



David Allen, Mayor  
Jonathan Miller, Council Member Position 1  
Jonathon Randle, Council Member Position 2

Marie Herndon, Council Member Position 3  
Wendy Williams, Council Member Position 4  
Paulette Barnett, Council Member Position 5

**CITY OF PRAIRIE VIEW**  
[www.prairieviewtexas.gov](http://www.prairieviewtexas.gov)

Notice is hereby given of a Regular Meeting of the City Council of the City of Prairie View to be held on Monday, October 24, 2016 at 6:00 p.m. at the Prairie View City Hall, City Council Chamber, 44500 U.S. Business Highway 290, Prairie View, Texas 77446, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council Reserves the right to meet in closed session on any agenda item should the need arise and if applicable, pursuant to Chapter 551 of the Texas Government Code.

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1. **Call to Order**
2. **Certification of Quorum**
3. **Invocation**
4. **Consent Agenda**

The following items are considered routine in nature by the City Council and will be enacted by one motion and vote. There will not be separate discussion on these items unless requested by a Council Member, in which event the item will be removed from the Consent Agenda and considered by separate action.

5. Consider the approval of the Meeting Minutes of the Regular City Council Meeting on September 26, 2016.
6. Consider the approval of the Meeting Minutes of the Special City Council Meeting on October 3, 2016.

**Presentations**

7. Presentation on Gulf Coast District plan to develop commuter rail line in US 290/Hempstead corridor. (Maureen Crocker and Derrick Mitchell)
  - a. Consider approval of a Resolution in Support for Commuter Rail Line proposed by Gulf Coast Rail District.
8. Presentation on the proposed refunding of certain city debt. (Derrick Mitchell and U.S. Williams Jr.)
  - a. Consider approval of a Resolution approving the appointment of Derrick Mitchell as Bond Counsel and engagement of Bracewell LLP for legal services; and

- b. Consider approval of a Resolution approving the appointment of U.S. Williams Jr as Financial Advisor and engagement of Estrada Hinojosa & Co. Inc. for financial advisor services.
- 9. Presentation on the 2017-2018 Community Development Block Grant ("CDBG") Community Development Fund Project. (David Allen)
  - a. Consider approval of a Resolution awarding a professional service contract for grant administration services for the 2017-2018 CDBG Community Development Fund Project; and
  - b. Consider approval of a Resolution awarding a professional service contract for engineering services for the 2017-2018 CDBG Community Development Fund Project.

**Executive Session – (Recess Regular Session and Convene Executive Session)**

- 10. Personnel Matter as authorized by the Texas Government Code, Section 551.074 to deliberate the employment, discipline, or dismissal of Michael Kelley and Pennie Goodie relating to the detention of individuals, and use of force against and arrest of Jonathan Miller on October 8, 2015.

**Reconvene Regular Session**

- 11. Discuss and consider action, if deemed appropriate, on the employment, discipline, or dismissal of the following employees:
  - a. Michael Kelley; and
  - b. Pennie Goodie.
- 12. Discuss and consider action, if deemed appropriate, on a Resolution changing the regular meeting schedule pursuant to the Home Rule Charter, Article IV, Section 5, Meetings of Council.

**13. Departmental Reports**

- a. Administration Department
  - b. Finance, Financial Statements for the Period of September 2016 and Year-to-Date, Unaudited
  - c. Municipal Court Monthly Report for September 2016
  - d. Police Monthly Report
  - e. Public Works Operations Report
  - f. Tax Collections Report from Waller ISD
  - g. Delinquent Tax Report from Linebarger Goggan Blair & Sampson, LLP
  - h. Volunteer Fire Fighting Association Monthly Report/ESD Report
  - i. Ordinance Violations Report
- 14. Discuss and take possible action concerning the 4B Economic Development Corporation, including:
  - a) Status of Economic Development Corporation's administration, operations, approved and pending applications for programs and projects;

- b) Status of recapture of project funding in the amount of \$54,000.00 from Jacquelyn Jackson doing business as Odyssey Training Institute under the terms and conditions of Performance Agreement and Promissory Note dated October 7, 2014.
- 15. Discuss status of resolving Wastewater Service Agreement rate dispute between City of Prairie View and Prairie View A&M University. (Mayor David Allen)
- 16. Discuss and consider approval of a resolution adopting the Waller County Emergency Management Plan dated June 2016 for Waller County and the cities of Brookshire, Hempstead, Pattison, Pine Island, Prairie View, and Waller. (Mayor David Allen)
- 17. Discuss and consider the approval of appointments to the Houston-Galveston Area Council General Assembly of David Allen (Mayor) as Designated Representative and Marie Herndon as Alternate.
- 18. **Mayor and City Council Reports**

Pursuant to Texas Government Code § 551.0415, City Council Members and City Staff may make reports about items of community interest during a meeting of the governing body without having given notice of a report.

#### **ARTICLE 1.500 CITY COUNCIL RULES OF PROCEDURE**

##### **Sec. 1.516 Addressing the Council**

Any person desiring to address the council by oral communication shall first secure the permission of the mayor; provided, however, that preference will be given to those persons who have notified the city secretary by noon of the meeting day of the council meeting of their desire to speak in order that their names may be placed on the agenda, and they will be recognized by the mayor without further action.

