



Prosper is a place where everyone matters.

AGENDA
Meeting of the Prosper Town Council
Prosper High School Cafeteria
301 Eagle Drive, Prosper, Texas
Tuesday, May 13, 2014
5:00 p.m.

1. Call to Order/Roll Call.

2. **EXECUTIVE SESSION:**

Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:

2a. *Section 551.087 - To discuss and consider economic development incentives.*

2b. *Section 551.072 - To discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.*

2c. *Section 551.074. - To discuss appointments to the Planning & Zoning Commission, Parks & Recreation Board, Prosper Economic Development Corporation Board, Board of Adjustment, Construction Board of Appeals, and Library Board.*

3. Reconvene in Regular Session and take any action necessary as a result of the Closed Session.

REGULAR MEETING – 6:00 P.M.

1. Invocation, Pledge of Allegiance and Pledge to the Texas Flag.

2. Announcements of upcoming events.

3. Proclamations.

- Presentation of a Proclamation to members of the Prosper Police Department declaring May 11-17, 2014, as *Police Week*, and declaring May 15, 2014, as *Peace Officers Memorial Day*.
- Presentation of a Proclamation to members of Denton ABATE declaring May 2014 as *Motorcycle Safety Awareness Month*.

4. CONSENT AGENDA:

(Items placed on the Consent Agenda are considered routine in nature and non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda by the request of Council Members or staff.)

- 4a.** Consider and act upon minutes from the following Town Council meetings. **(RB)**
 - Special Called Meeting – April 22, 2014
 - Regular Meeting – April 22, 2014
 - Work Session – April 30, 2014

- 4b.** Consider and act upon a resolution of the Town Council of the Town of Prosper, Texas, denying the rate increase requested by Atmos Energy Corp., Mid-Tex Division, under the Company's 2014 annual rate review mechanism (RRM) filing in all cities exercising original jurisdiction. **(KA)**

- 4c.** Consider and act upon a resolution authorizing the Town Manager to execute an application to the Collin County Parks & Open Space Project Funding Assistance Program for Cockrell Park Land Acquisition. **(PN)**

- 4d.** Consider and act upon authorizing the Town Manager to execute an agreement between Teague Nall and Perkins, Inc., and the Town of Prosper, Texas, related to the design of SH 289 Median Lighting. **(MR)**

- 4e.** Consider and act upon authorizing the Town Manager to execute the Amended and Restated Potable Water Supply Contract between North Texas Municipal Water District and the Town of Prosper, Texas. **(FJ)**

5. CITIZEN 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 Meeting Appearance Card" and present it to the Town Secretary prior to the meeting.)

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 "Public Meeting Appearance Card" 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 item will be recognized on a case-by-case basis, at the discretion of the Mayor and Town Council.)

PUBLIC HEARINGS:

- 6.** Conduct a Public Hearing, and consider and act upon a request to rezone 878.9± acres, located on the southeast and southwest corners of Prosper Trail and Dallas Parkway, from Planned Development-3 (PD-3), Planned Development-14 (PD-14), Planned

Development-23 (PD-23), Planned Development-34 (PD-34), Single Family-10 (SF-10), Single Family-12.5 (SF-12.5), Office (O), and Commercial Corridor (CC) to Planned Development-Single Family/Office/Retail (PD-SF/O/R). (Z13-0018). **(CC)**

7. Conduct a Public Hearing, and consider and act upon a request to rezone 621.1± acres, located on the northeast and northwest corners of U.S. 380 and Preston Road, from Planned Development-2 (PD-2), Planned Development-3 (PD-3), Planned Development-13 (PD-13), Agricultural (A), and Single Family-15 (SF-15) to Planned Development-Single Family-10/Townhome/Multifamily/Office/Retail/Commercial (PD-SF-10/TH/MF/O/R/C). (Z09-0013). **(CC)**

DEPARTMENT ITEMS:

8. Consider and act upon a resolution requesting the Texas Department of Transportation restrict commercial vehicle traffic along eastbound Frontier Parkway (FM 1461) between Preston Road (SH 289) and Custer Road (FM 2478). **(DK)**

9. **EXECUTIVE SESSION:**

Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:

9a. Section 551.087 - To discuss and consider economic development incentives.

9b. Section 551.072 - To discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.

9c. Section 551.074. - To discuss appointments to the Planning & Zoning Commission, Parks & Recreation Board, Prosper Economic Development Corporation Board, Board of Adjustment, Construction Board of Appeals, and Library Board.

10. Reconvene in Regular Session and take any action necessary as a result of the Closed Session.
11. Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.
 - Downtown Enhancements Project
 - Set date to canvass May 10, 2014, General Election
 - Proactive traffic enforcement on US 380
 - Amendment to the Future Land Use Plan
12. Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at the Town Hall of Prosper, Texas, 121 W. Broadway Street, Prosper, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time:

On May 9, at 5:00 p.m., and remained so posted at least 72 hours before said meeting was convened.

Robyn Battle, Town Secretary

Date Noticed Removed

If during the course of the meeting covered by this Notice, the Town Council should determine that a closed or executive meeting or session of the Town Council or a consultation with the attorney/special counsel for the Town should be held or is required, then such closed or executive meeting or session or consultation with the attorney/special counsel as authorized by the Texas Open Meetings Act, Texas Government Code, §551.001, *et seq.*, will be held by the Town Council at the date, hour and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the Town Council may conveniently meet in such closed or executive meeting or session or consult with the attorney/special counsel for the Town concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sections and purposes:

Texas Government Code:

§551.071 - Consultation with the attorney/special counsel for the Town.

§551.072 - Discussion regarding the purchase, exchange, lease or value of real property.

§551.074 - Discussion regarding personnel matters.

NOTICE

Pursuant to Town of Prosper Ordinance No. 13-63, all speakers other than Town of Prosper staff are limited to three (3) minutes per person, per item, which may be extended for an additional two (2) minutes with approval of a majority vote of the Town Council.

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) 569-1011. BRAILLE IS NOT AVAILABLE.