

**MINUTES OF MEETING OF THE  
CITY OF PRAIRIE VIEW OF WALLER COUNTY, TEXAS  
CITY COUNCIL REGULAR MEETING  
JULY 28, 2015**

**Call to Order**

Mayor Pro Tem Jonathon Randle called the meeting to order at 6:03 p.m.

**Certification of Quorum**

Roll Call of the Quorum was completed by City Secretary Janie Willman. The following City Council Members were in attendance: Mayor Pro Tem Jonathon Randle, Council Member Jonathan Miller, Council Member Marie Herndon, and Council Member Herbert Thomas. Council Member Paulette Matthews-Barnett who was attending a conference in Austin was absent. Mayor Frank D. Jackson arrived at 7 p.m.

Also present were City Secretary Janie Willman, City Financial Advisor J.J. Johnson, Municipal Court Judge Morris Overstreet, Police Chief Larry Johnson, Public Works Operations Supervisor Fred Alexander, and Administrative Assistant Terry Tuck.

**Invocation**

Mayor Pro Tem Randle delivered the invocation, asking the assembly to remain standing for a moment of silence for Ms. Sandra Bland.

**Citizens Comments**

Mayor Pro Tem Randle read the speaker's request card from Mr. James Larry, who was absent, asking to have his property returned.

Mr. Malcolm Jackson addressed the City Council thanking Public Works employees for cleaning areas surrounding City fire hydrants. He disagreed with the City's and the City's leadership response to what happened to Ms. Sandra Bland.

Mr. Emory Davis, addressed the City Council noting that the City needs to develop economic growth and the City's infrastructure.

Mr. David Allen, addressed the City Council, detailing perspective of the trooper's actions with Ms. Sandra Bland. He indicated the City's leadership needs to speak up to ensure that kind of situation does not reoccur.

Mr. Ron Leverett, noted that the City's 4B Economic Development Corporation (EDC) has expired board appointments questioning its legal ability to conduct business. He asked why the same people serve on City boards. He questioned a board's efficacy of serving in an appellate capacity over a case over which it originally ruled.

City Attorney Paula Alexander noted that under the Texas Constitution there is a provision that board members whose terms have expired hold over until their successors are appointed.

## **Presentations**

### **Presentation to Brian Rowland for serving as City Council Member four (4) consecutive years on City Council.**

Motion by Council Member Miller and second by Council Member Herndon to table the presentation of a plaque to former City Councilman Brian Rowland for four years of consecutive service until the City-issued equipment is returned.

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|------------------------|------------------|
| Council Member Randle  | Yes              |
| Council Member Miller  | Yes              |
| Council Member Herndon | Yes              |
| Council Member Thomas  | Yes              |
| Voting against:        | None             |
| Absent:                | Jackson, Barnett |

Mayor Pro Tem Randle announced the motion carried by majority vote.

## **Approval of Minutes**

### **Approval of Regular City Council Meeting Minutes of June 23, 2015.**

Motion by Council Member Thomas to approve the minutes of the Regular City Council Meeting of June 23, 2015 with any necessary corrections. The motion died for lack of a second.

Council Member Herndon noted unreadiness with the entire agenda. Ms. Herndon noted that the agenda is incorrect as to the City Council's May 27, 2014 Meeting where the City Council voted unanimously to include approval of the agenda the very first thing. She noted the City Council had not approved the agenda in accordance with the City Council's action to start doing so on May 27, 2014. She requested that the minutes of the June 23, 2015 City Council Meeting be brought back to reflect the correction of not including an agenda item to approve the agenda. She further noted that this evening's agenda did not provide for that agenda item. Mayor Pro Tem Randle asked City Attorney Paula Alexander about the requirement to approve the agenda prior to the meeting (before it is posted). Ms. Alexander noted that she would have to check the minutes because she was not present at that (May 24, 2014) particular meeting.

City Secretary Willman addressed the City Council indicating that she had a specific question about needed corrections to the minutes of the previous meetings. Ms. Willman indicated she would like to check the recording of the previous meeting and bring back the corrected minutes.

Motion by Council Member Herndon and second by Council Member Thomas to bring the minutes of the June 23, 2015 City Council Meeting with the needed corrections to the next City Council Meeting.

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| Council Member Randle | Yes |
| Council Member Miller | Yes |

Council Member Herndon            Yes  
Council Member Thomas            Yes  
Voting against: None  
Absent:            Jackson, Barnett

Mayor Pro Tem Randle announced the motion carried by majority vote.

**Approval of Special Called City Council Meeting Minutes of June 30, 2015.**

Motion by Council Member Thomas and second by Council Member Herndon to approve the minutes of the Special Called City Council Meeting of June 30, 2015 with any necessary corrections. [City Secretary note: No corrections were specified nor cited by the City Council as needing to be made.]

Council Member Randle            Yes  
Council Member Miller            Yes  
Council Member Herndon            Yes  
Council Member Thomas            Yes  
Voting against: None  
Absent:            Jackson, Barnett

Mayor Pro Tem Randle announced the motion carried by majority vote.

**Ratification of Accounts Paid for July 28, 2015**

Following discussion related as to why this item is on the agenda as ratification of accounts paid rather than accounts payable, and the impact of bringing unpaid bills for approval to the City Council, it was decided that the City's Financial Advisor would bring additional detail at the General Ledger level to the City Council.

The City Secretary noted that the State Comptroller's Office has a program under which cities can earn various levels of transparency awards based on the amount of information that is posted to the City's home page on the internet. She further noted that in some cities, the City Council has a policy by which it authorizes expenditures above a particular dollar amount based on a Council-adopted policy. Ms. Willman indicated that the staff can research those kinds of policies and bring a policy to the City Council for consideration.

The City Council directed that ratification of accounts payables or accounts paid not be placed on future agendas. No action was taken on this agenda item.

**Ratification of Appointment of City Secretary Juanita (Janie) Willman.** Motion by Council Member Herndon and second by Council Member Thomas to ratify the appointment by Mayor Frank Jackson of Ms. Juanita (Janie) Willman to serve as the City of Prairie View City Secretary.

Council Member Randle            Yes  
Council Member Miller            Yes

Council Member Herndon            Yes  
Council Member Thomas            Yes  
Voting against: None  
Absent:            Jackson, Barnett

Mayor Pro Tem Randle announced the motion carried by majority vote.

Mayor Pro Tem Randle invited the new City Secretary to make brief remarks. Ms. Willman thanked the City Council for the opportunity to be of service in a City with a long and storied history that is unique in the region, State of Texas, and in the country. She stated she is pleased to be part of the City staff. She noted she is willing to be of service to the City Council, individually as well as on a collective basis. Ms. Willman noted she is looking forward to being of service to the community.

**Ratification of Appointment of Board Members to Serve as the Board of Appeals:**  
Marshall Brown, Henry P. Kemp, Minnie Cyrus, Gwendolyn Carter (Alternate), and Dorothy Carter (Alternate).

Council Member Herndon noted the conflict with appointing members of the Planning and Zoning Commission to serve as the Board of Appeals as part of the appellate process to hear a case on which they had previously ruled as the Planning and Zoning Commission. Ms. Herndon indicated there were not any applications attached as per the Mayor's instruction.

Motion by Council Member Herndon and second by Council Member Miller to postpone this agenda matter to the next meeting so that applications from prospective candidates, other than persons who are on Planning and Zoning, can be solicited and brought to the City Council for action.

Council Member Randle            Yes  
Council Member Miller            Yes  
Council Member Herndon            Yes  
Council Member Thomas            Yes  
Voting against: None  
Absent:            Jackson, Barnett

Mayor Pro Tem Randle announced the motion carried by majority vote.

Mayor Pro Tem Randle asked that the process be an open one, that any citizen who would like to serve contact the City Secretary. He further asked that City Council Members who have prospective board member nominations should request that those persons complete their applications.

**Discuss and consider action authorizing Tax Refund in the amount of \$36.52 to John L. and Barbara Brandon, City of Prairie View Account No. 841000-001-011-000.**

Motion by Council Member Thomas and second by Council Member Herndon to approve an action authorizing a tax refund in the amount of \$36.52 to John L. and Barbara Brandon City of Prairie View Account No. 841000-001-011-000.

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| Council Member Randle  | Yes              |
| Council Member Miller  | Yes              |
| Council Member Herndon | Yes              |
| Council Member Thomas  | Yes              |
| Voting against:        | None             |
| Absent:                | Jackson, Barnett |

Mayor Pro Tem Randle announced the motion carried by majority vote.

**Discuss and consider action designating the follower signers for all City of Prairie View Warrants (Checks).** Frank D. Jackson, Mayor; Jonathon Randle, Mayor Pro Tem; Juanita Willman, City Secretary; Herbert Thomas, PV4B EDC President.

Motion by Council Member Herndon and second by Council Member Thomas to designate the following persons as signers for all City of Prairie View Warrants (Checks). Frank D. Jackson, Mayor; Jonathon Randle, Mayor Pro Tem; Juanita Willman, City Secretary; Herbert Thomas, PV4B EDC President.

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|------------------------|------------------|
| Council Member Randle  | Yes              |
| Council Member Miller  | Yes              |
| Council Member Herndon | Yes              |
| Council Member Thomas  | Yes              |
| Voting against:        | None             |
| Absent:                | Jackson, Barnett |

Mayor Pro Tem Randle announced the motion carried by majority vote.

**Discuss and consider action authorizing a contract with DeLeon Construction to clear City lots legally described as Prairie Hills Section Two, Blk 6, Lots 134 and 138.**

Motion by Council Member Herndon and second by Council Member Thomas to postpone this agenda item until local people are contacted who are licensed and bonded to allow for further bids to be brought to the City Council for their consideration.

Council Member Herndon asked why the documentation was just being delivered to the City Council at the dais this evening when Mayor Jackson had directed that all documentation be included in the packet. The City Secretary explained that Mr. DeLeon had just provided proof of his insurance this afternoon. The quote that was provided to the staff had been included in the packet. Ms. Willman noted that the procurement statutes were followed due to the amount being under \$3,000. City

Attorney Paula Alexander and City Financial Advisor JJ Johnson confirmed this information is accurate.

Council Member Herndon asked if there were any other bids received. City Secretary Willman noted, as had been reported in the City Council Communication, that City Treasurer Shannon Smith had done the administrative work. It was suggested that perhaps Ms. Smith might answer the City Council's questions. Council Member Herndon asked if there were any other local people contacted on this matter and if not why not. City Treasurer Smith indicated not to her knowledge that Mr. Larry Coleman, the complainant, brought Mr. DeLeon's name to the attention of the City.

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|------------------------|------------------|
| Council Member Randle  | Yes              |
| Council Member Miller  | Yes              |
| Council Member Herndon | Yes              |
| Council Member Thomas  | Yes              |
| Voting against:        | None             |
| Absent:                | Jackson, Barnett |

Mayor Pro Tem Randle announced the motion carried by majority vote.

**Update on the present condition of lots and properties profiled at the June 23, 2015 City Council Meeting, relative to compliance with city ordinances, including vacant lot at 300 Pine Street, 200 Pine Street, and 121 Pine Street.** (Council Member Herndon)

Council Member Herndon requested an update to her report. She noted that 200 Pine Street had been cut. She noted that 300 Pine Street had grown even taller. She asked if the owners of the lots had been notified and cited. Public Works Supervisor Fred Alexander indicated that 121 Pine Street and 200 Pine Street lots were cut on the same day. He noted the two properties might need to be cut again. He said he had not received a work order to proceed again from the City Administration. Ms. Herndon noted that the violators needed to cut their lots or be notified and cited if they don't cut their lots. City Treasurer Shannon Smith noted that no citations had been issued. City staff was informed that the lots were well past the ordinance violation height.

**Discuss and take action establishing 18 inches as a minimum requirement for water culverts in the City of Prairie View.** (Council Member Thomas)

Council Member Thomas explained that this agenda item arose out of the experience from the late May 2015 flooding and rains. Council Member Thomas explained Mr. James King, the contractor (King Materials) whom the City authorized to do clean-out work in the City's drainage ditches; he recommended that the City take action establishing 18 inches as a minimum standard for residential water culverts in the City of Prairie View. City Engineer David Leyendecker recommended Mr. King as a contractor based on his expertise to assist the City. Following clarification that this requirement applies to new culvert installations versus replacements, the City Council took action.

Motion by Council Member Thomas and second by Council Member Miller to set 18 inches as a minimum requirement for new and replacement residential water culverts.

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|------------------------|------------------|
| Council Member Randle  | Yes              |
| Council Member Miller  | Yes              |
| Council Member Herndon | Yes              |
| Council Member Thomas  | Yes              |
| Voting against:        | None             |
| Absent:                | Jackson, Barnett |

Mayor Pro Tem Randle announced the motion carried by majority vote.

### **Department Head Reports**

Accounting Report was presented by Mr. JJ Johnson.

Administrative Report was presented by City Secretary Willman.

Delinquent Tax Report

Municipal Court Report was presented by Judge Morris Overstreet.

Police Report was presented by Chief Larry Johnson.

City Council Members voiced concern regarding the lack of notification of briefings held by other governmental and law enforcement officials following Ms. Sandra Bland's death. Council asked why the secondary dash cam recording of Ms. Sandra Bland's arrest was not provided nor initially known. The Council noted the situation with the film not being captured as unacceptable and directed that monitoring be done on a daily basis to ensure the dash cam cameras have sufficient space for recording.

Chief Johnson indicated that the City's technology contractor will be providing software to organize videos from the City's patrol vehicles from an evidentiary perspective. He reported the existence of the second video to all officials as soon as it was determined another responding officer's dash cam captured images. Chief Johnson noted that it has been recommended that the police car cameras be replaced and upgraded. He noted the process is now to download videos at the end of each shift. He will bring the costs for replacement in the new budget. Regarding Council Member Herndon's concerns about getting the new police vehicles out on the street for patrol, Chief Johnson reported that the new police vehicles are being detailed.

Chief Johnson indicated that the officers are called to be peacemakers. He has tried to keep the officers engaged in the community focused on service. He and the officers understand that following with what has happened recently that it will take some trust rebuilding in the community. Mayor Jackson indicated the City's police officers need the community's support, in harm's way, protecting the City. Mayor Jackson noted that these are very interesting times for the community of Prairie View.

Public Works Operations. Public Works Operations Supervisor Fred Alexander reported the Departmental efforts to clean off City lots as well as other privately-owned lots that will require cleaning. There was some discussion about a tree that fell in the

road that needs to be removed up to the homeowner's property beyond the City's right-of-way.

**Council Members Reports.**

Council Member Jonathan Miller thanked the citizens and students for their response on what happened arising out of Ms. Sandra Bland's arrest and resulting situations. He noted that the investigation into Ms. Bland's death is bigger than the findings; that there need to be changes in the criminal justice system. He indicated he is in support of any programs, legislation, and changes in the justice system so that it serves the entire community.

Mr. Miller addressed the questions related to his election. His acceptance into his position was not questioned as the Council's appointment of him to office has allowed him to focus on the needs of the City going forward rather than to focus backward on what happened during the election qualification process.

Council Member Jonathon Randle reported he attended the Young Elected Officials Conference in Washington, D.C. and learned a great deal about transparency and governance processes.

Council Member Herndon dedicated her report to Ms. Sandra Bland.

**Mayor's Reports.** Mayor Jackson briefed the City Council on his report.

**Executive Session.** No Executive Session was conducted.

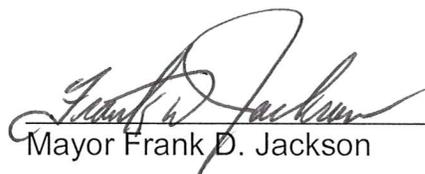
**Announcements.** There were no announcements.

**Adjourn.** Motion by Council Member Marie Herndon to adjourn the City Council Meeting at 8:39 p.m. Council Member Herbert Thomas seconded the motion.

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|------------------------|---------|
| Council Member Randle  | Yes     |
| Council Member Miller  | Yes     |
| Council Member Herndon | Yes     |
| Council Member Thomas  | Yes     |
| Voting against:        | None    |
| Absent:                | Barnett |

Mayor Jackson announced the motion carried by majority vote.

Approved this 27<sup>th</sup> day of October, 2015.

  
\_\_\_\_\_  
Mayor Frank D. Jackson

ATTEST:

  
City Secretary Janie Willman