



Prosper is a place where everyone matters.

AGENDA
Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, February 25, 2014
6:00 p.m.

1. Call to Order/Roll Call.
2. Invocation, Pledge of Allegiance and Pledge to the Texas Flag.
3. Announcements of 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 meeting. **(RB)**
 - Regular Meeting – February 11, 2014
- 4b. Consider and act upon canceling the March 11, 2014, Town Council meeting. **(RB)**
- 4c. Consider and act upon adopting a resolution ordering a General Election to be held on May 10, 2014, and authorizing the Town Manager to execute agreements with the Collin County Election Administration and the Denton County Election Administration to provide joint election services with the Prosper Independent School District. **(RB)**
- 4d. Consider and act upon appointing Mark DeMattia to the Board of Directors, and approving the appointment of Nathan P. Bontke, Scott Ramsey, Brett L. Pedigo, and David Blom for the remaining positions on the Board of Directors for the Prosper Management District No. 1. **(RB)**
- 4e. Consider approval of the purchase of one brush truck for the Fire Department, from Chastang Ford, through the Houston-Galveston Area Council (HGAC) Cooperative Purchasing Program; and authorize prepayment options. **(JC)**
- 4f. Receive the January 2014 Financial Report. **(KA)**
- 4g. Receive the Quarterly Investment Report for the quarter ending December 31, 2013. **(KA)**
- 4h. Consider and act upon an addendum to the current Interlocal agreement between the Town of Prosper and the North Central Texas Council of Government (NCTCOG) regarding the implementation of the Smart911 system. **(DK)**

- 4i. Consider and act upon receiving the 2013 Racial Profiling Report as required by state law. **(DK)**
- 4j. Consider and act upon an ordinance establishing a curfew for juveniles under the age of 17 years. **(DK)**
- 4k. Consider and act upon an ordinance rezoning 6.5± acres, located on the west side of Custer Road, 500± feet north of Prosper Trail, from Agricultural (A) to Planned Development-Office (PD-O). (Z13-0009). **(CC)**
- 4l. Consider and act upon an ordinance amending 6.6± acres of Planned Development-57-Office (PD-57-O), located on the north side of Prosper Trail, 500± feet west of Custer Road. (Z13-0019). **(CC)**

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.)

Other Comments by the Public -

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 0.7± acre from Single Family-15 (SF-15) to Downtown Single Family (DTSF), located on the north side of Third Street, 200± feet west of Church Street (309 E. Third Street). (Z14-0001). **(CC)**
- 7. Conduct a Public Hearing, and consider and act upon a request to rezone 0.3± acre from Single Family-15 (SF-15) to Downtown Retail (DTR), located on the west side of Coleman Street, 100± feet south of Fifth Street. (Z14-0002). **(CC)**
- 8. Conduct a Public Hearing, and consider and act upon a request to rezone 0.4± acre from Single Family-15 (SF-15) to Downtown Office (DTO), located on the northwest corner of Craig Road and First Street (713 E. First Street). (Z14-0003). **(CC)**

DEPARTMENT ITEMS:

9. Consider and act upon authorizing the Town Manager to enter into an Alternate Funding Procedure Agreement between the Town of Prosper and the Upper Trinity Regional Water District (UTRWD). **(KA)**
10. Consider and act upon all matters incident and related to the issuance and sale of the Town of Prosper, Texas, Combination Tax and Surplus Revenue Certificates of Obligation, Series 2014, including the adoption of an ordinance authorizing the issuance of such Certificates, approving an Official Statement, a Bond Purchase Agreement, a Paying Agent/Registrar Agreement, and an engagement letter of Bond Counsel. **(KA)**
11. Consider and act upon all matters incident and related to the issuance and sale of the Town of Prosper, Texas General Obligation Refunding and Improvement Bonds, Series 2014, including the adoption of an ordinance authorizing the issuance of such Bonds, approving an Official Statement, a Bond Purchase Agreement, a Paying Agent/Registrar Agreement, and an engagement letter of Bond Counsel. **(KA)**
12. Consider and act upon an ordinance of the Town Council of the Town of Prosper, Texas, amending the budget for fiscal year 2013-2014 in accordance with existing statutory requirements and appropriating the various amounts referenced herein; making findings related thereto, providing repealing, savings and severability clauses; and providing for an effective date. **(KA)**
13. Consider and act upon authorizing the Town Manager to execute a Fifth Amendment to the Preannexation Agreement between the Town of Prosper and TVG Texas I, LLC. **(CC)**
14. Discussion on the Town Council strategic goal: Develop a plan for recreation programs to be offered by the Town. **(JS)**
15. **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:
 - 15a. *Section 551.087. - To discuss and consider economic development incentives.*
 - 15b. *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.*
 - 15c. *Section 551.074 - To discuss and review the Town Manager's performance evaluation.*
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.

- Temporary Building Standards. (CC)

18. Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at the Town Hall of Prosper, Texas, 121 W. Broadway Street, Prosper, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time:

On February 21, at 5:00 p.m. and remained so posted at least 72 hours before said meeting was convened.

Robyn Battle, Town Secretary

Date Noticed Removed

If during the course of the meeting covered by this Notice, the Town Council should determine that a closed or executive meeting or session of the Town Council or a consultation with the attorney/special counsel for the Town should be held or is required, then such closed or executive meeting or session or consultation with the attorney/special counsel as authorized by the Texas Open Meetings Act, Texas Government Code, §551.001, *et seq.*, will be held by the Town Council at the date, hour and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the Town Council may conveniently meet in such closed or executive meeting or session or consult with the attorney/special counsel for the Town concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sections and purposes:

Texas Government Code:

§551.071 - Consultation with the attorney/special counsel for the Town.

§551.072 - Discussion regarding the purchase, exchange, lease or value of real property.

§551.074 - Discussion regarding personnel matters.

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. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as Interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the Town Secretary's Office at (972) 569-1011. BRAILLE IS NOT AVAILABLE.