



Prosper is a place where everyone matters.

AGENDA
Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, May 12, 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. **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 meeting. **(RB)**
 - Regular Meeting – April 28, 2015
- 4b. Consider and act upon acceptance of a grant, in the amount of \$4,878.96, from the Edge Reimbursement Program, and authorizing the Mayor to execute any award documents. **(LS)**
- 4c. Consider and act upon acceptance of a grant, in the amount of \$2,365.40, from the Texas Book Festival, and authorizing the Mayor to execute any award documents. **(LS)**
- 4d. Consider and act upon a resolution authorizing various individuals as signers of specific accounts and certain investment matters. **(KG)**
- 4e. Consider and act upon a 380 agreement between Highland Homes and the Town of Prosper, and authorizing the Town Manager to execute same. **(KG)**
- 4f. Consider and act upon authorizing the Town Manager to execute a Landscape Maintenance Agreement between the Texas Department of Transportation and the Town of Prosper, Texas, related to maintenance obligations for landscape and irrigation improvements in the medians of SH 289 (Preston Road) from US 380 to FM 1461 (Frontier Parkway). **(HW)**
- 4g. Consider and act upon a resolution authorizing the reduction and release of the Town of Prosper's extraterritorial jurisdiction and entering into a development agreement, as a result of the Extraterritorial Jurisdiction Allocation Agreement between the Town of Prosper, Texas and the City of Aubrey, Texas for the reduction and release of designated portions of the Town of Prosper's Extraterritorial Jurisdiction, and Development Agreement between the Town of Prosper and CADG Comanche 248, LLC, by removing 145± acres of land from the Town's extraterritorial jurisdiction, generally located west of FM 1385 and

north of Bryan Road, and authorizing the Town Manager to execute the same.
(HW)

- 4h. Consider and act upon an ordinance annexing an 18.6± acre tract of land, located on the south side of Prosper Trail, 2,500± feet west of Custer Road. (A15-0001). **(JW)**
- 4i. 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)**

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 amend the Future Land Use Plan, located 500± feet north of Prosper Trail, 3,000± feet west of Dallas Parkway, from Low Density Residential to Medium Density Residential. The property is zoned Planned Development-60 (PD-60). (CA15-0003) [*Companion case Z14-0016*] **(JW)**.
- 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) [*Companion case CA15-0003*] **(JW)**
- 8. Conduct a Public Hearing, and consider and act upon a request to amend the Future Land Use Plan, located on the northwest corner of Prosper Trail and future Shawnee Trail, from Medium Density Residential to Dallas North Tollway District. The property is zoned Single Family-15 (SF-15) and Commercial Corridor (CC). (CA15-0002). [*Companion Case Z14-0005*] **(JW)**
- 9. Conduct a Public Hearing and consider and act upon a request to rezone 67.7± acres, located on the northwest corner of Prosper Trail and Dallas Parkway, from Single

Family-15 (SF-15) and Commercial Corridor (CC) to Planned Development-Single Family/Office/Retail (PD-SF/O/R). (Z14-0005). [Companion case CA15-0002] (JW)

DEPARTMENT ITEMS:

10. Consider and act upon an ordinance approving the Water Conservation Plan and Water Resource and Emergency Management Plan, amending the title of Article 13.05, "Water Conservation and Drought Contingency and Water Emergency Response Plan," of Chapter 13, "Utilities," of the Town's Code of Ordinances, to "Water Conservation Plan and Water Resource and Emergency Management Plan," amending section 13.05.001 "Plan Adopted" of Article 13.05, and amending section XVII "Water Conservation and Enforcement Fees," of Appendix A of the Town's Code of Ordinances. (FJ)
11. Consider and take action on a resolution directing the Town Secretary to publish notice of intent to issue Combination Tax and Surplus Revenue Certificates of Obligation for the purpose of funding costs of public safety and street projects in the Town. (KG)
12. Consider and act upon an ordinance amending the FY 2014-2015 budget allocating \$107,521 from fund balance in the General Fund to Inspections and Municipal Court, as outlined in the attachment, to fund increasing building rental expense, reclassifying a current part-time Court Clerk to full-time, adding a new full-time Plans Examiner, and continuing the use of the professional services of Bureau Veritas North America, Inc., related to third-party building permit plan review and inspection services. (KG)
13. Discuss possible amendments to the Zoning Ordinance regarding Permitted Uses. (JW)

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 551.074 – 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.*
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.
 - Town Hall Tour Update (HW)
 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 May 8, 2015, 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.