



## **AGENDA**

Regular Meeting of the Prosper Town Council  
Town of Prosper Municipal Chambers  
108 W. Broadway, Prosper, Texas  
Tuesday, July 28, 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.

### **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.)

4. Consent Agenda

### **MINUTES**

- a. Consider and act upon minutes from the following Council meetings. **(MD)**
  - July 14, 2009 – Town Council Meeting

### **ORDINANCES, RESOLUTIONS, AND AGREEMENTS**

- b. Consider and act upon an annexation agreement by and between the Town of Prosper and Furr Properties LTD and adopting a resolution authorizing the Town Manager to execute the same. **(CC)**
- c. Consider and act upon an annexation agreement by and between the Town of Prosper and Harold and Maureen Patin and adopting a resolution authorizing the Town Manager to execute the same. **(CC)**
- d. Consider and act upon an annexation agreement by and between the Town of Prosper and WFEQ Partners LP and adopting a resolution authorizing the Town Manager to execute the same. **(CC)**
- e. Consider and act upon an annexation agreement by and between the Town of Prosper and Paul D. and Linda K. Gentry and adopting a resolution authorizing the Town Manager to execute the same. **(CC)**
- f. Consider and act upon an annexation agreement by and between the Town of Prosper and Joe Wayne Chesney and adopting a resolution authorizing the Town Manager to execute the same. **(CC)**
- g. Consider and act upon an ordinance for the involuntary annexation of approximately 291.362 acres of land generally located north of Prosper Trail, east of Legacy Drive. **(CC)**
- h. Consider and act upon an ordinance for the involuntary annexation of approximately 171.644 acres of land generally located north of U.S. 380, 2,300± feet west of Dallas Parkway. **(CC)**
- i. Consider and act upon an ordinance for the involuntary annexation of approximately 11.810 acres of land generally located south of Frontier Parkway, west of BNSF Railroad. **(CC)**
- j. Consider and act upon an ordinance for the involuntary annexation of approximately 14.596 acres of land generally located north of Prosper Trail, west of Coleman Street. **(CC)**

- k. Consider and act upon an ordinance for the involuntary annexation of approximately 137.866 acres of land generally located west of Preston Road, 1,100± feet south of Frontier Parkway. (CC)
- l. Consider and act upon an ordinance for the involuntary annexation of approximately 23.217 acres of land generally located west of Coit Road, 1,800± feet south of Frontier Parkway. (CC)
- m. Consider and act upon an ordinance for the involuntary annexation of approximately 20.037 acres of land generally located on the north side of First Street, 200± feet west of La Cima Boulevard. (CC)
- n. Consider and act upon an ordinance for the involuntary annexation of approximately 72.303 acres of land generally located south of Frontier Parkway, east of Coit Road. (CC)
- o. Consider and act upon an ordinance for the involuntary annexation of approximately 41.669 acres of land generally located south of Frontier Parkway, 4,000± feet west of Custer Road. (CC)
- p. Consider and act upon an ordinance for the involuntary annexation of approximately 132.930 acres of land generally located south of Prosper Trail, 4,300± feet east of Coit Road. (CC)
- q. Consider and act upon an ordinance for the involuntary annexation of approximately 44.274 acres of land generally located north of Prosper Trail, 2,600± feet west of Custer Road. (CC)
- r. Consider and act upon an ordinance for the involuntary annexation of approximately 21.430 acres of land generally located north of Prosper Trail, west of Custer Road. (CC)
- s. Consider and act upon an ordinance for the involuntary annexation of approximately 18.961 acres of land generally located south of Frontier Parkway, west of Custer Road. (CC)
- t. Consider and act upon an ordinance for the involuntary annexation of approximately 1.502 acres of land generally located west of Custer Road, 2,600± feet north of Prosper Trail. (CC)
- u. Consider and act upon 1) an Agreement for Encroachment on Easement within the limits of Hunter Gateway Centre, by and between Oncor Electric Delivery Company and the Town of Prosper and 2) a resolution authorizing the Town Manager to execute the same. (HW)
- v. Consider and act upon 1) approval of an Engineering and Surveying Services Agreement with Wier & Associates, Inc., regarding the Main Street Park Paving Improvements and 2) adopt a resolution authorizing the Town Manager to execute the same. (WH)
- w. Consider and act upon resolution to adopt an Identify Theft Program pursuant to the Federal Trade Commission's Red Flags Rule, which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003. (MG)

### **FINANCIALS**

- x. Consider and act upon the financial statements ending June 30, 2009. (MG)
- y. Consider and act upon the Town's quarterly investment report for the Quarter ending June 30, 2009.

### **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.)

- 5. 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**

6. A public hearing to consider and act upon an amendment to Chapter 4, Sections 2, 5, and 9 of the Zoning Ordinance, regarding standards for the screening of air conditioning units and pool equipment, roof pitches for residential buildings, residential landscaping, mail boxes, and the exterior construction materials of residential buildings. (Z09-5). (CC)
7. A public hearing to consider and act upon an amendment to Chapter 13 of the Subdivision Ordinance regarding park dedication requirements and park improvement fees. (SA09-1). (WH)

## **DEPARTMENT ITEMS**

8. Consider and act upon an Interlocal Agreement with Celina regarding Librarian Services and a resolution authorizing the Town Manager to execute the same. (ML)
9. Possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.
10. 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, July 24, 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.