



Prosper is a place where everyone matters.

AGENDA
Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, March 22, 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 to the Prosper High School Film Team for winning the state championship for their documentary at the 2016 UIL Young Filmmakers Festival. **(RB)**
 - Presentation to Prosper High School senior Gabe Costa for winning the 2016 5A State UIL Wrestling 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 meetings. **(RB)**
 - Regular Meeting – February 23, 2016
 - 5b. Receive the January 2016 Financial Report. **(BP)**
 - 5c. Consider and act upon a resolution canceling the May 7, 2016, General Election and declaring each unopposed candidate elected to office. **(RB)**
 - 5d. Consider and act upon authorizing the Town Manager to execute the Playground Joint Use Agreement between the Town of Prosper, Texas, and Prosper Independent School District (PISD), related to Windsong Park. **(WM)**
 - 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.

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 first Public Hearing to consider the voluntary annexation of 52.2± acres located on the west side of Coit Road, 2,700± feet north of First Street. (A16-0001). **(JW)**
8. Conduct a Public Hearing, and consider and act upon a request for a Special Purpose Sign District for the Gates of Prosper, on 93.0± acres, located on the northeast corner of US 380 and Preston Road. (MD16-0001). **(JW)**
9. Conduct a Public Hearing, and consider and act upon a request for a Specific Use Permit (SUP) for a Child Day Care Center (Primrose), on 2.9± acres, located on the east side of Gee Road, 2,000± feet north of US 380. This property is zoned Planned Development-40 (PD-40). (S16-0002). **(JW)**
10. Conduct a Public Hearing, and consider and act upon an ordinance rezoning 0.4± acre, located on the south side of Broadway Street, 650± feet east of Coleman Street, from Single Family-15 (SF-15) to Downtown Office (DTO). (Z16-0003). **(JW)**

DEPARTMENT ITEMS:

11. Consider and act upon a resolution authorizing the Town Manager to execute an application to the Federal Emergency Management Agency (FEMA) for the 2016 Staffing for Adequate Fire & Emergency Response (SAFER) Grant. **(RT)**
12. Consider and act upon a resolution accepting the Independent Audit Report and Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended September 30, 2015, as presented by a representative of Davis Kinard & Co., PC, Certified Public Accountants. **(BP)**
13. Consider and act upon an ordinance of the Town of Prosper amending Chapter 13, "UTILITIES" of the Code of Ordinances of the Town of Prosper, Texas, by adding a new Article 13.11 "Fats, Oils and Grease (FOG) Outreach Plan;" amending Appendix A "Fee Schedule" to the Code of Ordinances of the Town of Prosper, Texas, by adding a new section XIX, "FOG Outreach and Enforcement Fees." **(FJ)**

14. Consider and act upon authorizing the Town Manager to execute a Development Agreement between Legacy Estates at Prosper Trail, Inc., West Prosper 76, Ltd., Blue Star Allen Land, LP, and the Town of Prosper, Texas, related to the extension of wastewater lines to serve the Legacy Estates at Prosper Trail, Legacy Creek Estates, and Star Trail developments. **(HW)**
15. 2011 Bond Propositions update. **(HW)**
16. **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:

 - 16a. *Section 551.087 – To discuss and consider economic development incentives.*
 - 16b. *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.*
 - 16c. *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.*
 - 16d. *Section 551.071 – Consultation with the Town Attorney regarding property repair issues and contractual agreement regarding same.*
 - 16e. *Section 551.071 - Consultation with the Town Attorney regarding possible litigation with the Texas Public Utility Commission, and all matters incident and related thereto.*
 - 16f. *Section 551.074 – To discuss and review the Town Manager’s performance evaluation.*
17. Reconvene in Regular Session and take any action necessary as a result of the Closed Session.
18. Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.
 - Median Landscaping. **(HW)**
 - Process for considering alternative, exterior construction materials. **(JW)**
 - Discussion on Municipal Court as a Court of Record. **(TW)**
 - Process for Charter review. **(RB)**
19. 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 18, 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.

<p>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.</p>
