



Prosper is a place where everyone matters.

AGENDA
Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, February 9, 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 declaring February 2016 as *Congenital Heart Defect Awareness Month*. **(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 – January 26, 2016
 - Strategic Planning Session – January 27, 2016
- 5b. Receive the December 2015 Financial Report. **(BP)**
- 5c. Consider and act upon accepting the 2015 Racial Profiling Report as required by state law. **(DK)**
- 5d. Consider and act upon a resolution ordering a General Election to be held on May 7, 2016, and authorizing the Town Manager to execute contracts with the Collin County Election Administration, the Denton County Election Administration, and the Prosper Independent School District for joint election services. **(RB)**
- 5e. Consider and act upon an ordinance amending Section 12.09.003 "Speed Limits on Specific Streets" of Chapter 12 "Traffic and Vehicles" of the Town's Code of Ordinances by modifying the prima facie speed limits on certain streets. **(MR)**
- 5f. Consider and act upon the appointment of members to the Capital Improvements Advisory Committee. **(MR)**
- 5g. Consider and act upon an ordinance rezoning 15.7± acres, from Commercial (C) and Planned Development-25 (PD-25) to Planned Development-Retail (PD-R), located on north side of US 380, 580± feet west of Custer Road. (Z15-0011). **(JW)**

- 5h. Consider and act upon an ordinance for a Special Purpose Sign District for Kroger, on 23.4± acres, located on the northwest corner of US 380 and Custer Road. (MD15-0004). **(JW)**
- 5i. Consider and act upon an ordinance annexing 100.0± acres generally located on the south side of Prosper Road, 2,500± feet west of Legacy Drive. (A15-0003). **(JW)**
- 5j. Consider and act upon authorizing the Texas Coalition for Affordable Power, Inc. (TCAP) to negotiate an electric supply agreement for five years for deliveries of electricity effective January 1, 2018; authorizing TCAP to act as an agent on behalf of the Town to enter into a contract for electricity; and authorizing the Town Manager of the Town of Prosper, Texas, to execute an electric supply agreement for deliveries of electricity effective January 1, 2018, committing to budget for energy purchases in 2018 through 2022 and to honor the Town's commitments to purchase power for its electrical needs in 2018 through 2022 through TCAP. **(HJ)**

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.)

DEPARTMENT ITEMS:

- 7. Consider and act upon authorizing the Town Manager to execute a Professional Engineering Services Agreement between the Town of Prosper, Texas, and Wier & Associates, Inc., related to the Church & Parvin Drainage Improvements project. **(MR)**
- 8. Consider and act upon authorizing the Town Manager to execute a Contract Amendment between the Town of Prosper, Texas, and Freese & Nichols, Inc., related to the Lower Pressure Plane Pump Station and Transmission Line project. **(MR)**
- 9. Consider and act upon an ordinance amending Subsection III, "All Weapons Banned," of Section 8.06, "Weapons Ban and Violence Prevention," of Chapter 8, "Work Environment," of the Town of Prosper Personnel Policies and Procedures Manual. **(TW)**

10. **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:

- 10a. *Section 551.087 – To discuss and consider economic development incentives.*
 - 10b. *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.*
 - 10c. *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.*
 - 10d. *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.*
- 11. Reconvene in Regular Session and take any action necessary as a result of the Closed Session.
 - 12. Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.
 - 13. 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 February 5, 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.