



Prosper is a place where everyone matters.

AGENDA
Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, March 27, 2018
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 of a street sign recognizing the Prosper High School Volleyball Team as the 2017 UIL State Champions. **(RB)**
 - Presentation of a *TRAPS Promotes Quality of Life Initiative* award to members of the Parks and Recreation Division by the Texas Recreation and Park Society. **(PN)**
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 meeting. **(RB)**
 - Regular Meeting – March 13, 2018
 - 5b. Receive the January Financial Report. **(KN)**
 - 5c. Consider and act upon an ordinance adopting the provisions of Article 103.0031 of the Texas Code of Criminal Procedure, imposing a collection fee of thirty percent (30%) to defray the costs of collections on delinquent fines, fees, and costs imposed by the Prosper Municipal Court. **(KN)**
 - 5d. Consider and act upon an ordinance repealing Ordinance No. 01-34 relating to the ad valorem taxation of leased motor vehicles not used for the production of income, as defined in Section 11.252 of the Texas Tax Code. **(CS)**
 - 5e. Consider and act upon an ordinance repealing Section 1.05.034 of the Town of Prosper “Interjurisdictional Program” of Article 1.05, “Emergency Management,” of Chapter 1, “General Provisions,” of the Code of Ordinances, removing Prosper from the Collin County Emergency Management Program. **(KB)**
 - 5f. Consider and act upon authorizing the Town Manager to execute a Property Exchange Agreement between Prosper Villages at Legacy LLC, and the Town of Prosper, Texas, related to an exchange of property at the Parks at Legacy subdivision. **(DR)**

- 5g. Consider and act upon an ordinance rezoning a portion of Planned Development-65-Single Family Residential/Commercial (PD-65-SF/C), to facilitate the development of an Automobile Dealership (Chrysler, Dodge, Jeep, Ram), on 16.6± acres, located on the north side of US 380, 875± feet east of Legacy Drive. (Z17-0016). **(AG)**
- 5h. Consider and act upon an ordinance amending Chapter 3 of the Zoning Ordinance regarding Definitions. (Z17-0020). **(JW)**
- 5i. 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. Conduct a Public Hearing, and consider and act upon an ordinance for a Specific Use Permit (SUP) for a Utility Distribution/Transmission Facility (Brazos Electric), on 8.9± acres, located on the east side of FM 1385, 2,700± feet south of Parvin Road. The property is zoned Agricultural (A). (S17-0004). **(AG)**
- 8. Conduct a Public Hearing, and consider and act upon a request for a Variance to the Sign Ordinance, regarding a wall sign for Texas Health Resources located at 1970 W. University Drive. (V18-0003). **(AG)**

DEPARTMENT ITEMS:

- 9. Consider and act upon a resolution accepting the Independent Audit Report and Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended September 30, 2017, as presented by a representative of McConnell & Jones, LLP., Certified Public Accountants. **(KN)**
- 10. Consider and act upon awarding Bid No. 2018-57-B to Archer Western Construction, LLC, related to construction services for the Custer Road Pump Station Expansion Project; and authorizing the Town Manager to execute a construction agreement for same. **(HW)**

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 551.074 – To discuss and review the Town Manager’s performance evaluation.*

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.

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 by 5:00 p.m., on Friday, March 23, 2018, 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.