



Prosper is a place where everyone matters.

Agenda
Prosper Town Council Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Tuesday, September 08, 2020
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/87189889684>

Enter Meeting ID: 87189889684

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: 87189889684

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. Presentation of a Proclamation to members of the Shawnee Trail Chapter, National Society Daughters of the American Revolution declaring September 17-23, 2020, as Constitution Week. **(ML)**
2. Presenting Teamwork Awards to the Police Corporal and Communications Officers. **(DK)**

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.

3. Consider and act upon the minutes from the August 22, 2020, Town Council meeting. **(ML)**
4. Consider and act upon the minutes from the August 25, 2020, Town Council meeting. **(ML)**
5. Receive the July financial report. **(BP)**
6. Consider and act upon adopting the FY 2020-2021 Prosper Economic Development Corporation budget. **(RS)**
7. Consider and act upon a resolution designating The Prosper Press as the official newspaper of the Town of Prosper, and The Dallas Morning News as an alternative advertising source, for Fiscal Year 2020-2021. **(ML)**
8. Consider and act upon submitting an official ballot for the election of Places 1-4 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool. **(RB)**
9. Consider and act upon a resolution approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2020 rate review mechanism filing. **(BP)**
10. Consider and act upon awarding Bid No. 2020-81-B to Accelerated Critical Path, Inc., related to construction services for the Prosper Trail/DNT Intersection Improvements project; and authorizing the Town Manager to execute a construction agreement for same. **(HW)**
11. Consider and act upon an ordinance amending Section 12.09.003 "Speed Limits on Specific Streets" of Chapter 12 "Traffic and Vehicles" of the Town's Code of Ordinances by modifying the prima facie speed limits on certain streets. **(HW)**
12. Consider and act upon an ordinance to rezone 27.4± acres from Planned Development-65 (PD-65) to Planned Development-104 (PD-104), located on the south side of Prairie Drive, east of Legacy Drive. (Z20-0014). **(AG)**
13. Consider and act to authorize the Town Manager to execute a Development Agreement between Prosper Villages at Legacy, LLC, and the Town of Prosper, Texas, related to the Greens at Legacy development. **(AG)**
14. Consider and act upon an ordinance modifying the development standards of Planned Development-40 (PD-40), for Windsong Ranch, generally to modify the residential development standards, including, but not limited to building material, roofing, window, and building encroachment regulations. (Z20-0015). **(AG)**
15. Consider and act upon authorizing the Town Manager to execute a First Amended Development Agreement between VP Windsong Operation, LLC and VP Windsong Investments, LLC, and the Town of Prosper, Texas, related to the Windsong Ranch development. **(AG)**
16. Consider and act upon an ordinance abandoning a portion of Good Hope Road prescriptive right-of-way, located south of Parvin Road, beginning at a point approximately 600 feet from the southern property line of Good Hope Cemetery and extending southward approximately 1,100 feet. **(AG)**

17. Consider and act upon an ordinance amending the Zoning Ordinance regarding Permitted Uses and Definitions, and Development Requirements, including but not limited to Landscaping, Parking, Screening, and Non-Residential Design and Development Standards. (Z20-0010). **(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:

18. Conduct a Public Hearing to consider and discuss a proposal to adopt a tax rate of \$0.52 per \$100 valuation. **(BP)**
19. Consider and act upon an ordinance adopting the Fiscal Year (FY) 2020-2021 Annual Budget and Capital Improvement Program for the fiscal year beginning October 1, 2020 and ending September 30, 2021. **(BP)**
20. Consider and act upon an ordinance adopting the Town of Prosper 2020 Property Tax Rate. **(BP)**
21. Conduct a Public Hearing to consider and discuss proposed Water and Sewer utility rate structure. **(BP)**
22. Consider and act upon an ordinance amending Appendix A, "Fee Schedule," to the Town's Code of Ordinances by repealing existing Section IX, "Water and Sewer Rates," and replacing it with a new section IX, "Water and Sewer Rates"; and repealing existing Section XI, "Rates for Collection of Solid Waste and Recyclables," and replacing it with a new section XI, "Rates for Collection of Solid Waste and Recyclables; and adding a new section XXII "Emergency Medical Services (EMS) Rates". **(BP)**
23. Consider and act upon an amendment to the Wastewater Master Plan. **(DH)**

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.

Section 551.074 – To discuss and review the Town Manager's performance evaluation.

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.

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, September 4, 2020, 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.