



Prosper is a place where everyone matters.

Agenda
Prosper Town Council Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Tuesday, April 27, 2021
5:45 PM

Notice Regarding Public Participation

Governor Greg Abbott has granted a temporary suspension of certain rules to allow for telephone or videoconference public meetings in an effort to reduce in-person meetings that assemble large groups of people, due to the COVID-19 public health emergency.

Individuals may attend the Prosper Town Council meeting in person, or access the meeting via videoconference, or telephone conference call.

Join the Zoom Meeting by clicking on the following link:

<https://us02web.zoom.us/j/87047432329>

Enter Meeting ID: 87047432329

To request to speak, click on “Participants” at the bottom of the screen, and click “Raise Hand.” The meeting moderator will acknowledge your request and allow you to speak.

To join the meeting by phone, dial (346) 248-7799

Enter Meeting ID: 87047432329

To request to speak, enter *9, and *6 to mute/unmute yourself. The meeting moderator will acknowledge your request and allow you to speak.

If you encounter any problems joining or participating in the meeting, please call our help line at 972-569-1191 for assistance.

Call to Order/ Roll Call.

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

Announcements of recent and upcoming events.

Presentations.

1. Library Volunteer Recognition. **(LS)**

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.

2. Consider and act upon the minutes from the April 13, 2021, Town Council Meeting. **(ML)**

3. Consider and act upon a resolution to deny the application of Oncor Electric Delivery Company LLC for approval to amend its distribution cost recovery factor to increase distribution rates within the Town. **(BP)**
4. Consider and act upon an ordinance rezoning 9.5± acres from Planned Development-65-Single Family (PD-65) to Office (O) District, located on the northwest corner of Mahard Parkway and Prairie Drive. (Z21-0002). **(AG)**
5. Consider and act upon authorizing the Town Manager to execute a First Amended Development Agreement between Prosper Villages at Legacy, LLC, and the Town of Prosper, Texas, related to the Prosper Center development. **(AG)**
6. Consider and act upon an ordinance amending Subdistrict 4 of Planned Development-67 (PD-67), on 71.4± acres, generally to modify the single family development standards, and to allow for retail uses in the residential neighborhood subdistrict of the Gates of Prosper, located on the northwest corner of Preston Road and Lovers Lane. (Z21-0001). **(AG)**
7. Consider and act upon authorizing the Town Manager to execute a Development Agreement between 380 & 289, L.P., and the Town of Prosper, Texas, related to the Gates of Prosper. **(AG)**
8. Consider and act upon an ordinance amending Subdistrict 1 of Planned Development-67 (PD-67), on 44.1± acres, located on the northwest corner of US 380 and Preston Road, generally to modify the boundary, developments standards, and concept plan. (Z21-0004). **(AG)**
9. 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, including Prosper ISD Elementary School, No. 15 and Wild Fork Foods. **(AG)**

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, or request to address the Council via videoconference or telephone.

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. For individuals wishing to speak on a non-public hearing item, they may either address the Council during the Citizen Comments portion of the meeting or when the item is considered by the Town Council.

Items for Individual Consideration:

10. Consider and act upon an ordinance amending Ordinance No. 2020-71 (FY 2020-2021 Budget). **(BP)**
11. Conduct a Public Hearing, and consider and act upon a request to amend the Future Land Use Plan from Medium Density Residential to Tollway District, generally located

on the south side of Frontier Parkway, east of Dallas Parkway. This is a companion case to Z20-0026. (CA20-0004). **(AG)**

12. Conduct a Public Hearing, and consider and act upon a request to amend Planned Development-69 (PD-69), on 74.3± acres, generally to amend the residential tract to allow for non-residential uses, located on the southeast corner of Dallas Parkway and Frontier Parkway. This is a companion case to CA20-0004. (Z20-0026). **(AG)**
13. Consider and act upon approving a resolution strongly opposing the proposed alignment of FM 1461 from SH 289 (Preston Road) to FM 2478 (Custer Road). **(HW)**
14. Consider and act upon awarding RFP No. 2021-35-B Construction Manager-At-Risk for Public Safety Complex Phase 2 (Central Fire Station and Fire Administration) to Pogue Construction Co., LP; and authorizing the Town Manager to execute documents for the same. **(SB)**

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:

Section 551.087 – To discuss and consider economic development incentives.

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.

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

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

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

15. Thoroughfare Plan Amendment (Football Discussion). **(DH)**
16. Legislative Update. **(RB)**

Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 250 W. First 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, April 23, 2021, and remained so posted at least 72 hours before said meeting was convened.

Melissa Lee, 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.