

Welcome to the December 10, 2024, Prosper Town Council Meeting

Call to Order/Roll Call

Invocation, Pledge of Allegiance, and Pledge to the Texas Flag

Pledge to the Texas Flag

Honor the Texas flag; I pledge allegiance to thee,
Texas, one state under God, one and indivisible.

Announcements

Consent Agenda

Agenda Item 1.

Consider and act upon the minutes from the November 26, 2024, Town Council Work Session meeting. (MLS)

Agenda Item 2.

Consider and act upon the minutes from the November 26, 2024,
Town Council Regular meeting. (MLS)

Agenda Item 3.

Consider acceptance of the September 2024 monthly financial report. (CL)

Agenda Item 4.

Receive the Quarterly Investment Report for September 30, 2024.
(CL)

Agenda Item 5.

Consider and act upon awarding RFP No. 2024-36-B Compensation and Classification Services to Evergreen Solutions for \$52,500 and authorizing the Town Manager to execute all documents for the same. (TL)

Agenda Item 6.

Consider and act upon authorizing the Town Manager to enter into a Professional Services Agreement with GFF Design to conduct a facility needs assessment for the Police Department in the amount of \$78,500. (CE)

Agenda Item 7.

Consider and act upon authorizing the Town Manager to execute a Memorandum of Understanding between Costco Wholesale Corporation, WestSide Prosper LLC, and the Town of Prosper, Texas, related to the construction of the US 380 Improvements to serve the Costco development. (HW)

Agenda Item 8.

Consider and act upon authorizing the Town Manager to execute a Change Order to the Advance Funding Agreement for Voluntary Local Government Contributions to Texas Improvement Projects with No Required Match for On-System Improvements between the Texas Department of Transportation, and the Town of Prosper, Texas, related to the construction of the US 380 Improvements to serve the Costco development. (HW)

Agenda Item 9.

Consider and act upon authorizing the Town Manager to enter into an agreement with Mels Electric LLC, related to the installation of the Traffic Signal at Fishtrap Road and Denton Way Intersection project for \$300,932.50. (PA)

Agenda Item 10.

Consider and act upon an ordinance to rezone 5.7± acres from Agricultural (AG) to Planned Development-130 (PD-130) on George Horn Survey, Abstract 412, Tract 2, located on the west side of Custer Road and 470± feet south of Frontier Parkway. (ZONE-24-0017) (DH)

Agenda Item 11.

Consider and act upon authorizing the Town Manager to execute a Development Agreement between Naznat LP and the Town of Prosper relative to George Horn Survey, Abstract 412, Tract 2. (ZONE-24-0017) (DH)

Agenda Item 12.

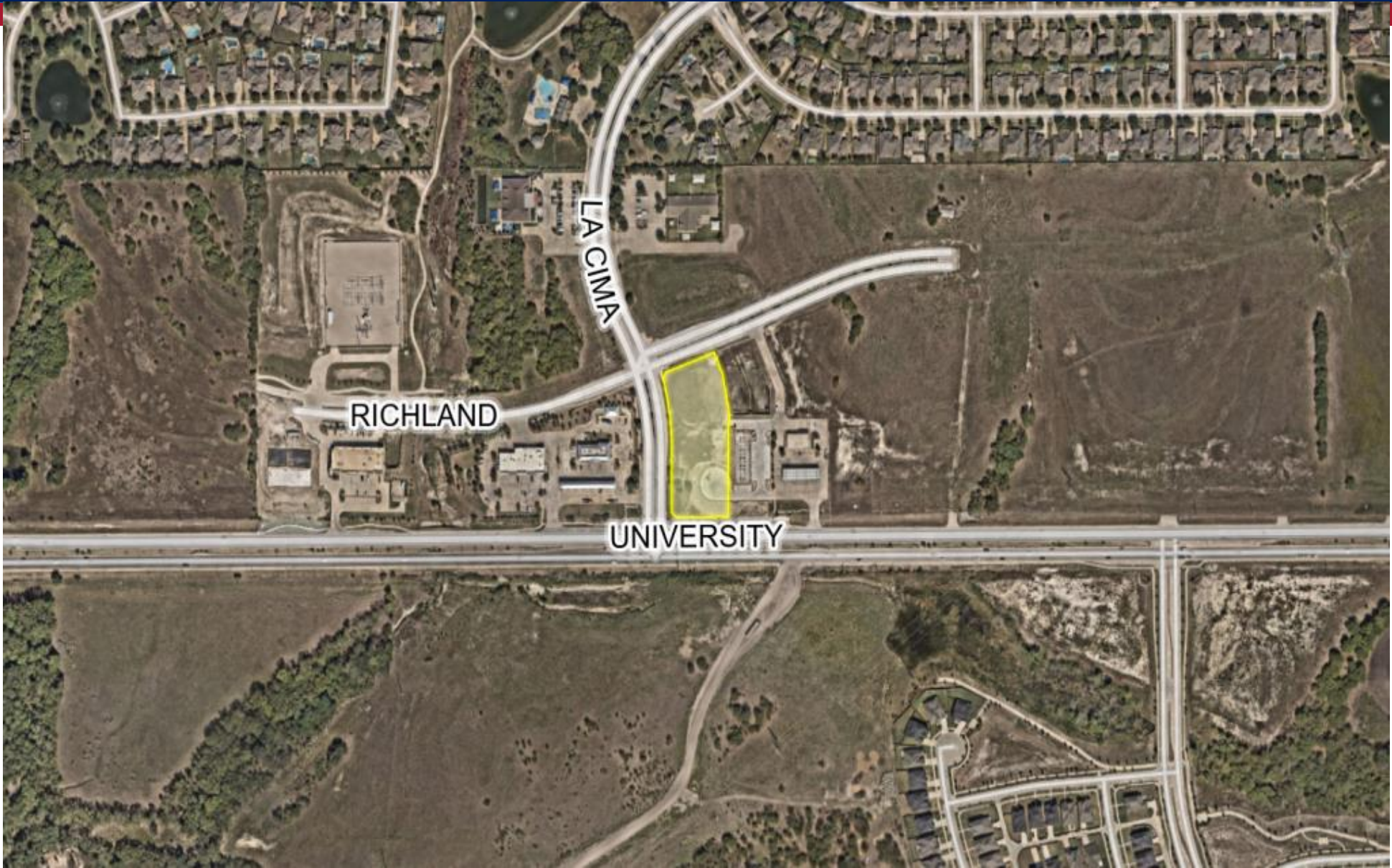
Consider and act upon an ordinance to rezone 120.5± acres from Planned Development-44 (PD-44) to Planned Development-129 (PD-129) on Collin County School Land Survey 12, Abstract 147, Tract 45, located on the southeast corner of Legacy Drive and Frontier Parkway. (ZONE-24-0013) (DH)

Agenda Item 13.

Consider and act upon authorizing the Town Manager to execute a Development Agreement between Legacy Frontier LLC and the Town of Prosper relative to Collin County School Land Survey 12, Abstract 147, Tract 45. (ZONE-24-0013) (DH)

Agenda Item 14.

