



Prosper is a place where everyone matters.

AGENDA
Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, September 23, 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.

REGULAR MEETING – 6:00 P.M.

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

4. Announcements of upcoming events.

5. Proclamations.

- Presentation of a Proclamation to members of the Clothe a Child program declaring October 2014 as *Clothe a Child Month*. **(RB)**
- Presentation of a Proclamation to members of the Prosper Police Department declaring October 7, 2014 as *National Night Out*. **(RB)**

6. **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.)

6a. Consider and act upon minutes from the following Town Council meetings. **(RB)**

- Regular Meeting – September 9, 2014

6b. Receive the August 2014 financial report. **(KA)**

6c. Consider and act upon the appointment of a Municipal Judge, and authorize the Mayor to execute an agreement for same. **(RB)**

- 6d. Consider and act upon a resolution designating *The Prosper Press* as the official newspaper of the Town of Prosper for Fiscal Year 2014-2015. **(RB)**
- 6e. Consider and act upon approving an Interlocal Agreement between Collin County and the Town of Prosper, related to child abuse, investigation, and law enforcement services; and authorizing the Town Manager to execute same. **(DK)**
- 6f. Consider and act upon an ordinance amending Section XIII “Parks and Recreation User Fees” of Appendix A “Fee Schedule” of the Town’s Code of Ordinances by amending subsection (a) Field User Fees. **(JS)**
- 6g. Consider and act upon authorizing the Town Manager to execute a Settlement and Release Agreement between Oncor Electric Delivery Company LLC, and the Town of Prosper, Texas, related to the reimbursement for overbilling of unmetered street lights. **(HW)**
- 6h. Consider and act upon an ordinance repealing Section 1.04.001 “Time limit for speaking at certain meetings” of Article 1.04 “Boards, Commissions and Committees” of Chapter 1 “General Provisions” of the Town’s Code of Ordinances and replacing it with a new Division 1, entitled “Library Board” to provide Library Board’s number of members, terms of office, vacancies, selection of Chair and Vice-Chair, meetings, and power and authority. **(HW)**
- 6i. Consider and act upon an ordinance repealing Section 1.09.082 “Number of members,” Section 1.09.085 “Chair/vice-chair/secretary/quorum,” and Section 1.09.088 “Powers and authority” of Division 3 “Parks and Recreation Board” of Article 1.09 “Parks and Recreation” of Chapter 1 “General Provisions” of the Town’s Code of Ordinances and replacing said sections with a new Section 1.09.082 “Number of members,” Section 1.09.085 “Chair/vice-chair/quorum,” and Section 1.09.088 “Powers and authority,” regarding residency requirements for the members of the Parks and Recreation Board, selection of Chair and Vice-Chair, and powers and authority. **(WM)**
- 6j. Consider and act upon an ordinance amending Section 3.02.010 “Officers” of Article 3.02 “Construction Board of Appeals” of Chapter 3 “Building Regulations” of the Town’s Code of Ordinances, regarding the composition and appointment of Board members. **(AG)**
- 6k. 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. **(AG)**

7. 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:

8. Conduct a Public Hearing, and consider and act upon a request to rezone 60.9± acres, located 2,000± feet south of First Street, 3,000± feet west of Dallas Parkway, from Planned Development-47 (PD-47) to Planned Development-Single Family-10 (PD-SF-10). (Z14-0013). **(AG)**
9. Conduct a Public Hearing, and consider and act upon a request for a Specific Use Permit (SUP) for a New Automobile Sales/Leasing facility, on 16.1± acres, located on the north side of US 380, 4,000± feet west of Dallas Parkway. The property is zoned Planned Development-43 (PD-43). (S14-0003). **(JW)**

DEPARTMENT ITEMS:

10. Consider and act upon an ordinance adopting the Fiscal Year 2014-2015 Annual Budget for the fiscal year beginning October 1, 2014, and ending September 30, 2015, and approving certain amendments to the Fiscal Year 2013-2014 Annual Budget. **(KA)**
11. Consider and act upon an ordinance adopting the Town of Prosper 2014 Property Tax Rate. **(KA)**
12. Consider and act upon an ordinance repealing Article 12.09 "Speed Limits" of Chapter 12 "Traffic and Vehicles" of the Town's Code of Ordinances and replacing it with a new Article 12.09 "Speed Limits" to provide for the prima facie speed limits on streets within the Town. **(MR)**
13. Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between Dunaway Associates, LP, and the Town of Prosper, Texas, related to the Frontier Park North Conceptual Master Plan and Sexton Park Conceptual Master Plan project. **(HW)**
14. Consider and act upon authorizing the Mayor to execute the First Amended and Restated Development and Financing Agreement with Blue Star Land, L.P., Blue Star Allen, L.P., 183 Land Corp., and Prosper Economic Development Corporation, for the reimbursement of the cost of construction of public infrastructure to be constructed within Tax Increment Reinvestment Zone Number One, Town of Prosper. **(HJ)**

15. **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:

15a. Section 551.087 – To discuss and consider economic development incentives.

15b. 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.

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

17. Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.

- Comprehensive Plan Implementation Priorities. **(JW)**

18. Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 121 W. Broadway Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said Notice was posted on September 19, 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.