



AGENDA
Regular Meeting of the Prosper Town Council
Town of Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, May 12, 2009 at 6:00 p.m.

1. Call to Order / Roll Call.
2. Invocation and Pledge of Allegiance.
3. Announcements of dates and times of upcoming community events.
4. Administer Oath of Office and Issuance of Certificate of Election to Elected Councilmembers. **(MD)**

PRESENTATION

5. Presentations and Proclamations
 - a. Presentation of certificates of appreciation to Wayne Bartley, Tania Kiedinger, Kristin Draxler, and Sherrill Hood.
 - b. Introduction of new Fire Chaplain Todd Campbell.
 - c. Presentation of Proclamations for Emergency Medical Services and Public Safety Week.
 - d. Presentation of Plaques for Life Saving Awards.

EXECUTIVE SESSION

6. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit:
 - a. Section 551.074 to deliberate the midyear evaluation of the Town Manager.
 - b. Section 551.087 to deliberate regarding economic development negotiations regarding the Prosper West Project.
7. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

CONSENT AGENDA

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. A majority vote of the Council is required to remove any item for discussion and separate action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

8. Consent Agenda

MINUTES

- a. Consider and act upon minutes from the following Council meetings. **(MD)**
 - April 23, 2009 – Town Council Work Session
 - April 28, 2009 – Town Council Meeting

ORDINANCES, RESOLUTIONS, AND AGREEMENTS

- b. Consider and act upon a resolution setting the schedule for the 2009 involuntary annexations. **(CC)**

- c. Consider and act upon an ordinance amending Article 3.13 (Floods and Drainage) Section 3.13.033 (General Provisions) of the Town of Prosper Code of Ordinances regarding Flood Damage Prevention. (HW)
- d. Calling two public hearings for June 23, 2009 and July 7, 2009 for the involuntary annexations of a 19.958± acre tract of land located on the northwest corner of First Street and La Cima Boulevard, a 261.198± acre tract of land located on the north and south sides of Prosper Trail, on the west side of Custer Road, a 1.468± acre tract of land located on the west side of Custer Road, 2,500± feet south of Frontier Parkway, a 25.466± acre tract of land located on the southwest corner of Frontier Parkway and Custer Road, a 65.395± acre tract of land located on the south side of Frontier Parkway, 2,700± feet west of Custer Road, a 72.722± acre tract of land located on the southeast corner of Frontier Parkway and Coit Road, a 23.103± acre tract of land located on the west side of Coit Road, 1,800± feet south of Frontier Parkway, a 138.86± acre tract of land located on the west side of Preston Road, 1,200± feet south of Frontier Parkway, a 13.649± acre tract of land located on the southwest corner of Frontier Parkway and Burlington Northern Santa Fe (BNSF) Railroad, a 14.804± acre tract of land located on the northwest corner of Prosper Trail and Coleman Street, a 292.452± acre tract of land located on the northeast corner of Prosper Trail and Legacy Drive, and a 170.648± acre tract of land located on the north side of University Drive, 2,400± feet west of Dallas Parkway. (CC)

CITIZEN’S COMMENTS

(The public is invited to address the Council on any topic. However, the Council is unable to discuss or take action on any topic not listed on this agenda. Please complete a “Public Comments Form” and present it to the Town Secretary prior to the meeting.)

- 9. Other Comments by the Public.

REGULAR AGENDA

(If you wish to address the Council during the regular agenda portion of the meeting, please fill out a “Speaker Request Form” and present it to the Town Secretary prior to the meeting. Citizens wishing to address the Council for items listed as public hearings will be recognized by the Mayor. Those wishing to speak on a non-public hearing related items will be recognized on a case-by-case basis, at the discretion of the Mayor and Town Council.)

PUBLIC HEARINGS

- 10. A public hearing to consider and act upon a request to amend Planned Development-31 (PD-31), Section 2.10 (Roof), located on 102.8± acres on the northwest corner of Prosper Trail and Preston Road. (Z09-3). (CC)
- 11. Possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.
- 12. Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the inside window at the Town Hall of the Town of Prosper, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by the following date and time: **Friday, May 8, 2009 at 5:00 p.m.** and remained so posted at least 72 hours before said meeting was convened.

 Matthew D. Denton, TRMC
 Town Secretary

 Date Noticed Removed

In addition to any specifically identified Executive Sessions, Council may convene into Executive Session under Section 551 of the Texas Government Code at any point during the open meeting to discuss any item posted on this agenda. The Open Meetings Act provides specific exceptions that require that a meeting be open. Should Council elect to convene into Executive Session, those exceptions will be specifically identified and announced. Any subsequent action, as a result of this Executive Session, will be taken and recorded in open session.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: The Prosper Town Council Meetings are wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as Interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the Town Secretary’s Office at (972) 346-2640 or by FAX (972) 347-2111. **BRAILLE IS NOT AVAILABLE.**