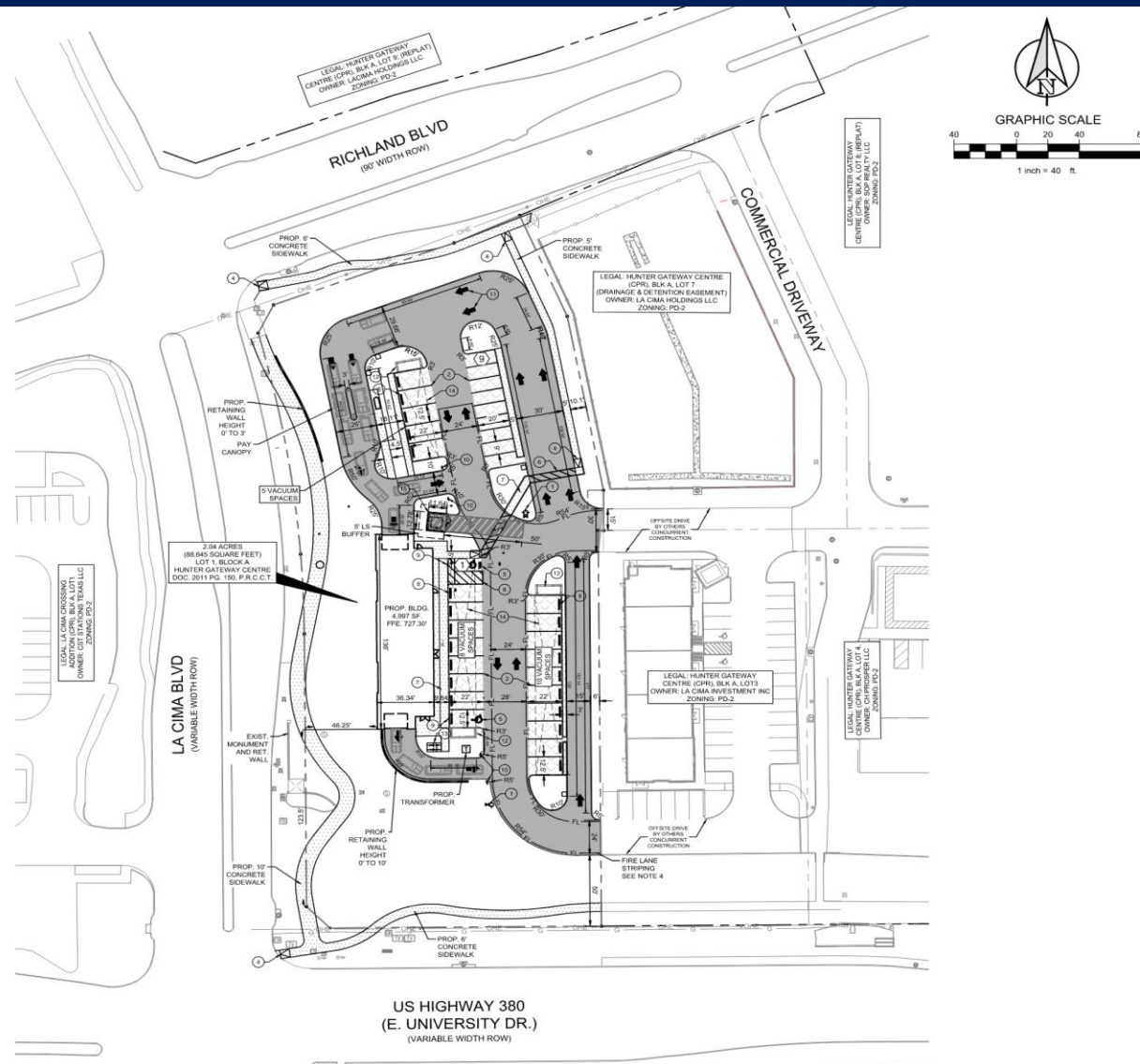
Consider and act upon whether to direct staff to submit a written notice of appeals on behalf of the Town Council to the Development Services Department, pursuant to Chapter 4, Section 1.5(C)(7) and 1.6(B)(7) of the Town's Zoning Ordinance, regarding action taken by the Planning & Zoning Commission on Preliminary Site Plans and Site Plans. (DH)



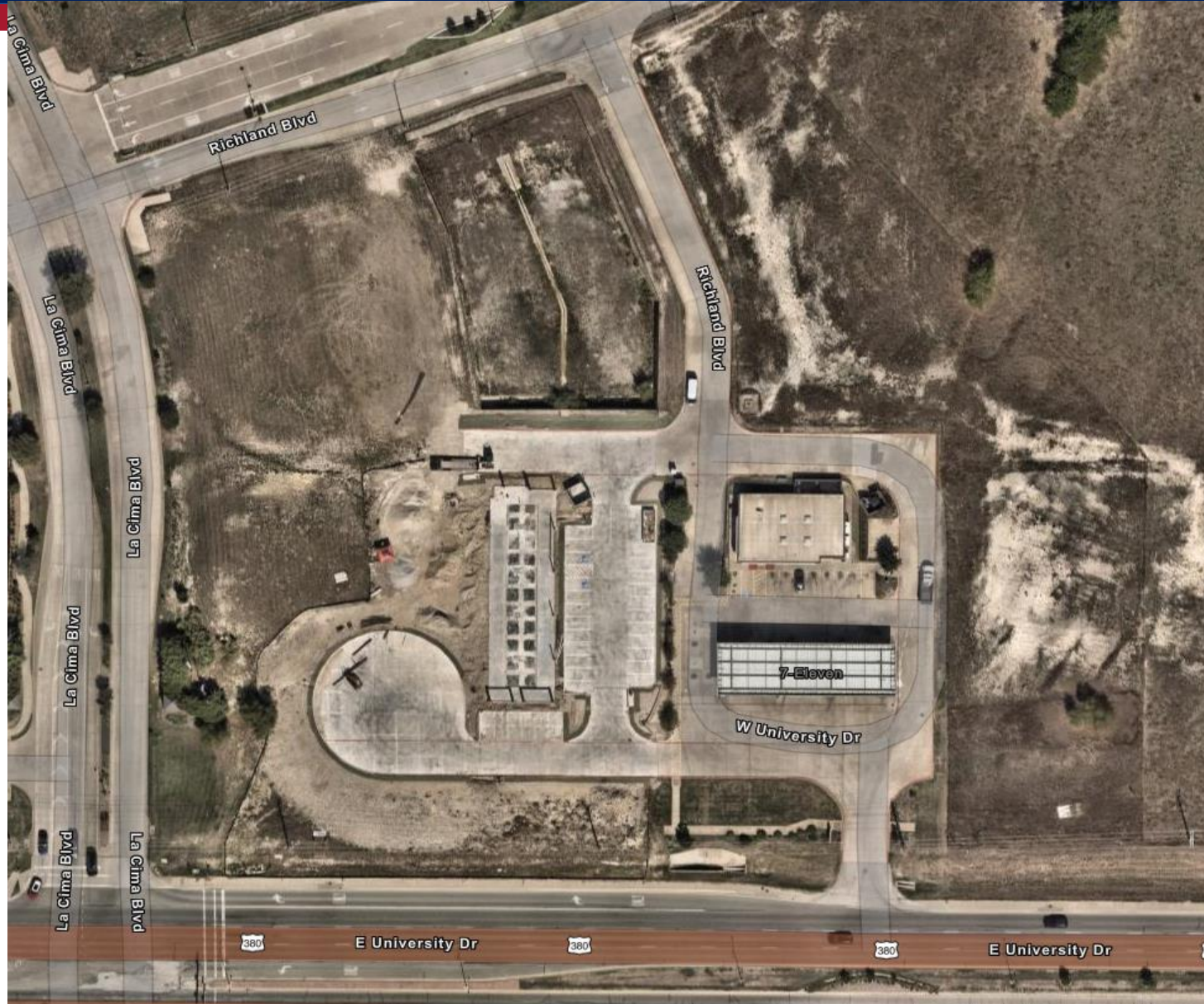
Information

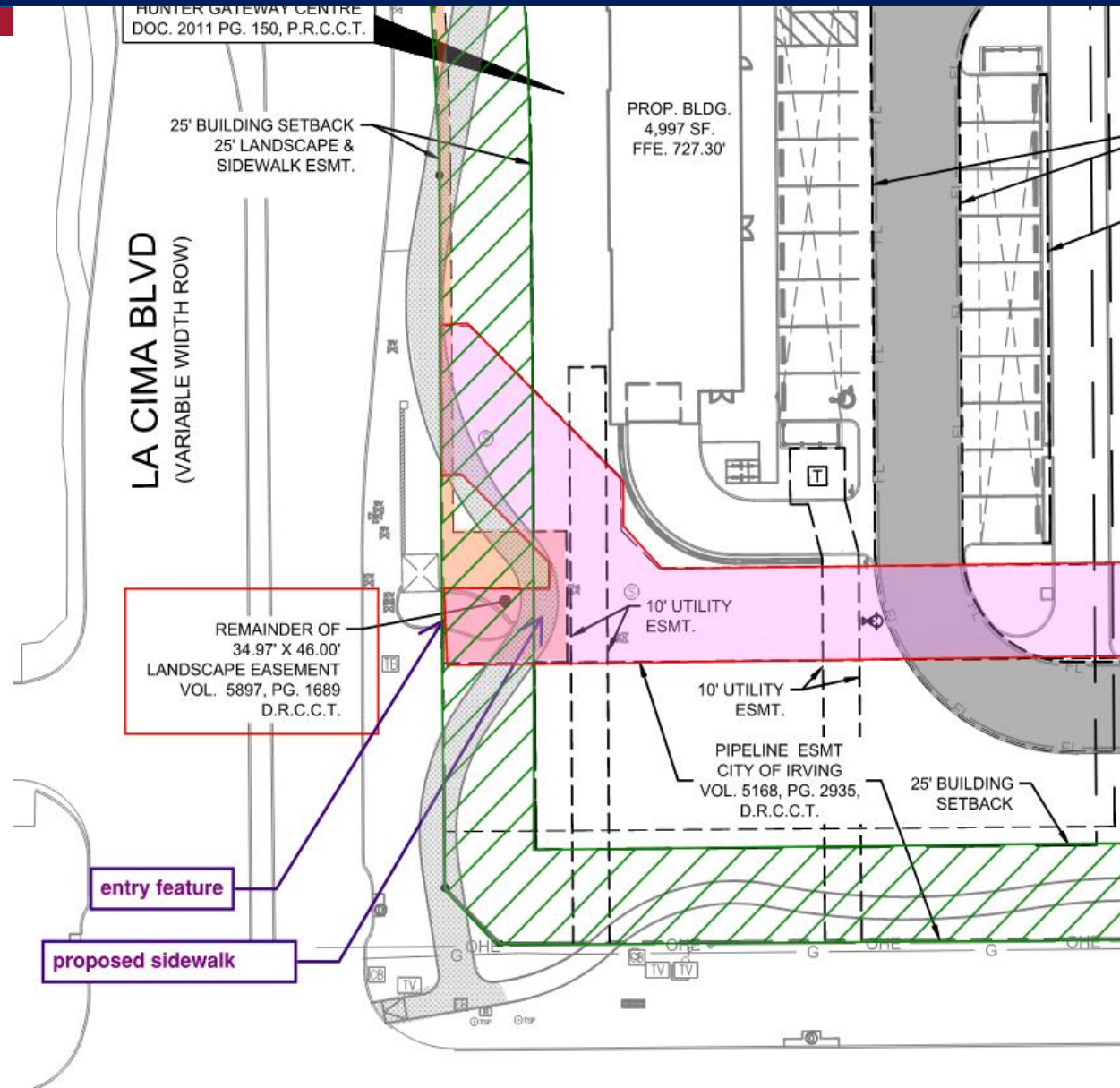
Purpose:

