

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

BE IT REMEMBERED that on the 2nd day of August, 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
Art Pertile, City Attorney
Barbara Haffelfinger, City Secretary

Others present at the meeting included Sabrina Alvarez, Rooster Smith, David Hartley, Kollye Kilpatrick, Charles Tompkins, Ricky Pearce, Erin Pearce, Cheryl Hardwick, JoAnn Thibodeaux, Kimberly Jackson, Ann Hartley, Roland Hillman, Jackie Hillman, Keri Dodd, and Melissa Hegemeyer.

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.

Under Public Comments, Cheryl Hardwick thanked City Staff for their efforts during the Watermelon Festival which Ms. Hardwick said was a success.

Mayor Pro-Tem Garfield made a motion to approve a Subdivision Plat for Hempstead Ventures of 19.980 Acres/565.398 square feet, situated in the Lancelot Abbott One-Quarter League, Abstract No. 1, City of Hempstead, Waller Council, Texas. The motion was seconded by Councilmember Gillum and carried unanimously.

Mayor Shelburne opened the Public Hearing continued from the July 19, 2021 City Council Meeting on the Petition for Annexation filed by Hempstead Ventures, LLC, for approximately seven (7) acres in four (4) tracts of land located in the L. Abbott Survey, A-1, Waller County. No Public Comments were made. Mayor Shelburne closed the public hearing.

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

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

NOES: None

ABSENT: None

**ORDINANCE
NO. 21-105**

AN ORDINANCE GRANTING THE PETITION FOR ANNEXATION FILED BY HEMPSTEAD VENTURES LLC; PROVIDING FOR THE EXTENTION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AND ANNEXATION OF APPROXIMATELY SEVEN (7) ACRES IN FOUR (4) TRACTS OF LAND LOCATED IN THE L. ABBOTT SURVEY, A-1, WALLER COUNTY, TEXAS.

WHEREAS, on March 30, 2021, Hempstead Ventures LLC, the Owner of the Property described as **Exhibit 1**, filed a petition for annexation of property requesting the annexation of certain property located within the extraterritorial jurisdiction of the City of Hempstead, **Exhibit 1**; said property being approximately 7 acres;

WHEREAS, Texas Local Government Code, at **Section 43.0671** allows a municipality to annex area if each owner of the land requests annexation;

WHEREAS, before a municipality may adopt an ordinance annexing an area, the City Council must conduct a public hearing. During the public hearing, the governing body: (1) must provide persons interested in the annexation the opportunity to be heard; and (2) may adopt an ordinance annexing the area.

WHEREAS, the City must post notice of the hearing on the municipality's Internet website if the municipality has an internet website and publish notice of the hearing in a newspaper of general circulation in the municipality and in the area proposed for annexation.

WHEREAS, the notice for the hearing must be: (1) published at least once on or after the 20th day but before the 10th day before the date of the hearing; and (2) posted on the municipality's Internet website on or after the 20th day but before the 10th day before the date of the hearing and must remain posted until the date of the hearing.

WHEREAS, on July 19, 2021 a public hearing was held at the City of Hempstead in Hempstead, Texas, where all interested persons were provided an opportunity to be heard on the request for annexation of the Property; and

WHEREAS, the City of Hempstead has agreed to provide the services set forth in **Exhibit 2** to the proposed annexed area;

WHEREAS, the owners of the property agree to this ordinance, including the services to be provided as set forth in **Exhibit 2**.

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

WHEREAS, the above described territory lies completely within the extraterritorial jurisdiction of the City of Hempstead, Texas;

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

Section 1. That all of the recitals and preambles hereinabove stated are found to be true and correct and are incorporated herein and made a part of this ordinance for all purposes.

Section 2. That, pursuant to **Section 43.0671**, the territory described in **Exhibit 1** by metes and bounds and included in the annexation of territory by the City; to-wit

SEE ATTACHED EXHIBIT 1

Section 3. That the petition for annexation attached hereto as **Exhibit 1**, is hereby approved and granted and the above described land and territory lying adjacent to and adjoining the City of Hempstead, Texas, is hereby added and annexed to the City of Hempstead, Texas, and said territory hereinafter described shall hereafter be included within the boundary limits of the City of Hempstead, Texas, and the present boundary limits of such city, at the various points contiguous to the area hereinafter described, are altered and amended so as to include said area within the corporate limits of the City of Hempstead, Texas.

Section 4. That territory described in **Exhibit 1** so annexed shall be a part of the City of Hempstead, Texas, and the property so added hereby shall continue and maintain its current land use designation until the property is used for some other purpose.

