



Prosper is a place where everyone matters.

AGENDA
Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, January 12, 2016
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 of a Proclamation to the PASO Firecrackers for winning the league's first U-10 state championship. **(RB)**
 - Presentation to the Town's website committee for winning a 2015 Gold Davey Award for best municipality website. **(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 meetings. **(RB)**
 - Regular Meeting – December 8, 2015
- 5b. Receive the November 2015 Financial Report. **(BP)**
- 5c. Consider and act upon a resolution authorizing the Town Manager to execute an application to the Texas Book Festival for the 2016 Collection Enhancement Grant. **(LS)**
- 5d. Consider and act upon a resolution authorizing the Town Manager to execute an application to FEMA for the Assistance to Fire Fighters Grant. **(RT)**
- 5e. Consider and act upon authorizing the construction manager at risk contracting method of construction of the Frontier Park - North Field Improvements project. **(PN)**
- 5f. 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.)

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. Presentation of service plan and second Public Hearing to consider the voluntary annexation of 100.0± acres generally located on the south side of Prosper Road, 2,500± feet west of Legacy Drive. (A15-0003). **(JW)**
8. Conduct a Public Hearing, and consider and act upon an ordinance for a Specific Use Permit (SUP) for a Private Street Development (Montclair), on 30.2± acres, located on the east side of Preston Road, 1,800± feet north of Prosper Trail. The property is zoned Single Family-15 (SF-15). (S15-0007). **(JW)**
9. Conduct a Public Hearing, and consider and act upon an ordinance rezoning 1.0± acre, located on the northeast corner of Coleman Street and First Street from Single Family-15 (SF-15) to Downtown Office (DTO). (Z15-0012). **(JW)**
10. Conduct a Public Hearing, and consider and act upon an ordinance rezoning 1.1± acres, located on the west side of Coleman Street, 1,100± feet north of Prosper Trail, from Agricultural (A) to Retail (R). (Z15-0013). **(JW)**
11. Conduct a Public Hearing, and consider and act upon an ordinance for a Special Purpose Sign District for the Shops at Prosper Trail (Kroger), on 14.0 ± acres, located on the east side of Preston Road, 500± feet north of Prosper Trail. (MD15-0005). **(JW)**

DEPARTMENT ITEMS:

12. Discussion on Town Hall/Multi-Purpose Facility. **(HW)**
13. Consider and act upon authorizing the Town Manager to execute a Development Agreement between 55 Prosper, LP, 104 Prosper, LP, 310 Prosper, LP, Reliable TEP Partners, LLC, Cothran Malibu, LP, and the Town of Prosper, Texas, related to the extension of wastewater lines to serve the Brookhollow development. **(HW)**

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 regarding legal issues associated with annexation agreements in Town ETJ areas, development issues associated with areas subject to annexation agreements, and all matters incident and related thereto.*
 - 14d.** *Section 551.071 – Consultation with the Town Attorney regarding legal issues associated with the Texas Department of Housing and Community Affairs HTC Program, including requirements under Title 10, Chapter 10 of the Texas Administrative Code, and all matters incident and related thereto.*
- 15.** Consider and act upon a resolution concerning the construction of a grade separated crossing on Frontier Parkway over the BNSF Railroad, the reconstruction of FM 1461 from Preston Road to Custer Road, and the two southbound Dallas North Tollway service lanes along with the Dallas North Tollway overpass at US Highway 380. **(HW)**
- 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.
- 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 January 8, 2016, by 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.