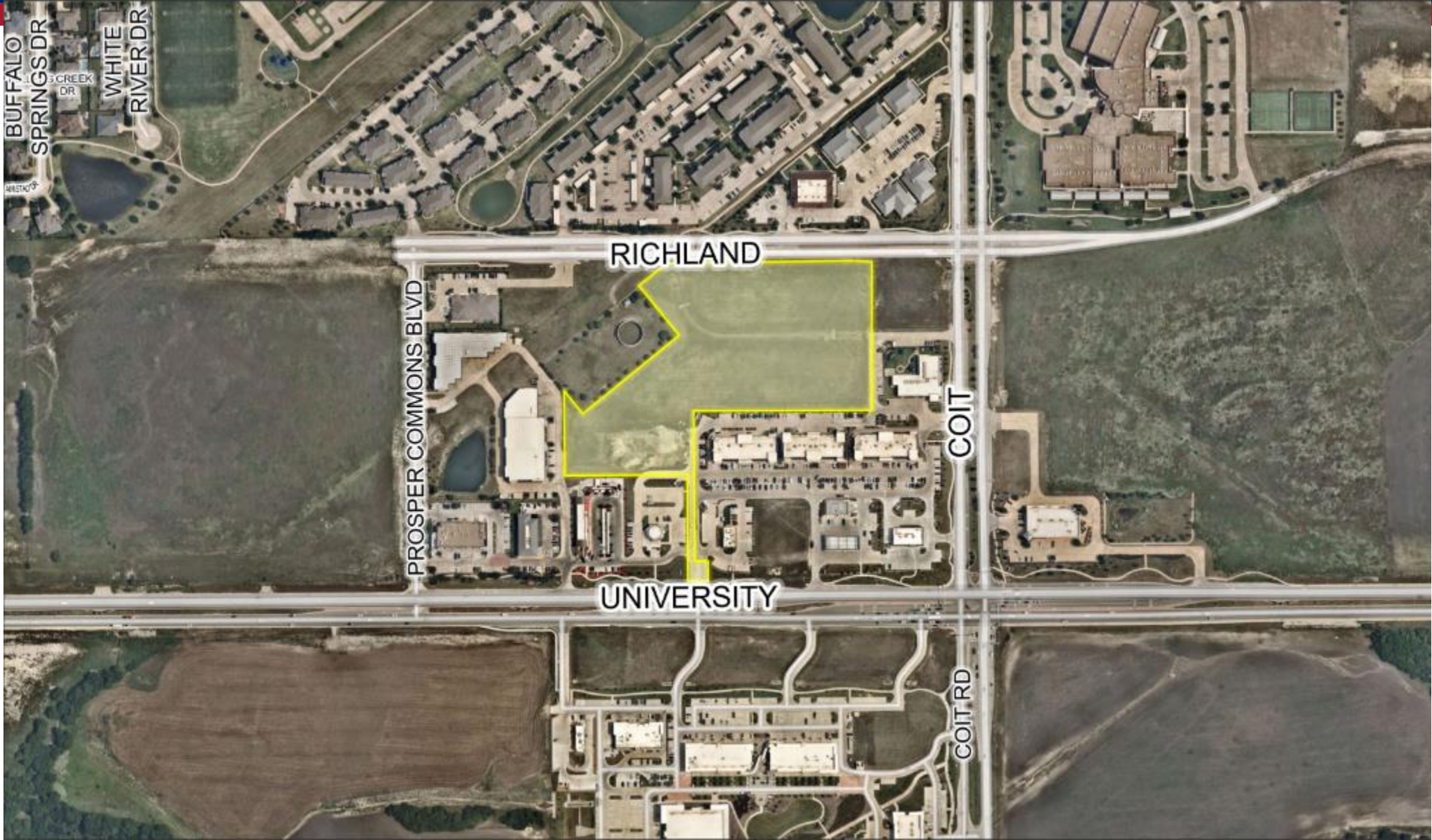
- Construct a 4,997 square foot car wash and associated vacuum bays.











Information

Purpose:

- Subdivide and existing lot (Lot 1) into four lots (Lots 1, 13, 14, & 15) to construct two restaurant/retail buildings and two retail buildings totaling 53,300 square feet.
 - Lot 1 – Restaurant/Retail Building (35,750 SF)
 - Lot 13 – Retail Building (4,850 SF)
 - Lot 14 – Retail Building (4,850 SF)
 - Lot 15 – Restaurant/Retail Building (7,850 SF)

Information

History:

- A Preliminary Site Plan (D19-0027) was approved by the Planning & Zoning Commission on April 2, 2019, which has since expired.

Property Owner's Association:

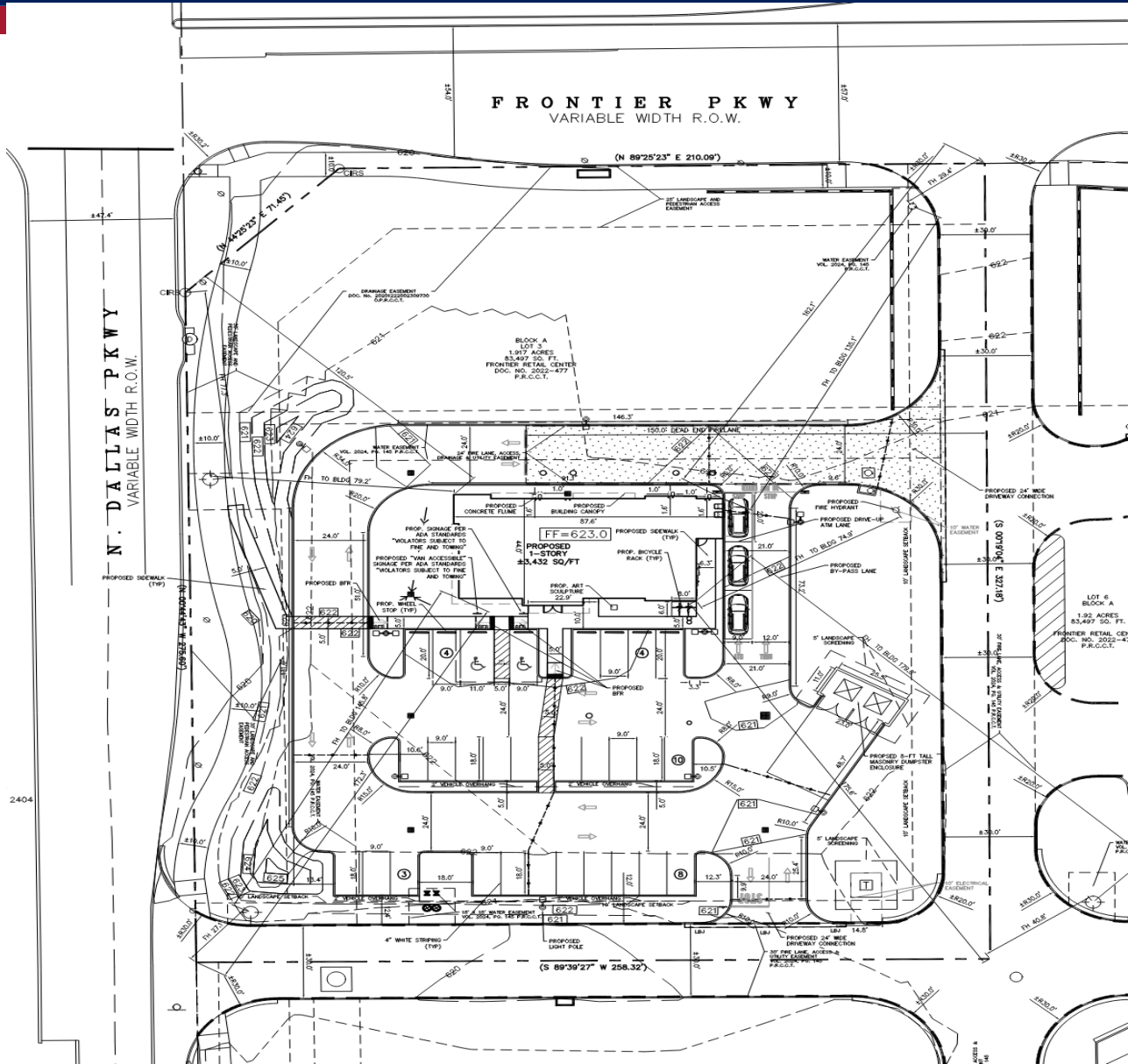
- A Property Owner's Association will be created to establish duties and responsibilities for those lots within the development, in accordance with the Subdivision Ordinance.
- Finalized prior to platting the property into separate lots.



Information

Purpose:

- Construct a 3,432 square foot bank building with an ATM drive-through and associated parking.



Citizen Comments







Parents of Prosper ISD

6m · 21

To this woman who just told me to "calm my skinny ass down, before I have a coronary" because I shook my head at you for parking in front of the sidewalk with your long ass car and totally blocking it, so the kids had to go around back out into the street... You are rude.

And yes, you did roll down your window and say "I'm sorry and I've never picked up my kid here before" and I was like, "ok, you probably shouldn't park there. Lol

But then you didn't have to get nasty, you know you were in the wrong I guess and at least you moved.

Let's just keep our kids safe.

Sound good? 😊

1

Like Comment Send





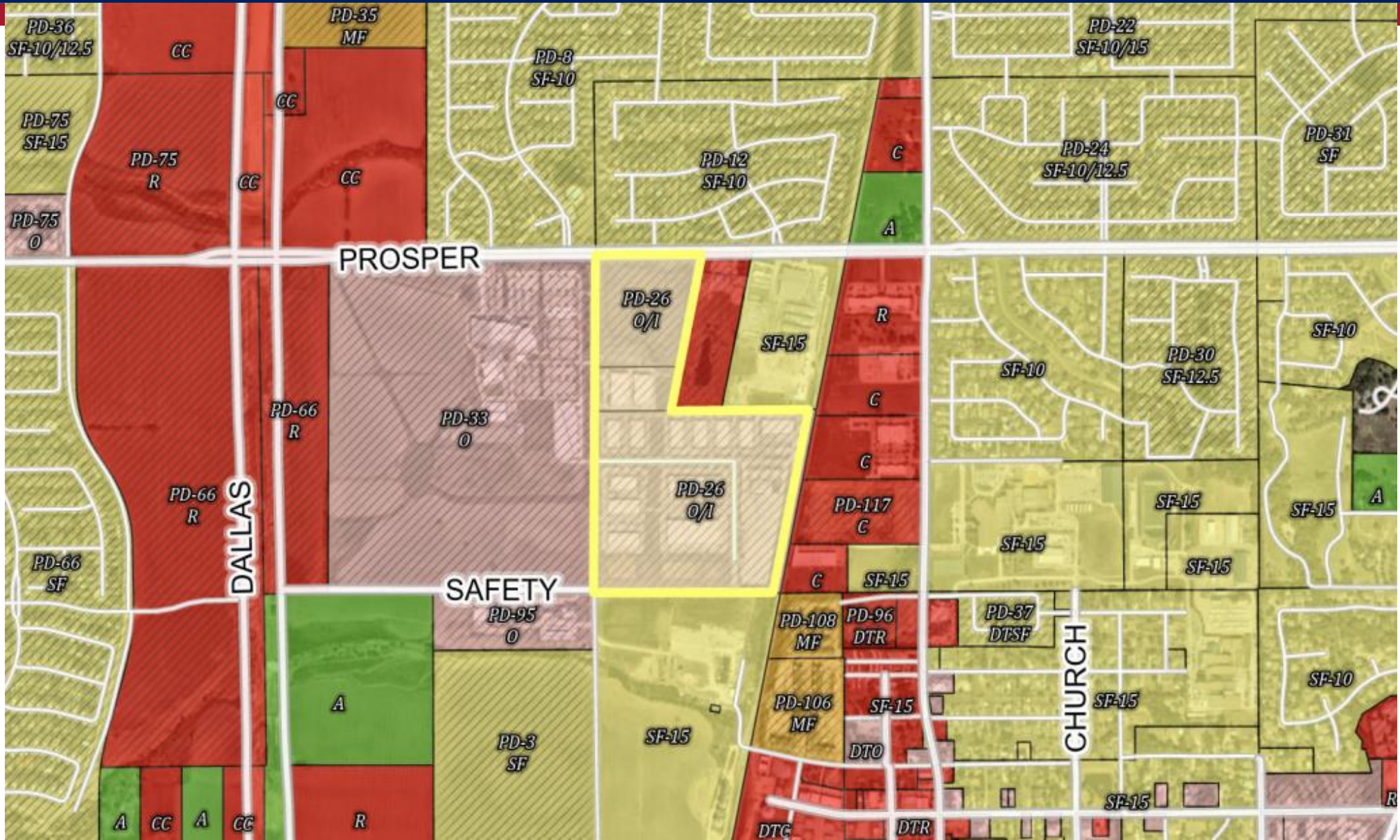
Regular Agenda

Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened.

Agenda Item 15.

Conduct a public hearing and consider and act upon an ordinance to amend Planned Development-26 (Prosper Business Park), on 71.1± acres, to reduce the minimum side setback adjacent to Technology Lane on Prosper Business Park, Block B, Lot 9, located on the northeast corner of Mike Howard Lane and Safety Way. (ZONE-24-0023) (DH)





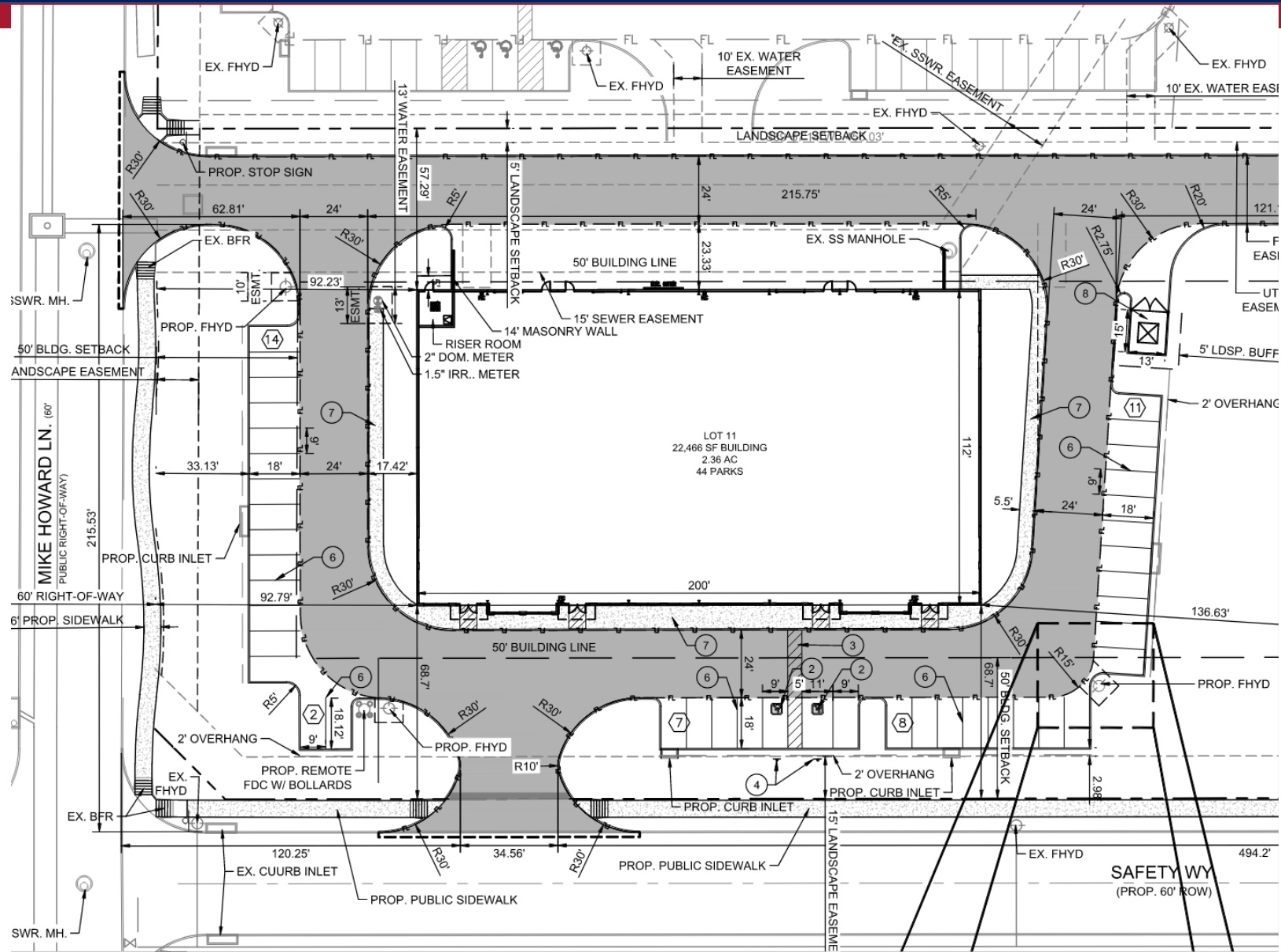
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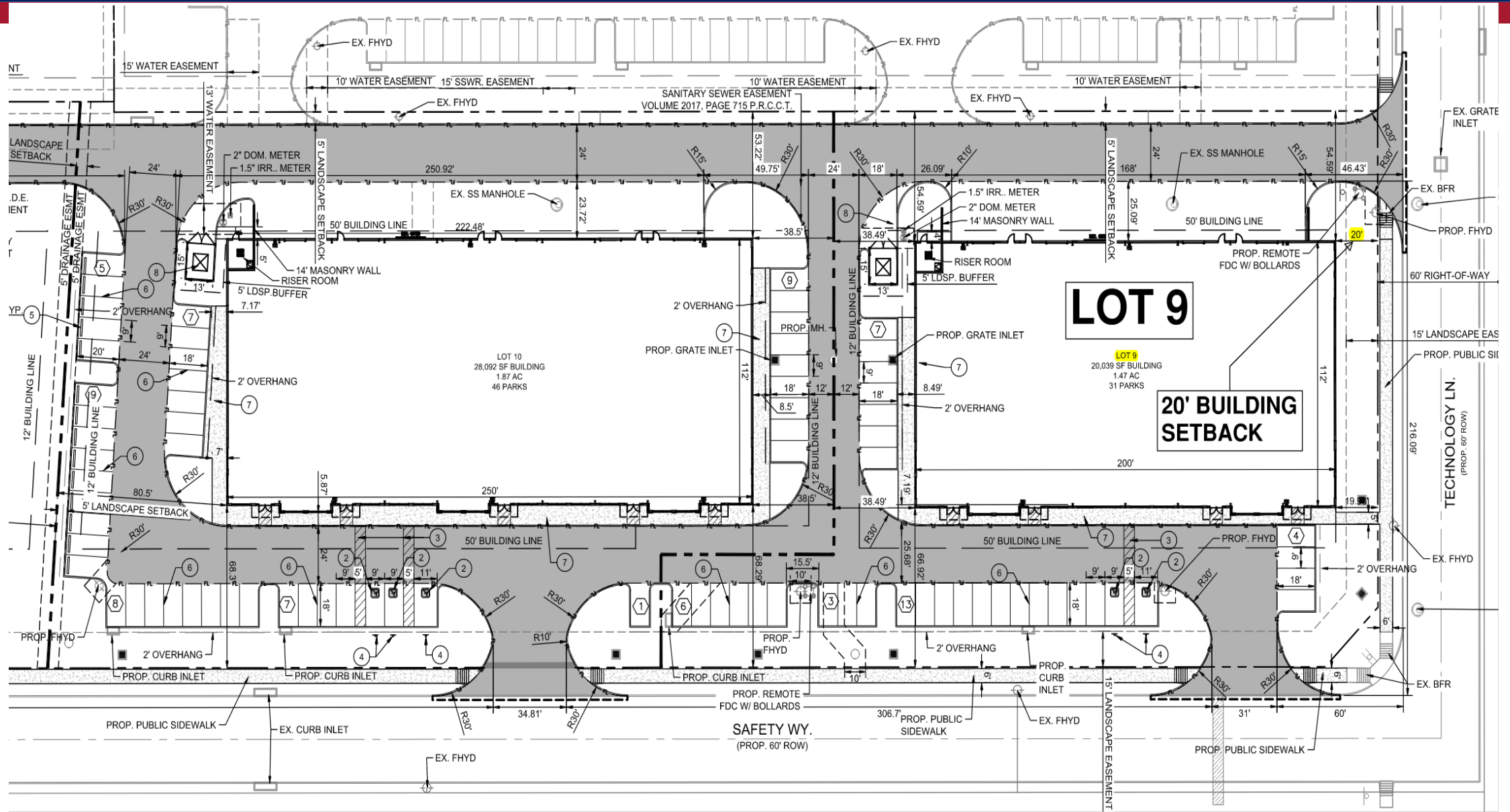
Purpose:

- Amend Planned Development-26 to allow for a reduced side yard setback adjacent to Technology Lane for Prosper Business Park, Block B, Lot 9.

Amendment:

- Side setback adjacent to Technology Lane reduced from 50 feet to 20 feet.
- Reduction will only be permitted for Lot 9.





Noticing

Notices:

- Friday, November 8th (Planning & Zoning Commission)
- Friday, November 22nd (Town Council)

Citizen Response:

- No Response

Recommendation

P&Z Recommendation:

- Approved 6-0 (Commissioner Carson Absent)

Staff Recommendation:

- Approval

Agenda Item 16.

Consider and act upon an ordinance amending Ordinance No. 2023-60 (FY 2023-2024 Annual Budget). (CL)

- Fire Special Purpose District Fund - \$64,612
 - The fund is required to maintain a \$25,000 cash balance.
 - Additional personnel costs are transferred from the General Fund to the Special Purpose District to reduce the cash balance to the designated amount.
- TIRZ #2 Fund - \$7,388
 - Sales tax collections for TIRZ #2 began in January 2024.
 - Total Sales tax collections were forecasted at \$8,000 and actuals were \$14,468.
 - All funds in excess of \$25,000 fund balance are remitted to the developer

- Park Improvement Fund - \$750,000
 - The CIP Subcommittee directed the use of additional revenue in the Park Improvement Fund to Windsong Park #3.
- General Fund - \$150,000
 - Police overtime budgets were exceeded due to shift coverage, extensive training requirements, and increasing complexity of special events.
 - Additional revenue has kept the fund balance draw down in line with the budgeted draw down.

Agenda Item 17.

