

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

BE IT REMEMBERED that on the 21st day of June, A.D., 2021 at 6:00 P.M. the City Council met in Regular Session at the City Hall in said City, there being present, to-wit:

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

Raul Villarreal, Councilmember
Chase Murray, Councilmember
Charles Williams, City Attorney
Barbara Haffelfinger, City Secretary

Others present at the meeting included Sabrina Alvarez, Rooster Smith, David Hartley, Kollye Kilpatrick, Cheryl Hardwick, Jessica Holloman, Walter Pendleton, Pat Williams, Cindy Pearce, Ervin Thomas, Mary Ann Drawl, and Mildred Jefferson.

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

The Pledge of Allegiance was given.

Under Public Comments, Walter Pendleton spoke about not being able to locate the gravesites of his parents. Cheryl Hardwick spoke to thank Councilmembers and City staff for work done during the Memorial Day parade.

Councilmember Garfield made a motion to approve the minutes of the May 17, 2021 and June 7, 2021 meetings. The motion was seconded by Mayor Pro-Tem Ragston and carried unanimously.

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

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

NOES: None

ABSENT: None

**ORDINANCE
NO. 21-104**

**AN ORDINANCE OF THE CITY OF HEMPSTEAD, TEXAS
AUTHORIZING THE SALE OF ALCOHOLIC BEVERAGES ON CITY OF
HEMPSTEAD PROPERTY DURING THE CITY OF HEMPSTEAD
WATERMELON FESTIVAL.**

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

Section 1. The sale of alcoholic beverages on City of Hempstead property will be allowed at a location(s) approved by the City Council during the Hempstead Watermelon Festival. No glass containers will be allowed.

Section 2. All ordinances or parts of ordinances in conflict are hereby repealed.

Section 3. That if any provision of this Ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

PASSED AND APPROVED this the 21st day of June, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

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

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

NOES: None

ABSENT: None

**RESOLUTION
NO. 21-020**

**STREET CLOSURES FOR
2021 WATERMELON FESTIVAL**

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

That the following streets will be closed during the 2021 Watermelon Festival:

- 1. CAR SHOW**

Saturday, July 24th from 7:30 A.M. to 5:00 P.M., close 12th Street from Austin Street to Wilkins Street and again to New Orleans (leaving cross street traffic at Wilkins and New Orleans open).

2. PARADE

Saturday, July 24th from 9:30 A.M. to 10:30 A.M., close parade route at 9th and San Antonio, San Antonio continuing west to 13th Street (FM 159). Once at 13th, northbound to Austin Street, east to 11th Street, and south on 11th Street to Peebles Street.

3. FESTIVAL AND STREET DANCE AREA/BBQ COOKOFF

- a) Friday, July 23, 2021, at 5:00 P.M. until 5:00 A.M. on Sunday, July 24, 2021 – Close Main Street.
- b) Saturday, July 24, 2021, at 6:00 A.M. until 2:00 A.M. on Sunday, July 25, 2021 – Close 12th Street from Austin Street south to Main Street.
- c) Saturday, July 24, 2021 from 9:30 A.M. until 2:00 A.M. on Sunday, July 25, 2021 – Close 11th Street (FM 1887) from Austin Street to Kosse Street.
- d) Friday, July 23, 2021 at 4:00 P.M. until Sunday, July 25, 2021 at 5:00 A.M. – Close 11th Street east of the railroad tracks from Main Street, north to Austin, and again north from Austin Street to Wilkins Street.
- e) Friday, July 23rd – Close Bremond Street behind City Hall from 11th Street to 12th Street at 5:30 A.M. until Sunday, July 25th at 8:00 A.M. for the large tent to be set up.
- f) Friday, July 23rd at 5:00 P.M. until Sunday, July 25, 2021 at 2:00 A.M., for the use of the Depot Park for announcing, entertainment and for the sale of alcoholic beverages.

PASSED AND APPROVED this the 21st day of June, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

Councilmember Murray made a motion to approve authorization to issue requests for proposals (RFPs) for administrative services and request for qualifications (RFQs) for engineering services related to the Hazard Mitigation as Assistance Programs. The motion was seconded by Mayor Pro-Tem Ragston and carried unanimously.

Public notice was held for approval of an agreement with the Potts Law Firm as Special Council to perform all legal services necessary regarding gas services provided to the City by Symmetry Gas and any affiliates and authorizing the execution of such agreement.

A Resolution was introduced by Councilmember Garfield to be filed with the Texas Attorney General for approval. The motion was seconded by Councilmember Murray and carried the following vote, to-wit:

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

NOES: None

ABSENT: None

RESOLUTION

NO. 21-021

NOTICE OF A PUBLIC MEETING

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE HEMPSTEAD CITY COUNCIL WILL BE HELD ON JUNE 21, 2021 AT HEMPSTEAD CITY HALL, 1125 AUSTIN STREET, HEMPSTEAD, TX 77445 FOR THE PURPOSE OF CONSIDERING AND TAKING ACTION ON ALL MATTERS ON THE AGENDA FOR THE MEETING, INCLUDING APPROVAL OF AN AGREEMENT WITH THE POTTS LAW FIRM AS SPECIAL COUNSEL TO PERFORM ALL LEGAL SERVICES NECESSARY REGARDING GAS SERVICES PROVIDED TO THE CITY BY SYMMETRY GAS AND ANY AFFILIATES AND AUTHORIZING THE EXECUTION OF SUCH AGREEMENT.

Whereas, after exercising due diligence and having provided adequate notice as required by Sec. 2254.1036 of the Texas Government Code, the City Council of the City of Hempstead, Texas hereby finds and determines the following:

1. The Potts firm is fully qualified to provide this representation the Potts law firm possesses legal expertise that the City of Hempstead does not currently possess the specialized legal services required by this agreement cannot be adequately performed by the attorneys and supporting personnel of the City of Hempstead;

2. The Potts Law Firm is experienced in the handling cases and issues that the City of Hempstead is currently facing. The City of Hempstead does not have any previous experience with the Potts law firm or any of its lawyers but has performed due diligence in seeking an attorney for the City that will protect and defend the rights of the citizens of Hempstead;
3. The Potts law firm will be compensated on a contingent fee basis as provided in the amount of 40 percent. A contract to pay inside or outside attorneys on an hourly basis would represent an additional cost to the City of Hempstead;
4. Entering into the proposed agreement is in the best interests of the residents of the City of Hempstead because City of Hempstead's interests will be professionally and competently protected without the additional costs to the City of Hempstead of employing in-house personnel or paying outside counsel on an hourly fee basis, which would otherwise be required;
5. There is a substantial need for the legal services;
6. The legal services cannot be adequately performed by the attorneys and supporting personnel of the City of Hempstead; and
7. The legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the matter for which the services will be obtained or because City of Hempstead entity does not have appropriated funds available to pay the estimated amounts required under a contract providing only for the payment of hourly fees.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The Hempstead City Council approves and authorizes the Mayor to enter into a contingent fee agreement with the Potts Law Firm in accordance in accordance with the terms and conditions set forth in the agreement attached hereto as Exhibit A and incorporated herein for all purposes.

PASSED AND APPROVED ON June 21, 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

Sales Tax for June 2021 was positive at 7.14%.

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

There being no further business, Councilmember Garfield made a motion to adjourn the meeting at 6:17 P.M.

PASSED AND APPROVED this the 19th day of July, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary