



Prosper is a place where everyone matters.

AGENDA
Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, April 26, 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. **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 meetings. **(RB)**
 - Regular Meeting – April 12, 2016
- 4b. 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 a sanitary sewer easement, consisting of approximately 0.813 acres of property, situated generally in the Collin County School Land Survey, Abstract No. 147, Town of Prosper, Collin County, Texas, necessary for the extension of a wastewater line to serve the Legacy Estates at Prosper Trail, Legacy Creek Estates, and Star Trail developments, and for other public purposes permitted by law. **(HW)**
- 4c. Consider and act upon authorizing the Town Manager to execute the First Amendment to the Road Improvements and Construction Agreement (“West Prosper Roads”) between TVG Texas I, LLC, M/I Homes of DFW, LLC, Prosper Economic Development Corporation, and the Town of Prosper, Texas, related to the design and construction of the West Prosper Roads project. **(HW)**
- 4d. Consider and act upon approving the purchase of two generators for the Public Works Division, from Clifford Power Systems, Inc., through The Interlocal Purchasing System (TIPS/TAPS); and authorizing the Town Manager to execute a proposal for same. **(FJ)**
- 4e. Consider and act upon an ordinance for a Specific Use Permit (SUP) for a Child Day Care Center and Private Athletic Stadium or Field (with no lights) for St. Martin de Porres Catholic Church, on 51.7± acres, located on the north side of US 380, 1,400± feet west of Teel Parkway. This property is zoned Planned Development-40 (PD-40). (S16-0004). **(JW)**
- 4f. Consider and act upon a resolution authorizing the creation of the North Central Texas Regional 9-1-1 Emergency Communications District. **(RB)**

- 4g. 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.

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 rezone 100.0± acres, located on the south side of Prosper Road, 2,100± feet west of Legacy Drive, from Agricultural (A) to Single Family-12.5 (SF-12.5). (Z16-0005). **(JW)**
7. Conduct a Public Hearing, and consider and act upon an ordinance amending the Town's Zoning Ordinance No. 05-20, as amended, by amending Subsection 9.8, "Exterior Construction of Main Buildings," of Section 9, "Additional and Supplemental," of Chapter 4, "Development Requirements," by providing for an exception process for exterior facades of multifamily and nonresidential buildings and structures. (Z16-0006). **(JW)**

DEPARTMENT ITEMS:

8. Consider and act upon the approval of the Frontier Park North Field Improvements Project Preliminary Site Plan. **(PN)**
9. Consider and act upon authorizing the Town Manager to execute a Standard Form of Agreement between the Town and Dean Electric, Inc., dba Dean Construction, related to Construction Manager-At-Risk services for Town of Prosper Frontier Park North Field Improvements Project; an Addendum to the Standard Form of Agreement between the Town and the Construction Manager-At-Risk; and an Addendum to the General Conditions of the Contract for Construction. **(JC)**
10. Consider and act upon awarding Bid No. 2016-45-B to Pavecon Public Works, L.P., related to construction services for Prosper Road Improvement Project 2016 - Fishtrap Road (Dallas North Tollway to Teel Road) and First Street (Coit Road to Custer Road); and authorizing the Town Manager to execute a construction agreement for same. **(FJ)**

11. **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:

11a. *Section 551.087 – To discuss and consider economic development incentives.*

11b. *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.*

11c. *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.*

12. Reconvene in Regular Session and take any action necessary as a result of the Closed Session.

13. Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.

- Preston Lakes Playground **(HW)**

14. 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 April 22, 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.