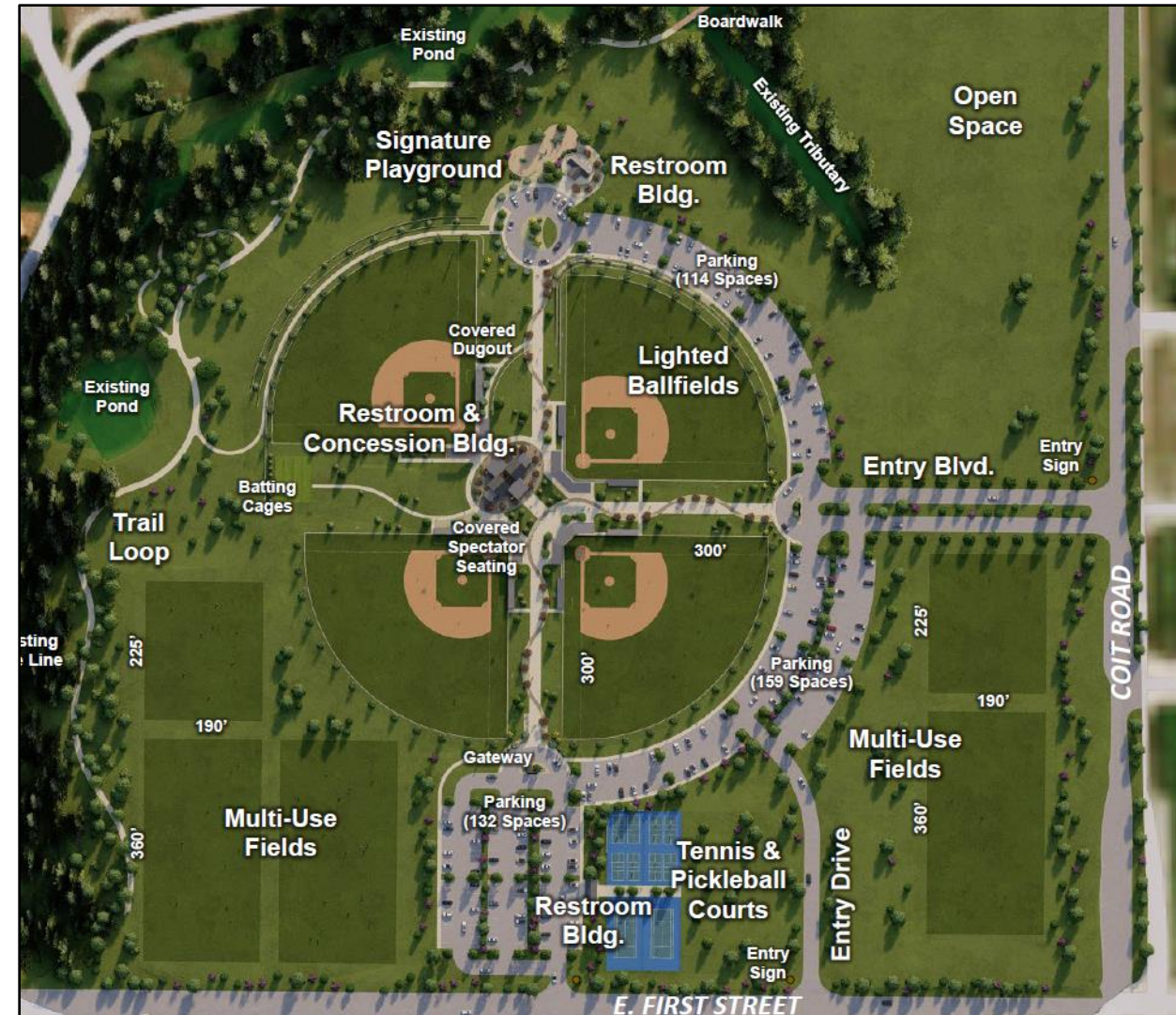
Consider and act upon authorizing the Town Manager to execute Change Order No. 1 to Dean Construction to include a water well and all required appurtenances, new electrical service to a well and well equipment, multi-use field irrigation, and a hike and bike trail with a pedestrian bridge at Raymond Community Park in the amount of \$2,637,633. (DB)

Raymond Community Park

Original Project Budget

- Design, Testing & PM \$1.9 M
- Contingency \$1.2 M
- Construction \$16.7 M
- **Total Cost \$19.8 M**

**Anticipated Completion in
Summer 2025**



Raymond Community Park

Budget with Well & MP Irrigation

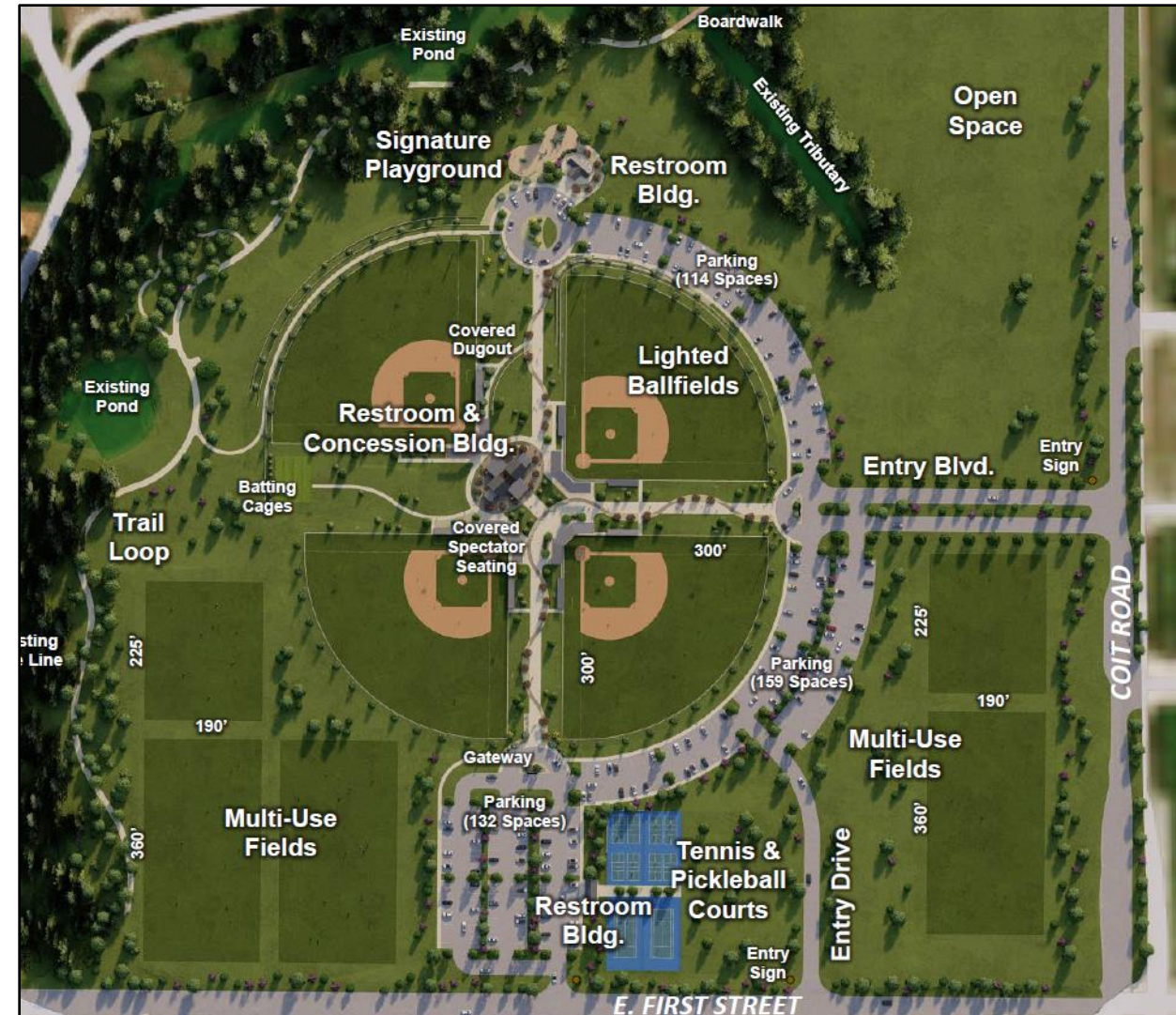
- Design, Testing & PM \$1.9 M
- Contingency \$1.2 M
- Construction \$16.7 M

