



Prosper is a place where everyone matters.

AGENDA
Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
May 27, 2014
6:00 p.m.

1. Call to Order/Roll Call.
2. Invocation, Pledge of Allegiance and Pledge to the Texas Flag.
3. Announcements of upcoming events.
4. Presentations.
 - Presentation by a 6th Grade English Class from Rogers Middle School regarding "The Prosper Project."
 - Presentation by a member of the Prosper Historical Society regarding a future Prosper Veterans Memorial.
 - Presentation of a Proclamation to Pastor Jack Graham of Prestonwood Baptist Church.
 - Presentation of a Plaque of Appreciation to the family of former Mayor F. K. Mullendore.
 - Presentation of a Certificate of Appreciation to former Council Member Danny Wilson.
5. **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.)

 - 5a. Consider and act upon minutes from the following Town Council meetings. **(RB)**
 - Regular Meeting – May 13, 2014
 - Special Meeting to Canvass Election – May 19, 2014
 - 5b. Receive the April 2014 Financial Report. **(KA)**
 - 5c. Receive the Quarterly Investment Report for the quarter ending March 31, 2014. **(KA)**
 - 5d. Consider and act upon awarding CSP No. 2014-23-B to Vanguard Modular Buildings, LLC, for the purchase of a modular building for Public Works. **(JC)**

- 5e. Consider and act upon ratifying the selection of Mario Sinacola & Sons Excavating, Inc., for conduit work performed on Preston Road; and authorizing payment. **(JC)**
- 5f. Consider and act upon an Ordinance rezoning 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)**
- 5g. Consider and act upon an Ordinance rezoning 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)**
- 5h. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the Town Council to the Development Services Department, pursuant to Chapter 4, Section 1.5(C)(7) and 1.6(B)(7) of the Town's Zoning Ordinance, regarding action taken by the Planning & Zoning Commission on any site plan or preliminary site plan. **(CC)**

6. 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:

- 7. Conduct a Public Hearing, and consider and act upon a request for a Specific Use Permit (SUP) for a Child Day Care Center on 1.4± acres, located on the north side of Richland Boulevard, 400± feet west of Coit Road. The property is zoned Office (O). (S14-0002). **(CC)**

DEPARTMENT ITEMS:

8. Consider and act upon the election of a Mayor Pro-Tem and Deputy Mayor Pro-Tem. **(RB)**
9. Consider and act upon an ordinance approving the Water Conservation and Drought Contingency and Water Emergency Response Plan for the Town of Prosper, amending article 13.05, "Water Conservation and Drought Contingency and Water Emergency Response Plan," of Chapter 13, "Utilities," of the Town's Code of Ordinances, and amending Appendix A of the Town's Code of Ordinances by adding thereto a new section XVII, "Water Conservation and Enforcement Fees." **(FJ)**
10. Consider and act upon an amendment to the Capital Improvement Plan (CIP) for the Southwest Corner of Frontier Park Practice Fields project. **(MR)**
11. Consider and act upon awarding Bid No. 2014-35-B to Superscapes, Inc., related to construction services for the Southwest Corner of Frontier Park Practice Fields, and authorizing the Town Manager to execute same. **(PN)**
12. Consider and act upon an Ordinance amending Section XIII, "Parks and Recreation User Fees," of Appendix A to the Town's Code of Ordinances by adding a new subsection (c) thereto relative to fees for the use of athletic facilities for tournaments, camps, and clinics. **(JS)**

13. **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:

- 13a. Section 551.087 - To discuss and consider economic development incentives.*
 - 13b. 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.*
 - 13c. 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.*
 - 13d. Section 551.071. - Consultation with Town Attorney regarding legal issues associated with proposed extraterritorial jurisdiction release, and all matters incident and related thereto.*
14. Reconvene in Regular Session and take any action necessary as a result of the Closed Session.
 15. Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.

16. 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 on May 23, 2014, 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

Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

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. For special services or assistance, please contact the Town Secretary's Office at (972) 569-1011 at least 48 hours prior to the meeting time.