



Prosper is a place where everyone matters.

AGENDA
Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, March 24, 2015
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 of a Hometown Heroes Award to Erin Hubbard

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 meeting. **(RB)**
- Regular Meeting – February 24, 2015

- 5b. Receive the February 2015 Financial Report. **(KG)**

- 5c. Consider and act upon an ordinance revising Article 13.07 of the Code of Ordinances related to the utility billing policies. **(KG)**

- 5d. Consider and act upon authorizing the Town Manager to execute a Project Acceptance Agreement between D.R. Horton – Texas, Ltd., and the Town of Prosper, Texas, related to maintenance of public improvements to serve the Hawk Ridge development. **(HW)**

- 5e. 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)**

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 to rezone 9.4± acres, located 500± feet north of Prosper Trail, 3,000± feet west of Dallas Parkway, from Agricultural (A) to Planned Development-Single Family-12.5 (PD-SF-12.5). (Z14-0016). **(JW)**
8. Conduct a Public Hearing, and consider and act upon a request to amend the Future Land Use Plan, on the east side of Main Street, from Third Street to First Street, from Old Town – Office to Old Town – Main Street Retail. (CA15-0001). [Companion to Case Z15-0001]. **(JW)**
9. Conduct a Public Hearing, and consider and act upon a request to rezone 0.8± acre, located on the southeast corner of Main Street and Third Street from Commercial (C) to Downtown Retail (DTR). (Z15-0001). [Companion to case CA15-0001]. **(JW)**
10. Conduct a Public Hearing, and consider and act upon an ordinance rezoning 1.1± acres, located on the north side of Third Street, 200± feet east of Coleman Street from Single Family-15 (SF-15) to Downtown Single Family (DTSF). (Z15-0002). **(JW)**
11. Conduct a Public Hearing, and consider and act upon an ordinance amending 3.5± acres of Planned Development-17 (PD-17), located on the northwest corner of First Street and Preston Road. (Z15-0003). **(JW)**
12. Presentation of service plan and first public hearing to consider the annexation of a 18.6± acre tract of land, located on the south side of Prosper Trail, 2,500± feet west of Custer Road. (A15-0001). **(AG)**

DEPARTMENT ITEMS:

13. Consider and act upon a resolution accepting the Independent Audit Report and Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended September 30, 2014, as presented by Cara Hilbrich of Davis Kinard & Co., PC, Certified Public Accountants. **(KG)**

14. **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:

- 14a. *Section 551.087 – To discuss and consider economic development incentives.*

- 14b. *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.*
- 14c. *Section 551.071 – Consultation with the Town Attorney to receive legal advice related to zoning districts, permitted uses, specific uses and state law requirements related to same, pursuant to Chapter 211 of the Texas Local Government Code, and all matters incident and related thereto.*
- 14d. *Section 551.071 – Consultation with Town Attorney regarding legal issues associated with proposed extraterritorial jurisdiction release, and all matters incident and related thereto.*
- 15. Reconvene in Regular Session and take any action necessary as a result of the Closed Session.
- 16. Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.
- 17. 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 March 20, 2015, at 5:30 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.