



Prosper is a place where everyone matters.

AGENDA
Special Meeting of the
Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Monday, February 6, 2017
6:15 p.m.

1. Call to Order/Roll Call.
2. Consider and act upon a resolution calling upon the 85th Texas Legislature to enact legislation that would authorize additional Town economic development purposes and incentives pursuant to Subchapter B of Chapter 351 of the Texas Tax Code. **(HJ)**
3. 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 by 5:00 p.m. on February 3, 2017, and remained so posted at least 72 hours before said meeting was convened.

Robyn Battle, Town Secretary

Date Notice 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.



TOWN SECRETARY'S OFFICE

To: Mayor and Town Council
From: Robyn Battle, Town Secretary
Through: Harlan Jefferson, Town Manager
Re: Town Council Meeting – February 6, 2017

Agenda Item:

Consider and act upon a resolution calling upon the 85th Texas Legislature to enact legislation that would authorize additional Town economic development purposes and incentives pursuant to Subchapter B of Chapter 351 of the Texas Tax Code.

Description of Agenda Item:

The 85th Texas Legislature was convened on January 10, 2017. Proposed legislation related to economic development, local control of municipal affairs, and transportation has already been introduced, and could have significant effects on municipalities across the state. Due to the potential effect of this legislation on local government, it is in the Town's best interest to stay involved in the legislative process and to support legislation that will benefit the residents of the Town of Prosper.

Legal Obligations and Review:

Terrance Welch of Brown & Hofmeister, L.L.P., has reviewed the resolution as to form and legality.

Attached Documents:

1. Resolution

Town Staff Recommendation:

Town staff recommends the Town Council approve a resolution calling upon the 85th Texas Legislature to enact legislation that would authorize additional Town economic development purposes and incentives pursuant to Subchapter B of Chapter 351 of the Texas Tax Code.

Proposed Motion:

I make a motion to approve a resolution calling upon the 85th Texas Legislature to enact legislation that would authorize additional Town economic development purposes and incentives pursuant to Subchapter B of Chapter 351 of the Texas Tax Code.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, CALLING UPON THE 85TH TEXAS LEGISLATURE TO ENACT LEGISLATION THAT WOULD PERMIT THE TOWN OF PROSPER TO UTILIZE THE FUTURE COLLECTION OF HOTEL OCCUPANCY TAXES AND OTHER RELATED TAXES FOR THOSE ECONOMIC DEVELOPMENT PURPOSES AUTHORIZED BY SUBCHAPTER B OF CHAPTER 351 OF THE TEXAS TAX CODE; MAKING FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Prosper is a thriving community located in two of the fastest growing counties in the nation; and

WHEREAS, tourism and hospitality have been central to the economic prosperity of the North Texas region; and

WHEREAS, Subchapter B of Chapter 351 of the Texas Tax Code provides, in part, that certain authorized municipalities may utilize hotel occupancy taxes for specific purposes to promote tourism and the convention and hotel industry, including a wide array of tourist, cultural, artistic, and special exhibitions and projects specifically enumerated in Section 351.101 of the Texas Tax Code; and

WHEREAS, in order to avail itself of the economic development options related to the use of hotel occupancy taxes contained in Subchapter B of Chapter 351 of the Texas Tax Code, the Town of Prosper must specifically be included as an “eligible central municipality,” as that term is defined in Section 351.102 of the Texas Tax Code; and

WHEREAS, it is the desire of the Town to have the option of considering the economic development alternatives provided for in Subchapter B of Chapter 351 of the Texas Tax Code and to do so, it must specifically be included in legislation authorizing such alternatives.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:

SECTION 1

All of the above premises are found to be true and correct and are incorporated into the body of this Resolution as if copied in their entirety.

SECTION 2

The Town of Prosper hereby fully endorses the introduction of legislation in the 85th Texas Legislature amending Section 351.102 of the Texas Tax Code to include the Town as an eligible central municipality relative to the uses of hotel occupancy tax proceeds as authorized by Chapter 351 of the Texas Tax Code.

SECTION 3

Any and all resolutions, rules, regulations, policies, or provisions in conflict with the provisions of this Resolution are hereby repealed and rescinded to the extent of any conflict herewith.

SECTION 6

This Resolution shall be effective from and after its passage by the Town Council.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 6TH DAY OF FEBRUARY, 2017.

Ray Smith, Mayor

ATTEST:

Robyn Battle, Town Secretary

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, Town Attorney