



Prosper is a place where everyone matters.

AGENDA
Agenda Briefing and Regular Meeting of the
Prosper Town Council
Council Chambers
Prosper Town Hall
200 S. Main Street, Prosper, Texas
Tuesday, April 23, 2019
5:45 p.m.

AGENDA BRIEFING – EXECUTIVE CONFERENCE ROOM

1. Call to Order/Roll Call.
2. Questions about items listed on the Regular Meeting Agenda.
3. Discussion Items:
 - Discuss Proposed Amendments to the Texas Pool & Spa Code and Miscellaneous Amendments to the Health Code **(JW)**
 - Discuss Census Support Resolution and Membership of Complete Count Committee **(AG)**

THE REGULAR TOWN COUNCIL MEETING WILL CONVENE IN COUNCIL CHAMBERS IMMEDIATELY FOLLOWING THE AGENDA BRIEFING, AT APPROXIMATELY 6:15 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. Zoning-related Public Hearing items on the Consent Agenda have received a unanimous recommendation for approval by the Planning & Zoning Commission, and no written opposition was received prior to the posting of this agenda. Those wishing to speak on a Public Hearing item on the Consent Agenda should complete a “Public Meeting Appearance Card” and present it to the Town Secretary prior to the meeting.

- 4a. Consider and act upon minutes from the following Town Council meeting. **(RB)**
 - Regular Meeting – April 9, 2019
- 4b. Receive the January Financial Report **(KN)**

- 4c. Consider and act upon a resolution denying the Distribution Cost Recovery Factor (“DCRF”) application proposed by Oncor to increase distribution rates in their service area. **(KN)**
- 4d. Consider and act upon an ordinance amending the title of Article 13.05, “Water Conservation and Water Resource and Emergency Management Plan,” of Chapter 13, “Utilities,” of the Code of Ordinances; amending Section 13.05.001, “Plan Adopted,” of Article 13.05, “Water Conservation and Water Resource and Emergency Management Plan,” of Chapter 13, “Utilities,” of the Code of Ordinances; amending Section XVII, “Water Conservation and Enforcement Fees,” of Appendix A, “Fee Schedule,” of the Code of Ordinances; and adopting a Water Conservation and Water Resource and Emergency Management Plan. **(FJ)**
- 4e. Conduct a Public Hearing, and consider and act upon an ordinance rezoning 0.3± acre, from Single Family-15 (SF-15) to Downtown-Office (DTO), located at the northwest corner of Fifth Street and Coleman Street. (Z19-0003). **(AG)**
- 4f. 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.

ITEMS FOR INDIVIDUAL CONSIDERATION:

- 6. Conduct a Public Hearing, and consider and act upon a request to rezone 6.2± acres from Single Family-15 (SF-15) to Planned Development-Downtown Retail (PD-DTR), located on the southwest corner of Coleman Street and future McKinley Street. (Z19-0001). **(AG)**
- 7. Conduct a Public Hearing, and consider and act upon a request to amend the Future Land Use Plan from Medium Density Single Family to Retail & Neighborhood Services, generally located on the north side of Fishtrap Road, west of Legacy Drive. (CA19-0001). *[Companion Case Z19-0002]* **(AG)**
- 8. Conduct a Public Hearing, and consider and act upon a request to rezone 9.1± acres from Agricultural (A) to Office (O), located on the north side of Fishtrap Road, west of Legacy Drive. (Z19-0002). *[Companion Case CA19-0001]* **(AG)**

9. **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:

9a. *Section 551.087 – To discuss and consider economic development incentives.*

9b. *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.*

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

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

12. Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 200 S. Main 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 April 18, 2019, and remained so posted at least 72 hours before said meeting was convened.

Khara Sherrill, Administrative Assistant

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.