##### **Sec. 1.517 Addressing the Council After Motion Made**

After a motion made by the council, no person shall address the council without first securing the permission of the mayor to do so.

##### **Sec. 1.518 Manner of Addressing the Council; Time Limit**

- (a) Each person addressing the council shall step up to the microphone in front of the rail, shall give his name and address in an audible tone of voice for the taped record and, unless further time is granted by the council, shall limit his address to three minutes.
- (b) All remarks shall be addressed to the council as a body and not to any member thereof.
- (c) No person shall be permitted to enter into any discussion, either directly or through a member of the council without the permission of the mayor.
- (d) No question shall be asked a councilmember except through the mayor.

**Sec. 1.519 Silence Constitutes Affirmative Vote**

Unless a member of the council states that he/she is not voting, his/her silence in failing to respond to a roll call shall be recorded as an affirmative vote.

**Sec. 1.520 Decorum**

- (a) While the council is in session, the members must preserve order and decorum, and members shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the council or disturb any member while speaking nor refuse to obey the orders of the council or the mayor, except as otherwise herein provided.
- (b) Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the council shall be forthwith, by the mayor, barred from further audience before the council, unless permission to continue be granted by a majority vote of the council.

**Sec. 1.521 Enforcement of Decorum**

- (a) The chief of police, or such member or members of the police department as he./she may designate, shall be sergeant-at-arms of the council meetings. He/she, or they, shall carry out all orders and instructions given by the mayor for the purpose of maintaining order and decorum at the council meeting.
- (b) Upon instructions of the mayor, it shall be the duty of the sergeant-at-arms, or any of them present, to place any person who violates the order and decorum of the meeting under arrest, and cause him/her to be prosecuted under the provisions of this code; the complaint to be signed by the mayor.

**Sec. 1.522 Persons Authorized to be Within Rail**

No person, except city officials, their representatives and newspaper, radio, and television reporters, shall be permitted within the rail in front of the council chamber without the express consent of the council.

**19. Citizens Comments:** Please limit your comments to three (3) minutes. City Council will listen to the comments, but cannot discuss or respond to the comments during the meeting. The matter may be referred to a department head, or City Council may direct that the matter be placed on the next regular City Council Agenda. If a written response is desired from the City please request in writing.

Citizens may also submit their documents in writing and/or fill out a Customer Service Evaluation Form.

All persons in attendance at the meeting of the City Council will conduct themselves in an orderly manner. Disregard of order from the Mayor/Chair or Sergeant-At-Arms/Law Enforcement Officers will result in the removal of the person or persons causing the disorder. Please see the full Code of Ordinances Article 1.500 Council's Rules of Procedure on line (link available on city website)

## **Regular Agenda**

20. Discuss and consider action on the following proposed amendments to the City of Prairie View Code of Ordinances:

- a. An ordinance amending the Code of Ordinances of the City of Prairie View, Texas by amending Section 13.900 "Garbage Rates" Chapter 13, "Utilities" adding Section 13.902 Trash Receptacles in the Right of Way.
- b. An ordinance amending the Code of Ordinances of the City of Prairie View, Texas by amending Section 12.500, "Stopping, Standing or Parking" of Chapter 12 "Traffic and Vehicles" to prohibit parking on an unimproved surface in a single family residential or multi-family residential zoned district property.
- c. An ordinance amending the Code of Ordinances of the City of Prairie View, Texas by amending Section 8.200, "Abandoned Motor Vehicles" of Chapter 8 "Offenses and Nuisances" to update the provisions in accordance with changes to the Texas Transportation Code.
- d. An ordinance amending the Code of Ordinances of the City of Prairie View, Texas by amending Section 12.200, "Speed Limits" of Chapter 12, "Traffic and Vehicles" to prohibit use of wireless communication devices while driving.

21. Discuss and consider action on a proposed modification of the U.S. Department of Commerce Economic Development Administration ("EDA") Project No. 08-01-05082 Muse Parkway and Old Houston Hwy Infrastructure Development Project Grant to remove Tomball Forest as the "committed beneficiary", and to modify the project description and authorized scope of work.

## **22. New Business (Future Agenda Items)**

The Mayor and City Council Members may request that certain items be scheduled for a future agenda. Requesting that items be placed on future agenda does not exclude other agenda items being added.

## **23. Adjourn**

**The City of Prairie View City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss, as authorized by Texas Government Code 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), and 551.086 (Economic Development).**

**I, the undersigned authority do hereby certify that the above Notice and Agenda of Workshops and Regular Meetings of the governing body of the City of Prairie View is a true and correct copy of said notice and said Notice was posted on the City Hall front door, a place convenient and readily accessible to the general public at all times; said Notice was posted on Friday, October 21, 2016 by 5:00 p.m., and remained so posted continuously for at least 72 hours preceding the scheduled time for said meeting. The Notice and Agenda was also posted on the City's website at:**

[http://www.prairieviewtexas.gov/departments/council agendas-and-minutes.php](http://www.prairieviewtexas.gov/departments/council%20agendas-and-minutes.php)

Dated this the 20<sup>th</sup> day of October, 2016.

By   
Shannon Smith, Acting City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (936)857-3603.