Original Budget \$19.8 M

- Add Well + Irrigation 1.8 M
- Uncommitted Funds .3 M

Total Budget \$21.9 M

**Anticipated Completion in
Summer 2025**



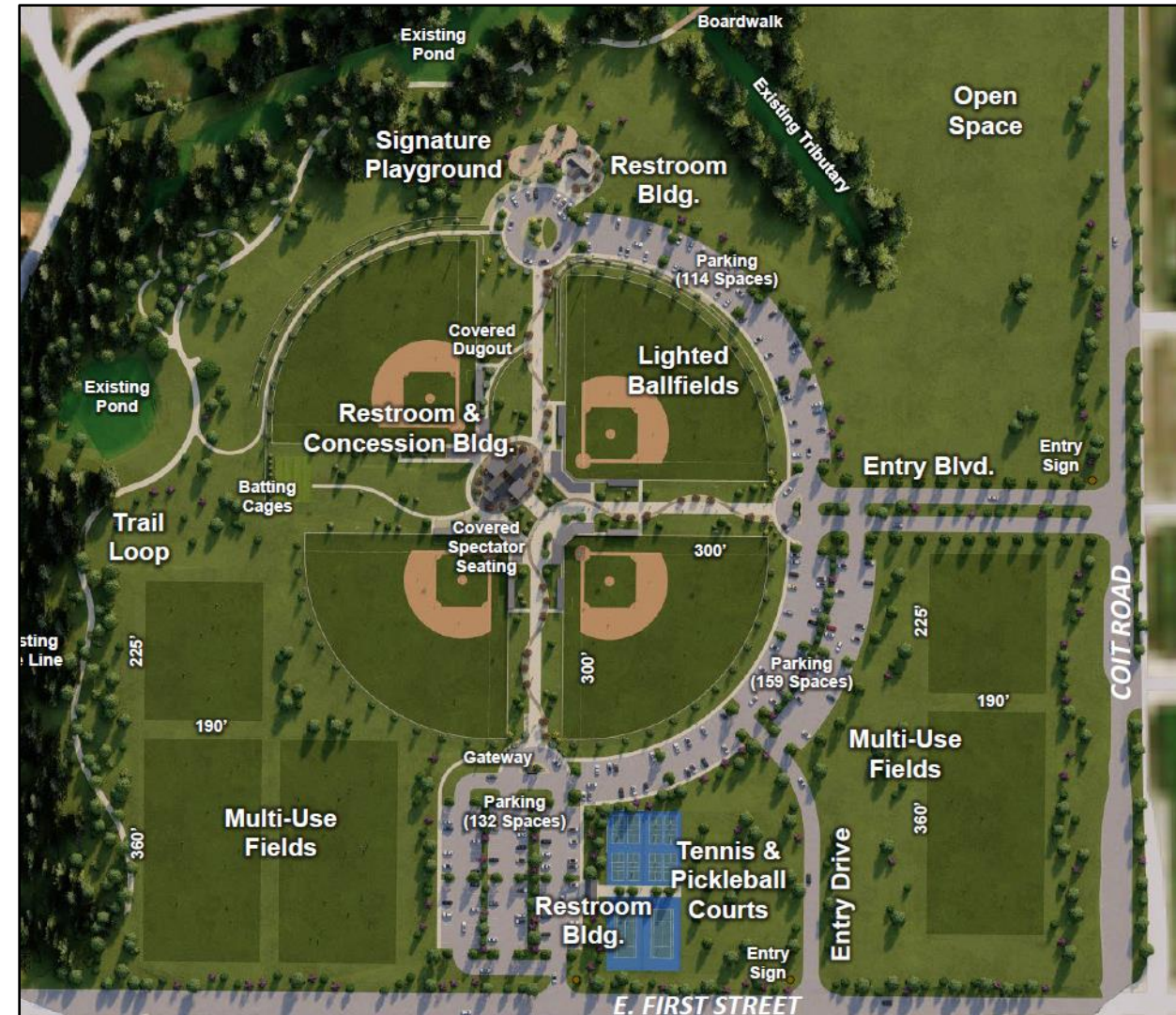
Budget: + Well & MP Irrigation

- Design, Testing & PM \$ 2.0 M
- Contingency \$1.5 M
- Construction \$18.1 M
- Uncommitted Funds .3 M

Budget w/Well & Irrig \$21.9 M

- Add Trail Budget 1.0 M
- Total Budget \$22.9 M**

Park Completion Summer 2025
Trail Completion Fall 2025



GMP #1 – Site Preparation

- Demolition & Earthwork
- Erosion Control / SWPPP Plan
- Fire Lane and Vehicular Paving (parking lot and drive aisles)
- Tree Protection / Temporary Fencing
- Site Electric - Musco
- Irrigation Sleeving
- Utilities

GMP #2 – Site Development

- Lighted Four Field Baseball Complex with Restroom Concession Building
- Storm Drain System, Sanitary Sewer Lines with Required Lift Station
- Required Onsite Detention Ponds (3)
- Multipurpose Fields (5) without lighting
- Pickleball Courts (8) with Lighting
- Multi-Level, Accessible Playground with Integral Shade
- Restroom at Playground
- Concrete Walkways and Plaza

Funding Sources

Raymond Community Park Project Funding	
GO Bonds (Design)	1,200,000
GO Bonds (Construction)	9,000,000
GO Bonds (Construction)	9,000,000
Capital Dedicated	600,000
GO Bonds (Moved forward from Future Year)	1,900,000
Park Bond Interest	200,000
Subtotal: Park Project Funding Sources	21,900,000

Funding Sources

Raymond Community Park Trail Funding	
Collin County Grant Funds	400,000
Park Fees (Matching Funds)	448,000
Various Hike & Bike Trails (2337-PK)	152,000
Subtotal: Park Trail Funding Sources	1,000,000

Total Raymond Park Project Sources Budget	22,900,000
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Prioritized Alternate Funding / Contingency Use

Scope Proposed to be Added by Town of Prosper's \$2.1 Million CIP Funding		
ToP Priority	Description	Owner's Budget
1.0	Water Well	1,358,611
2.0	Irrigation of Multipurpose Fields	458,426
Total for Water Well + Multipurpose Irrigation		1,817,037
Residual Funding Available from \$ 2.1 M After Well + Irrigation for Tennis Courts, etc.		282,963

Prioritized Alternate Funding / Contingency Use

Recommended Amenities for Town's Consideration (In Order of Priority)		
ToP Priority	Description	Owner's Budget
3.0	Additional Funding Needed for Tennis Courts (Residual Cost After Using CO # 1 Surplus)	253,184
	Shade Structures @ Tennis & PB Courts	35,034
	Pavillion at Playground	90,555
	Added Landscaping	113,366
	Batting Cages w/Trail & Site Amenities	238,984
	Upgrade Site Signage	60,000
Staff's Recommended Amenities for Added Funding (Some quotes above have expired; need to be confirmed if funded)		791,123

Prioritized Alternate Funding / Contingency Use

Other Raymond Park Options Not Currently Funded		
ToP Priority	Description	Owner's Budget
	Other Amenities	39,400
	Concrete Enhancements	69,887
	Concrete Trail along First Street	115,370
Staff is Providing the Options Above for Town Council's Information		

Prioritized Alternate Funding / Contingency Use

Raymond Park Scope of Work Funded from Other Sources		
<u>Funded w/Owner's Contingency Already Inside GMP (Risk Profile Excellent Now)</u>		
	Pedestrian Lighting	203,176
	CTX Building at Tennis/Pickleball	257,286
	Monument Sign	17,124
	Masonry on CXT Bldg at Playground + Masonry on CXT Bldg at Tennis	42,045
<u>Funded with Matching Grant Funds + Parks Funding</u>		
	Raymond Community Park Trail Project	1,000,000
<u>To be Funded in Fiscal Year 2025-2026</u>		
	Safety & Quality Upgrades to Existing Irrigation Pond Dam & Water Source	438,840

Collin County Grant Award

CIP Subcommittee Recommendation

- CIP Subcommittee presented to December 9, 2024
- Recommended approving a change order with the following caveats:
 - Do not fund the well at this time until a solution can be developed regarding the property's water rights (\$1,358,611)
 - Approve the bid alternate for the tennis courts (\$536,147)
 - Approve the bid alternate for the multipurpose fields irrigation (\$458,426)
 - Approve the trail project (\$1,000,000)
- Total Change Order Amount - \$1,994,573

Agenda Item 18.

Discuss and provide design feedback on the First Street (Coleman – Craig) project. (HW)

First Street (Coleman – Craig)

