarreal and carried unanimously.

Councilmember Garfield made a motion to approve the Procurement Policies and Procedures for Federal Grants. The motion was seconded by Mayor Pro-Tem Ragston and carried unanimously.

Vicki Spiess, GrantWorks, reviewed the start-up documents for the 2020 TxCDBG Program Contract 7220162, with the following documents:

- a) Resolution to Designate Authorized Signatories.
- b) Resolution regarding Civil Rights.
- c) Citizen Participation Plan.
- d) Section 3 Policy.
- e) Excessive Force Policy.
- f) Section 504 Policy Against Discrimination Based on Handicap and Grievance Procedures.

- g) Over 5% Limited English Proficiency Plan – 7220162.
- h) Code of Conduct Policy of the City of Hempstead.
- i) Proclamation of April as Fair Housing Month.
- j) Fair Housing Policy.

Councilmember Garfield made a motion to approve the start-up documents for the 2020 TxCDBG Program, Contract 7220162. The motion was seconded by Councilmember Tibbs and carried the following vote, to-wit:

AYES: Mayor Pro-Tem Katherine Ragston, Councilmember Erica Gillum, Councilmember Lonnie Garfield, Councilmember Raul Villarreal, Councilmember Ben Tibbs

NOES: None

ABSENT: None

**RESOLUTION
NO. 21-004**

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 TEXAS COMMUNITY DEVELOPMENT BLOCK
GRANT PROGRAM (TXCDBG) CONTRACT NUMBER 7220162.**

WHEREAS, the City of Hempstead has received a 2020 Texas Community Development Block Grant award to provide Sidewalk Improvements; and

WHEREAS, it is necessary to appoint persons to execute contractual documents and documents requesting funds from the Texas Department of Agriculture; and

WHEREAS, an original signed copy of the TxCDBG Depository/Authorized Signatories Designation Form (Form A202) 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 of the City changes (elections, illness, resignations, etc.) the City must provide TxCDBG with the following:

- a resolution stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and
- a revised TxCDBG *Depository/Authorized Signatories Designation Form (Form A202)*.

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

The Mayor and Mayor Pro-Tem are authorized to execute contractual and environmental review documents between the Texas Department of Agriculture and the City for the 2020 Texas Community Development Block Grant Program.

The Mayor, Mayor Pro-Tem, and City Secretary are authorized to execute the *State of Texas Purchase Voucher* and *Request for Payment Form* documents required for requesting funds approved in the 2020 Texas Community Development Block Grant Program.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HEMPSTEAD, TEXAS, on February 22, 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

**RESOLUTION
NO. 21-005**

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

WHEREAS, the City of Hempstead, Texas, (hereinafter referred to as “City of Hempstead”) has been awarded TxCDBG funding through a TxCDBG grant from the Texas Department of Agriculture (hereinafter referred to as “TDA”);

WHEREAS, the City of Hempstead, in accordance with Section 109 of the Title I 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 activity, on the basis of race, color, religion, sex, national origin, age, or disability;

WHEREAS, the 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, the 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 TxCDBG project area;

WHEREAS, the 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 prohibits the use of excessive force against non-violent civil rights demonstrations;

WHEREAS, the 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 TxCDBG project;

WHEREAS, the 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, the 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 contact period to affirmatively further fair housing; and

WHEREAS, the City of Hempstead, agrees to 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 THE CITY OF HEMPSTEAD ADOPTS THE FOLLOWING:

1. Citizen Participation Plan and Grievance Procedures (Form A1013);
2. Section 3 Policy (Form A1002);
3. Excessive Force Policy (Form 1003);
4. Section 504 Policy and Grievance Procedures (Form A1004);
5. Limited English Proficiency (LEP) Standards (Form A1010);
6. Fair Housing Policy (Form 1015); and
7. Code of Conduct Policy.

PASSED AND APPROVED this the 22nd day of February, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

Councilmember Tibbs made a motion to approve the Service Agreement for Generators with Loftin Equipment Company. The motion was seconded by Councilmember Gillum and carried unanimously.

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

Sales Tax for the month of February is positive at 1.37%.

Police Chief David Hartley presented the Racial Profiling Report for 2020.

There being no further business, Mayor Pro-Tem Ragston made a motion to adjourn the meeting at 6:20 P.M. The motion was seconded by Councilmember Garfield and carried unanimously.

PASSED AND APPROVED this the 15th day of March, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary