



Prosper is a place where everyone matters.

Agenda
Prosper Town Council Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Tuesday, February 25, 2020
5:45 PM

Call to Order/ Roll Call.

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

Announcements of recent and upcoming events.

Discussion Items.

1. Coronavirus (COVID-19) Update. **(JW)**

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 February 11, 2020, Town Council meeting. **(RB)**
3. Consider and act upon an ordinance repealing Article 1.06, "Records Management," of Chapter 1, "General Provisions," of the Town's Code of Ordinances and replacing it with a new Article 1.06, "Records Management." **(RB)**
4. Consider and act upon repealing Resolution No. 13-51 and replacing with a resolution delegating authority to the Town's Purchasing Manager to determine the best method of procurement for the purchase of goods and services. **(JC)**
5. Consider and act upon a resolution supporting and authorizing a grant application to the Office of the Governor for a FY 2020-2021 Justice Assistance Grant (JAG). **(KB)**
6. Consider and act upon an ordinance repealing existing Subsection (c) of Section 1.04.032, "Number of Members," of Division 1, "Library Board," of Article 1.04, "Boards, Commissions and Committees," of Chapter 1, "General Provisions," of the Code of Ordinances of the Town of Prosper, Texas, by removing a Prosper Independent School District non-voting member from the Library Board. **(LS)**
7. Consider and act upon amendments to Section 1.05, "Meetings," of the Library Board's Bylaws to (1) change the Board's meetings to quarterly meetings, or as needed, and (2) to provide for the duties of a Board Secretary. **(LS)**
8. Consider and act upon awarding CSP No. 2020-42-A to Zayo Group, LLC, as submitted by Sandler Partners, an internet provider distributor, related to dedicated fiber internet services at Town Hall, and authorizing the Town Manager to execute a Service Order for same. **(LJ)**

9. Consider and act upon approving an annual fixed-price agreement for the purchase of Neptune water meters and related items, at the unit prices guaranteed, from Core & Main, a sole source provider. **(FJ)**
10. Consider and act upon awarding CSP No. 2020-25-B to Pavecon Public Works, LP, related to construction services for the Cook Lane Phase 2 Improvement project; and authorizing the Town Manager to execute a construction agreement for same. **(PA)**
11. Consider and act upon authorizing the Town Manager to execute a Water Impact Fee Reimbursement Agreement between 1385 & 380 Investments LP, Prosper 1385 Investments LP, and the Town of Prosper, Texas, related to the extension of water lines to serve the Westside development. **(HW)**
12. Consider and act upon authorizing the Town Manager to execute a Development Agreement between 1385 & 380 Investments LP and Prosper 1385 Investments LP, and the Town of Prosper, Texas, related to the Westside development. **(AG)**
13. Consider and act upon an ordinance rezoning 1.6± acres from Single Family-15 (SF-15) to Planned Development-Downtown Office (PD-DTO), located on the north side of Broadway Street, west of Craig Road. (Z19-0023). **(AG)**
14. Consider and act upon authorizing the Town Manager to execute a Development Agreement between Dugan P. Kelley and Matthew Clarke, and the Town of Prosper, Texas, related to the Downtown Office development, located at 603 E. Broadway Street. **(AG)**
15. Consider and act upon an ordinance amending the Future Land Use Plan from Low Density Residential to Tollway District, generally located on the north side of Prosper Trail, west of Shawnee Trail. (CA19-0005). *[Companion Case Z19-0024]* **(AG)**
16. Consider and act upon an ordinance to rezone 3.4± acres from Agricultural (A) to Office (O) and 5.6± acres from Agricultural (A) to Single Family-15 (SF-15), located on the north side of Prosper Trail, west of Shawnee Trail. (Z19-0024). *[Companion Case CA19-0005]* **(AG)**
17. Consider and act upon authorizing the Town Manager to execute a Development Agreement between The Carnegie Holding Company, LLC, and the Town of Prosper, Texas, related to the CHC Prosper Trail Office development. **(AG)**
18. Conduct a Public Hearing, and consider and act upon an ordinance rezoning 0.4± acres from Single Family-15 (SF-15) to Downtown Office (DTO), located on the north side of Broadway Street, east of Parvin Street (511 E. Broadway Street). (Z20-0001). **(AG)**
19. Consider and act upon authorizing the Town Manager to execute a Development Agreement between Lifelong Properties, LLC, and the Town of Prosper, Texas, related to a downtown office located on the north side of Broadway Street, east of Parvin Street (511 E. Broadway Street). **(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

REGULAR AGENDA:

If you wish to address the Council, please fill out a "Public Meeting Appearance Card" and present it to the Town Secretary, preferably before the meeting begins. 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:

20. Conduct a Public Hearing, and consider and act upon a request for a Sign Waiver for Gates of Prosper, Phase 2, located on the southwest corner of Preston Road and Lovers Lane, generally to allow for signage consistent with the signage located in Gates of Prosper, Phase 1. (MD20-0001). **(AG)**
21. Conduct a Public Hearing, and consider and act upon an ordinance amending Planned Development-99 (PD-99), on 19.4± acres, located on the northwest corner of Mahard Parkway and US 380, generally to allow for the rental of cargo trucks as an incidental use at Longo Toyota. (Z20-0002). **(AG)**
22. Consider and act upon a resolution creating a Special Citizens Bond Advisory Committee for the proposed 2020 bond election and establishing a charge for the Committee; and the appointment of Committee members. **(HJ)**

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 551.071 - Consultation with the Town Attorney regarding legal issues associated with the Town's sign ordinance, 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.

26. Reynolds Middle School Parking. **(HJ)**
27. Proposed Changes to the Rotary Flag Program. **(HJ)**

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, February 21, 2020, 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.