



*Prosper is a place where everyone matters.*

**AGENDA**  
**Meeting of the Prosper Town Council**  
Prosper Municipal Chambers  
108 W. Broadway, Prosper, Texas  
Tuesday, July 14, 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 recent and upcoming events.
4. Presentations.
  - Presentation to the players, coaches and staff of the Prosper High School Baseball Team for winning the 2015 Class 5A State UIL Baseball Championship. **(RB)**

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 – June 23, 2015
  - Special Meeting – June 30, 2015

- 5b. Receive the May 2015 Financial Report. **(CD)**

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 amend Chapter 2, Zoning Districts and Chapter 4, Development Requirements of the Zoning Ordinance regarding Alternating Single Family Plan Elevations, Exterior Residential Masonry Construction, Impervious Coverage of Residential Front Yards, Single Family Corner Lot Landscaping, Residential Garage Standards, Residential Driveway Standards, Carports and Size of Garages; and amend Chapter 3, Building Regulations of the Code of Ordinances regarding residential fences and exterior masonry construction. (Z15-0005). **(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)**
10. Conduct a Public Hearing, and consider and act upon an ordinance amending Specific Use Permit-8 (SUP-8) for a Child Day Care Center, on 1.6± acres, located on the north side of Richland Boulevard, 300± feet west of Coit Road. The property is zoned Office (O). (S15-0005). **(JW)**
11. Conduct a Public Hearing, and consider and act upon an amendment to Planned Development-38 (PD-38), on 83.6± acres, located on the northeast corner of US 380 and Coit Road. (Z15-0008). **(JW)**
12. Conduct a Public Hearing, and consider and act upon a request to rezone 12.3± acres, from Commercial (C) to Planned Development-Retail (PD-R), located on the west side of Custer Road, 200± feet north of US 380. (Z15-0009). **(JW)**

### **DEPARTMENT ITEMS:**

13. Consider all matters incident and related to the issuance and sale of the Town of Prosper, Texas General Obligation Refunding and Improvement Bonds, Series 2015, including the adoption of an ordinance authorizing the issuance of such Bonds, approving an Official Statement, a Bond Purchase Agreement, a Paying Agent/Registrar Agreement, and an engagement letter of Bond Counsel. **(CD)**
14. Consider all matters incident and related to the issuance and sale of the Town of Prosper, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2015, including the adoption of an ordinance authorizing the issuance of such Certificates, approving an Official Statement, a Bond Purchase Agreement, a Paying Agent/Registrar Agreement, and an engagement letter of Bond Counsel. **(CD)**

15. Consider and act upon approving a Guaranteed Maximum Price (GMP) Amendment between Pogue Construction Co., L.P., and the Town of Prosper, related to Construction Manager-At-Risk services for Prosper Fire Department Station No. 2; and authorizing the Town Manager to execute same. **(RT)**
16. Consider and act upon an ordinance amending the FY 2014-2015 budget. **(CD)**
17. Consider and act upon an amendment to the Capital Improvement Plan (CIP). **(MR)**
18. **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:

  - 18a. *Section 551.087 – To discuss and consider economic development incentives.*
  - 18b. *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.*
19. Reconvene in Regular Session and take any action necessary as a result of the Closed Session.
20. Consider and act upon a resolution of the Town of Prosper, Texas, authorizing the Town Attorney to bring a condemnation action for the purpose of obtaining right-of-way and drainage easements, consisting of approximately 4 acres of property, situated generally in the Spencer Rice Survey, Tract 4, Town of Prosper, Collin County, Texas, necessary for the construction of the Coleman Road, Phase II project, and for other public purposes permitted by law. **(MR)**
21. Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.
  - CIP Projects **(HW)**
    - Town Hall/Multi-Purpose Facility
    - Coleman Road Reconstruction Project
    - West Prosper Road Improvements
    - SH 289 Median Lighting and Landscaping
22. 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 July 10, 2015, at 5:00 p.m. and remained so posted at least 72 hours before said meeting was convened.

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Robyn Battle, Town Secretary

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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.