53' Right-of-Way Continuous Turn Lane and Sidewalks with Trail

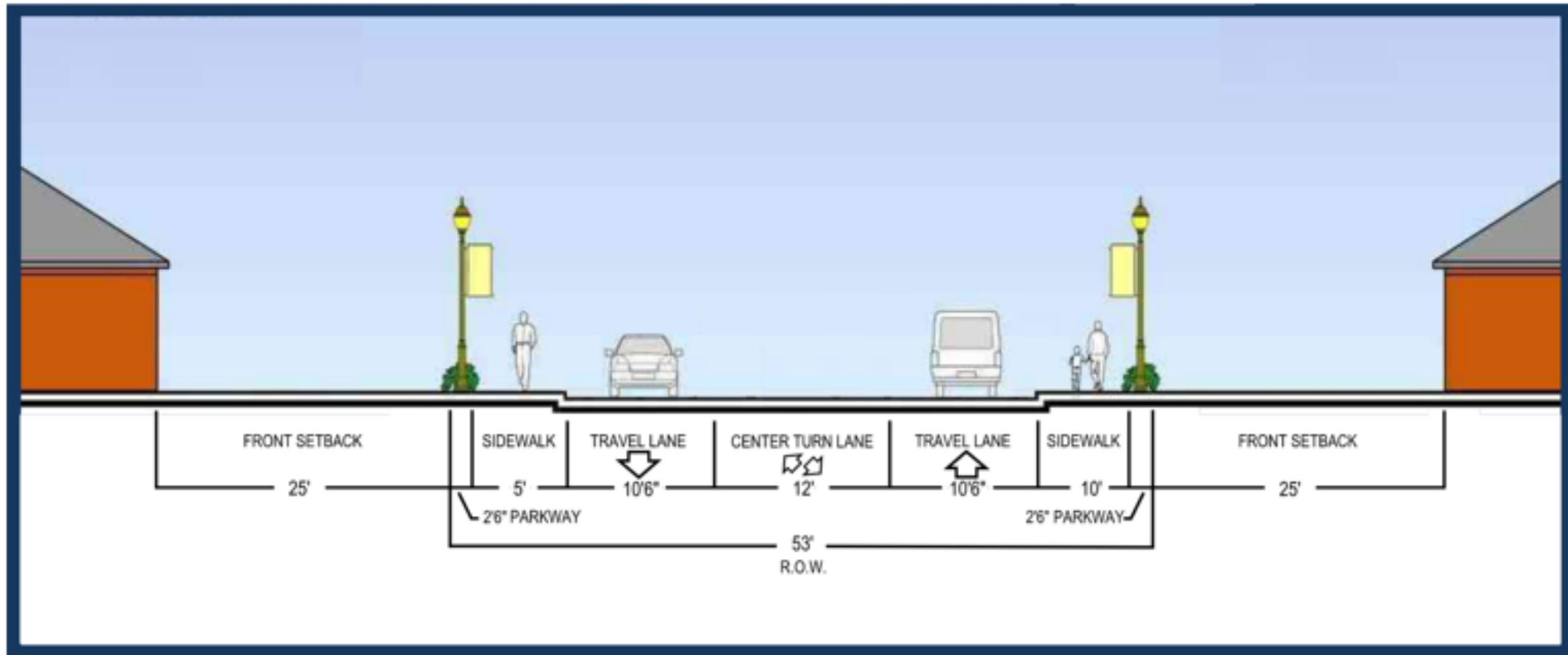
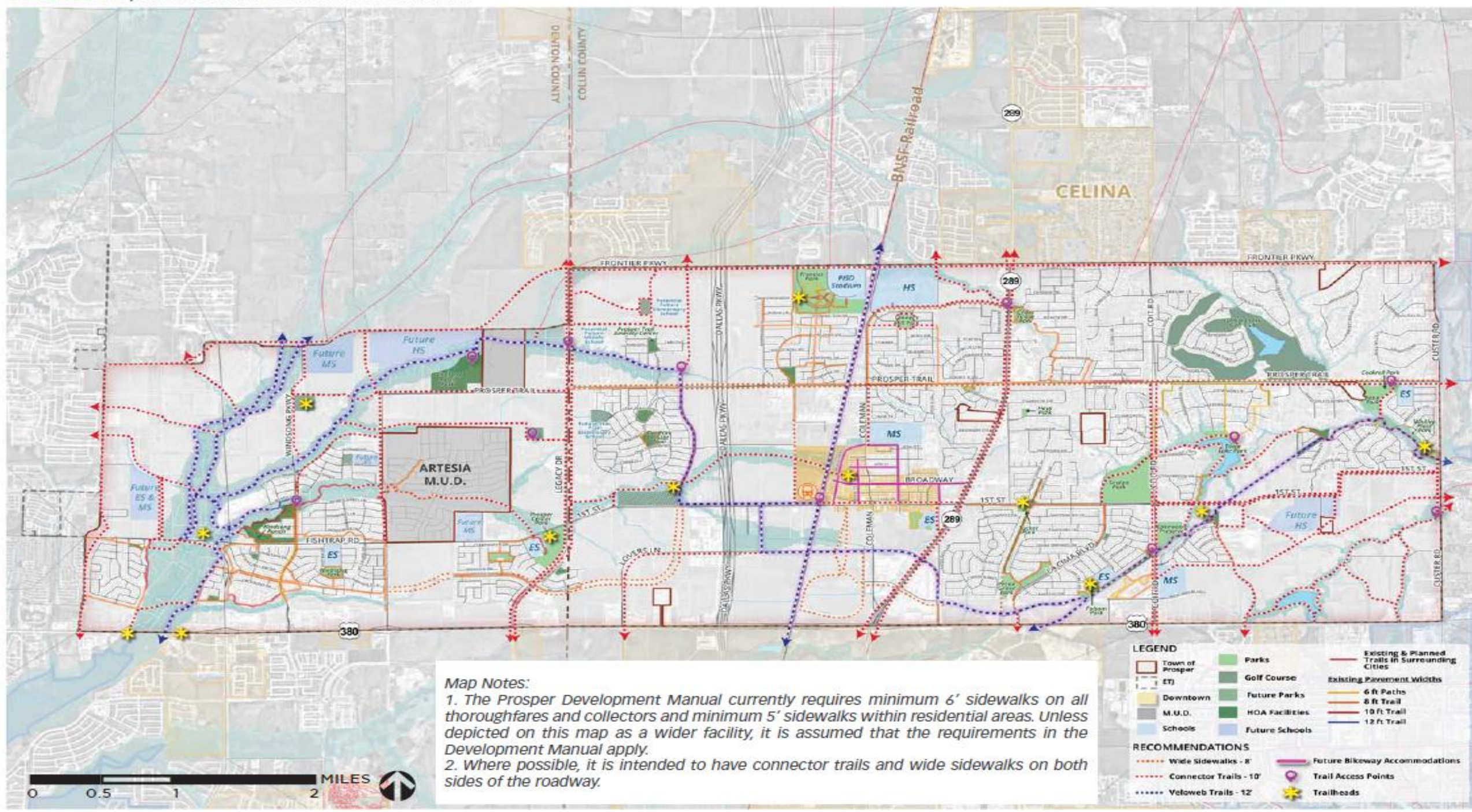
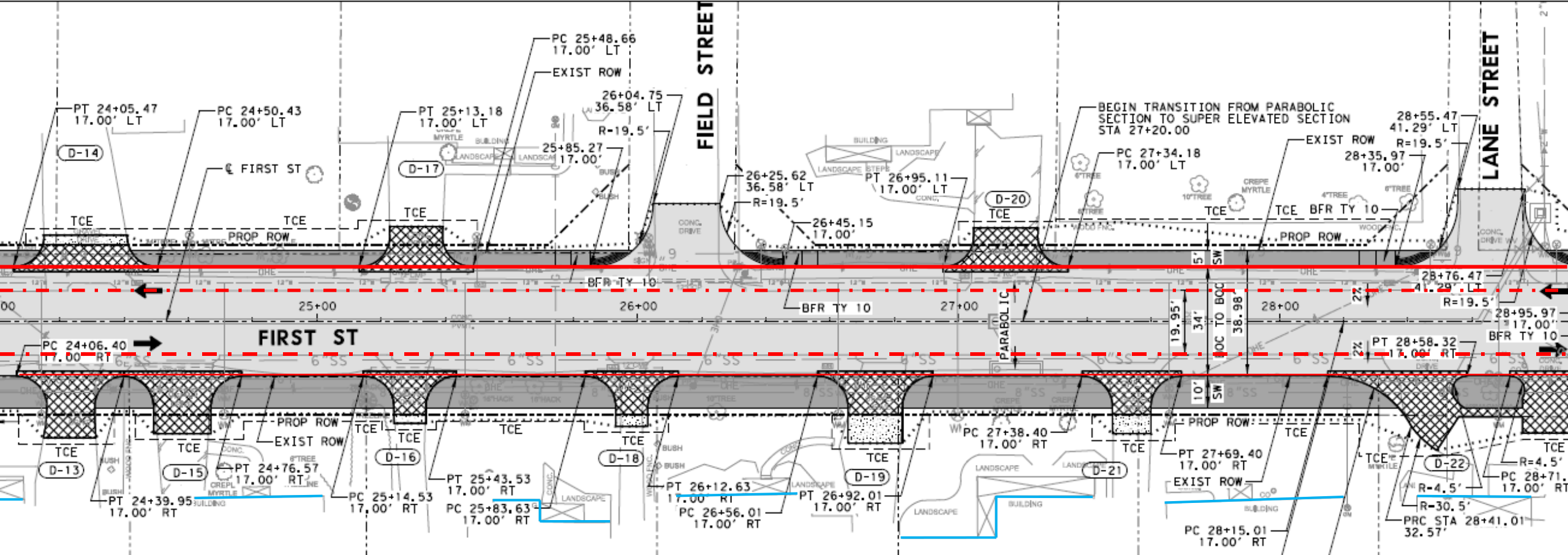


FIGURE 4.1 | RECOMMENDED NETWORK MAP





First Street (Coleman – Craig)



Agenda Item 19.

Discuss and consider Town Council Subcommittee reports. (DFB)

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

Executive Session

Section 551.087 – To discuss and consider economic development incentives and all matters incident and related thereto.

Section 551.072 – To discuss and consider the purchase, exchange, lease, or value of real property for municipal purposes and all matters incident and related thereto.

Section 551.074 – To discuss and consider personnel matters and all matters incident and related thereto.

Section 551.071 - To consult with the Town Attorney regarding legal issues associated with code enforcement activities and substandard structures, law enforcement activities, and all matters incident and related thereto.

Section 551.071 – To consult with the Town Attorney regarding legal issues associated with irrigation and water supply contracts, and all matters incident and related thereto.

The Town Council will reconvene after Executive Session.

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

Adjourn.