



*Prosper is a place where everyone matters.*

**Agenda**  
**Prosper Town Council Meeting**  
Council Chambers  
Prosper Town Hall  
200 S. Main Street, Prosper, Texas  
September 24, 2019  
**5:45 PM**

**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 Flag Certificate by members of the Edmund Terrell Chapter of the Sons of the American Revolution. **(RB)**
2. Presentation of a Proclamation to members of the Prosper Police and Fire Departments declaring October 1, 2019, as *National Night Out*. **(RB)**

**AGENDA BRIEFING:**

**Questions About Items Listed on the Regular Meeting Agenda.**

**Discussion Items.**

3. Discussion on Downtown Empowerment Zones and Architectural Standards. **(JW)**
4. Discussion on the Downtown Open Space. **(DR)**

**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.

5. Consider and act upon the minutes from the September 5, 2019, Special Called Town Council Meeting. **(RB)**
6. Consider and act upon the minutes from the September 10, 2019, Town Council Meeting. **(RB)**
7. Receive the July Financial Report. **(CS)**
8. Consider and act upon authorizing the Town Manager to execute an Interlocal Agreement between the North Central Texas Emergency Communication District and the Town of Prosper for regional 9-1-1 service. **(DK)**
9. Consider and act upon a resolution of the Town Council of the Town of Prosper, Texas, authorizing the Town to submit a grant application to the Office of the Governor (OOG) for Prosper Police Department SWAT equipment enhancement grant. **(KB)**

10. Consider and act upon authorizing the Town Manager to execute a Second Amended Annexation Agreement between OM Frontier Estates, LLC. and the Town of Prosper, Texas, regarding a 22.05± acre property, generally located on the south side of Frontier Parkway, west of Custer Road. **(AG)**
11. Consider and act upon authorizing the Town Manager to execute a Second Amended Annexation Agreement between Harold and Maureen Patin and the Town of Prosper, Texas, regarding a 10.59± acre property, generally located on the south side of Prosper Trail, west of Custer Road. **(AG)**
12. Consider and act upon authorizing the Town Manager to execute a Second Amended Annexation Agreement between Y-C Nurseries, Inc. and the Town of Prosper, Texas, regarding a 12.38± acre property, generally located on the north side of US 380, west of Dallas Parkway. **(AG)**
13. Consider and act upon an ordinance rezoning 11.0± acres from Planned Development-65 (PD-65) to Planned Development-98 (PD-98), located on the south side of future Prairie Drive, west of future Mahard Drive, to facilitate the development of a Retirement Housing Complex, consisting of one (1) and three (3) story buildings. (Z19-0005). **(AG)**
14. Consider and act upon an ordinance rezoning 5.7± acres from Planned Development-65 (PD-65) to Office (O), located on the southwest corner of future Prairie Drive and Mahard Parkway. (Z19-0006). **(AG)**
15. Consider and act upon an ordinance rezoning 16.1± acres of Planned Development-43 (PD-43) and Specific Use Permit-9 (SUP-9), and 3.3± acres of Planned Development-65 (PD-65) to Planned Development (PD-99), located on the northwest corner of Mahard Parkway and US 380, to facilitate the development of a Major Automotive Repair Facility (Toyota/Penske). (Z19-0007). **(AG)**
16. Consider and act upon authorizing the Town Manager to execute a Development Agreement between Prosper Villages at Legacy, LLC, and the Town of Prosper, Texas, related to the Prosper Center development. **(AG)**
17. 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)**

### **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:**

18. Presentation of service plan and first Public Hearing to consider the voluntary annexation of 6.8± acres, generally located 1,000± feet south of First Street, 4,000± feet west of Custer Road. (A19-0001). **(AG)**
19. Conduct a Public Hearing, and consider and act upon a request to rezone 0.2± acres from Downtown Office (DTO) to Planned Development-Downtown Office (PD-DTO), located on the northeast corner of Church Street and Second Street, to allow for the development of an Assisted Living Facility. (Z19-0013). **(AG)**
20. Consider and act upon a resolution of the Town Council of the Town of Prosper, Texas, accepting grant funds from the U.S. Department of Homeland Security for grant funding under the 2016 Staffing for Adequate Fire and Emergency Response (SAFER) grant program to create six (6) new, paid, full time, firefighter positions **(SB)**
21. Discussion of Amendments to the FY 2019-2020 Budget. **(CS)**
22. Consider and act upon awarding RFP No. 2019-63-A for ASO Medical and Captive Benefits to UMR, Inc., a subsidiary of United Healthcare, effective January 1, 2020, and authorizing the Town Manager to execute all documents for the same. **(KS)**
23. Consider and act upon awarding RFP No. 2019-61-A for Pharmacy Benefits Management Services to ProAct, Inc.; and authorizing the Town Manager to execute all documents for the same. **(KS)**

**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 relative to plat approval in accordance with Chapter 212 of the Texas Local Government Code.

**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.**

24. Discuss Development and Infrastructure Fees. **(JW/HW)**
25. Discussion on Agenda Format. **(RB)**

**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 6:30 p.m., on Friday, September 20, 2019, 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.