Section 5. That the above described territory described in described in **Exhibit 1** of this Ordinance, so annexed shall be a part of the City of Hempstead, Texas, and the property so added hereby shall bear its pro rata part of the taxes levied by the City of Hempstead, Texas, and the inhabitants thereof shall be entitled to all of the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Hempstead, Texas.

Section 6. That the service plan attached hereto, as **Exhibit 2** is hereby adopted as part of the annexation of the Property described in **Exhibit 1**.

Section 7. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application thereof ineffective or inapplicable as to any territory, such unconstitutionality, illegality, invalidity, or ineffectiveness of such sections or part shall in no wise affect, impair, or invalidate the remaining portion or portions thereof, but as to such remaining portion or portions, the same shall be and remain in full force and effect.

Section 8. Should this ordinance for any reason be ineffective as to any part of the areas hereby annexed to the City of Hempstead, such ineffectiveness of this ordinance as to any such part or parts of any such areas shall not affect the effectiveness of this ordinance as to all of the remainder of the area. If there is included within the general description of territory set out in **Exhibit 1** of this Ordinance to be annexed to the City of Hempstead any lands or areas which are presently part of and included within the limits of any other city or within the extraterritorial jurisdiction of any other city, or which are not within the City of Hempstead's jurisdiction to annex, the same is hereby excluded and excepted from the territory to be annexed as fully as if such excluded and excepted area were expressly described herein.

PASSED AND APPROVED in Hempstead, Texas this 2nd day of August, 2021.

CITY OF HEMPSTEAD, TEXAS

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

A Resolution was introduced by Mayor Pro-Tem Garfield to award a bid to TankEZ Coatings, Inc., for a Base Bid Amount of \$320,000.00; an Additive No. 1 in the amount of \$40,000.00; and Additive No. 2 in the amount of \$200.00. The motion was seconded by Councilmember Pearce and carried the following vote, to-wit:

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

NOES: None

ABSENT: None

**RESOLUTION
NO. 21-027**

**AWARDING BID FOR REHABILITATION OF 75,000-GALLON
ELEVATED STORAGE TANK LOCATED AT 13TH AND MAIN STREET.**

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

That the City hereby awards a contract to TankEZ Coatings, Inc. for the rehabilitation, recoating, and structural steel repairs of the 75,000-gallon riveted elevated storage tank located at 13th and Main Street; with a base bid of \$320,000.00; Additive No. 1 in the amount of \$40,000.00; and Additive No. 2 in the amount of \$200.00.

PASSED AND APPROVED this the 2nd day of August, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

A Resolution was introduced by Councilmember Villarreal. The motion was seconded by Councilmember 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. 21-028**

**APPOINTMENT TO THE
HEMPSTEAD BOARD OF ADJUSTMENT**

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

That Jacob Rahdarian be appointed as a Board Member to the Hempstead Board of Adjustment.

PASSED AND APPROVED this the 2nd day of August, A.D., 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 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

**RESOLUTION
NO. 21-029**

**APPOINTMENT TO THE
HEMPSTEAD HISTORIC PRESERVATION BOARD**

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

That Susan Winfree be appointed as a Board Member to the Hempstead Historic Preservation Board.

PASSED AND APPROVED this the 2nd day of August, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

A Resolution 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

**RESOLUTION
NO. 21-030**

**AUTHORIZATION TO OPEN A VISA BUSINESS CARD
ACCOUNT WITH PROSPERITY BANK**

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

That the City Council approves the issuance of a Business Credit Card Account with Prosperity Bank with a card limit of \$20,000.00.

The Administrator for the Business Credit Card Account will be Rooster Smith, Chief of Staff; and the On-Line Administrator will be Barbara Haffelfinger, City Secretary.

PASSED AND APPROVED this the 2nd day of August, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

/s/ Lonnie Garfield, Mayor Pro-Tem

/s/ Erica Gillum, Councilmember

/s/ Cindy Pearce, Councilmember

/s/ Raul Villarreal, Councilmember

/s/ Chase Murray, Councilmember

ATTEST:

/s/ Barbara Haffelfinger, City Secretary

There being no further business, Mayor Pro-Tem Garfield made a motion to adjourn the meeting at 6:15 P.M.

PASSED AND APPROVED this the 16th day of August, A.D., 2021.

APPROVED:

/s/ Dave Shelburne, Mayor

ATTEST:

/s/ Barbara Haffelfinger, City Secretary