



AGENDA

Regular Meeting of the Prosper Town Council

Town of Prosper Municipal Chambers

108 W. Broadway, Prosper, Texas

Tuesday, February 9, 2010 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)**
 - January 26, 2010 – Town Council Meeting

ORDINANCES, RESOLUTIONS, AND AGREEMENTS

- b. Consider and act upon a resolution accepting the resignation of Charles Niswanger as Mayor.
- c. Consider and act upon the 2009 Racial Profiling Report for the Prosper Police Department. **(KM)**
- d. Consider and act upon a resolution ordering a General Election to be held jointly between the Town of Prosper, the Prosper Independent School District, and the Collin County Community College District to be administered by the Collin County Elections Administration on May 8, 2010, for the purpose of electing three (3) members, the Mayor, Place 1, and Place 4, to the Town of Prosper Town Council to fill expired terms. **(MD)**
- e. Consider and act upon a resolution ordering a Special Election to be held jointly between the Town of Prosper, the Prosper Independent School District, and the Collin County Community College District to be administered by the Collin County Elections Administration on May 8, 2010, for the purpose of electing one (1) member, Place 6, to the Town of Prosper Council to fill an unexpired term. **(MD)**
- f. Consider and act upon a Joint Election Agreement and Contract for Election Services between the Town of Prosper, the Prosper Independent School District, and the Collin County Community College District to be administered by the Collin County Elections Administration for the May 8, 2010 General Election. **(MD)**
- g. Consider and act upon 1) enter into an Engineering Design Services Agreement with Walker Partners, LLC, for the design of the Wilson Creek Tributary Wastewater Interceptor; 2) approve a resolution authorizing the Town Manager to execute the same. **(HW)**

- h. Consider and act upon an ordinance rezoning 8.2± acres, located at Prairie Vista Drive, 200± feet east of Coleman Street, amending Planned Development-37 (PD-37), Exhibit C, Section I (Minimum Dwelling Area). (Z09-16). (CC)
- i. Consider and act upon 1) Contract for materials testing between the Town of Prosper and Rone Engineering Services, LTD. and 2) a resolution authorizing the Town Manager to execute the same. (WH)

FINANCIALS

- i. Consider and act upon the financial statements ending December 31, 2009. (MG)
- j. Consider and act upon the Quarterly investment portfolio ending December 31, 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.)

- 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.)

DEPARTMENT ITEMS

- 6. Receive an update on the Community Library. (LS)

EXECUTIVE SESSION

- 7. Recess into closed session in compliance with Section 551.001 et. Seq. Texas Government Code to wit: Section 551.072 to deliberate regarding real property.
- 8. Reconvene into regular session and take any action necessary as a result of the closed session.
- 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, February 5, 2010 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.