



AGENDA

Regular Meeting of the Prosper Town Council
Town of Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, October 27, 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.

PRESENTATION

4. Presentation of a Proclamation for Fried Pie Day.
5. Presentation by Quinn Harrington regarding the Prosper 48 Project.

EXECUTIVE SESSION

6. Recess into closed session in compliance with Section 551.001 et. Seq. Texas Government Code, to wit Section 551.071 – Consultation with the Town’s Attorney regarding a matter (s) in which the duty of the Town Attorney under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act regarding legal issues related to the Municipal Management District.
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)**
 - October 13, 2009 – Town Council Meeting

ORDINANCES, RESOLUTIONS, AND AGREEMENTS

- b. Consider and act upon a resolution accepting and approving the 2009 Tax Roll. **(MG)**

FINANCIALS

- c. Consider and act upon the financial statements ending September 30, 2009. **(MG)**
- d. Consider and act upon the Quarterly investment portfolio ending September 30, 2009. **(MG)**

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 an amendment to the Town's Thoroughfare Plan (Section 13 of the Town's Comprehensive Plan) removing the unnamed east-west four lane divided thoroughfare, located between Teel Parkway and Gee Road, 1,800± feet north of U.S. 380. (CA09-01). (CC)
11. A public hearing to consider and act upon an amendment to the Town's Thoroughfare Plan (Section 13 of the Town's Comprehensive Plan) revising a portion of First Street, located between Coleman Street and Craig Street, from a future four lane divided thoroughfare (90 feet of right-of-way) to a future three lane thoroughfare (60 feet of right-of-way). (CA09-02). (CC)
12. A public hearing to consider and act upon a request to rezone 120.8± acres, located on the southeast corner of Legacy Drive and Frontier Parkway, from Agricultural (A) to Planned Development-Single Family/Retail (PD-SF/R). (Z09-04). (CC)
13. A public hearing to consider and act upon a request to rezone 107.2± acres, located on the northwest corner of Gee Road and U.S. 380, from Agricultural (A) to Single Family-10 (SF-10) and Commercial (C). (Z08-7). (CC)

DEPARTMENT ITEMS

14. Consider and act upon 1) an addendum to the construction manager at risk agreement approving a Guaranteed Maximum Price (GMP) by Core Construction, Inc. for the construction of the Town Community Park and 2) adopt a resolution authorizing the Town Manager to execute the same. (WH)
15. Consider and act upon appointing persons to the Board of Adjustment / Construction Board of Appeals. (ML)
16. Consider and act upon appointing a person to the MMD No. 1 Board of Directors. (ML)
17. Possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.
18. 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, October 23, 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.