



Agenda
Prosper Town Council Meeting
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, March 12, 2024
6:15 PM

Welcome to the Prosper Town Council Meeting.

Citizens may watch the meeting live by using the following link: www.prospertx.gov/livemeetings

Addressing the Town Council:

Those wishing to address the Town Council must complete the Public Comment Request Form located on the Town's website or in the Council Chambers.

If you are attending in person, please submit this form to the Town Secretary or the person recording the minutes for the Board/Commission prior to the meeting. When called upon, please come to the podium, and state your name and address for the record.

If you are watching online, please submit this form to the Town Secretary prior to 4:00 p.m. on the day of the meeting in order for your comments to be read into the record. The Town assumes no responsibility for technical issues beyond our control.

In compliance with the Texas Open Meetings Act, the Town Council/Board/Commission may not deliberate or vote on any matter that does not appear on the agenda. The Council/Board/Commission, however, may provide statements of fact regarding the topic, request the topic be included as part of a future meeting, and/or refer the topic to Town staff for further assistance.

Citizens and other visitors attending Town Council meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of the Town Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the Town Council or while attending the meeting shall be removed from the room, if so directed by the Mayor or presiding officer, and the person shall be barred from further audience before the Town Council during that session. Disruption of a public meeting could constitute a violation of Section 42.05 of the Texas Penal Code.

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 declaring the week of March 17-24, 2024, as National Surveyor's Week. (MLS)

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 27, 2024, Town Council Work Session meeting. (MLS)

3. Consider and act upon the minutes from the February 27, 2024, Town Council Regular meeting. (MLS)
4. Consider and act upon a resolution accepting the Independent Audit Report and Annual Comprehensive Financial Report for the Fiscal Year Ended September 30, 2023, as audited by Weaver and Tidwell LLP, Certified Public Accountants. (CL)
5. Consider and act upon approving the purchase of a multi-factor authentication (MFA) software platform for staff user accounts. (LJ)
6. Consider and act upon authorizing the Town Manager to execute a Contract for Services between the Town of Prosper and V&A Landscape and Lawn to provide median maintenance services on Custer Road from US Highway 380 to Frontier Parkway. (DB)
7. Consider and authorize final payment to Coach Specialists of Texas, Inc., for the repair of a 2020 Ford Transit Cargo Van. (CE)
8. Consider and act upon authorizing the Town Manager to execute a Professional Engineering Services Agreement between Teague Nall and Perkins, Inc., and the Town of Prosper, Texas, related to the design of the Prosper Downtown Parking Lot and Alley Improvements project. (CE)
9. Consider and act upon authorizing the Town Manager to execute Contract Amendment No. 3 to the Professional Engineering Services Agreement, between TranSystems Corporation dba TranSystems Corporation Consultants, and the Town of Prosper, Texas, related to the design of the US 380 Deceleration Lane Modifications project. (HW)
10. Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between O'Brien Realty Advisors, LLC, and the Town of Prosper, Texas, related to appraisal services for the Craig Road (Preston Road-Fifth Street) project. (HW)
11. Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between Matrix Consulting Group, Ltd., and the Town of Prosper, Texas, related to the Updated Assessment of the Development Review Process project. (CE)
12. Consider and act upon authorizing the Town Manager to execute a Contract for Personal Services between Universal Field Services, and the Town of Prosper, Texas, related to easement acquisition services for the FM 1461 12-inch Water Line Relocation project. (HW)
13. Consider and act upon authorizing the Town Manager to execute the First Amendment to the Roadway Impact Fee Agreement between DNT Frontier, LP, and the Town of Prosper, Texas, related to the construction of the DNT Backer Road to serve the DNT Frontier Retail Center development. (HW)
14. Consider and act upon authorizing the Town Manager to execute the First Amendment to the Water Impact Fee Agreement between DNT Frontier, LP, and the Town of Prosper, Texas, related to the construction of a water line to serve the DNT Frontier Retail Center development. (HW)
15. Consider and act upon the appointment of members to the Capital Improvements Advisory Committee, relative to the update of the Town's impact fee ordinance, as required by Chapter 395 of the Texas Local Government Code. (HW)

16. Conduct a public hearing and consider and act upon a request to amend the number of contiguous units that constitute a row of Townhomes in Planned Development-111 (PD-111), Ordinance No. 2021-52, located north of US 380 (University Drive) and west of Lakewood Drive. (ZONE-24-0003) (DH)
17. Consider and act upon an ordinance granting a Specific Use Permit (SUP) for Retail Stores and Shops, Dry Cleaning, Minor, and Gymnastics/Dance Studio uses, with building size and placement as shown on the Site Plan, Exhibit "B," and a living screen as shown on the Landscape Plan, Exhibit "C," on 3.6± acres on Windsong Ranch Office Addition, Block A, Lot 2, located south of Parvin Road and east of North Teel Parkway. The property is zoned Planned Development-103 (PD-103) Windsong Ranch Office. (ZONE-23-0023) (DH)
18. Consider and act upon authorizing the Town Manager to execute a Development Agreement between SKS Prosper Teelpkwy Retail Holdings, LLC, and the Town of Prosper relative to Windsong Ranch Office Addition, Block A, Lot 2. (DH)
19. Consider and act upon whether to direct staff to submit a written notice of appeals 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 Preliminary Site Plans and Site Plans. (DH)

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 Comment Request Form" and present it to the Town Secretary prior to the meeting. Please limit your comments to three minutes. If multiple individuals wish to speak on a topic, they may yield their three minutes to one individual appointed to speak on their behalf. All individuals yielding their time must be present at the meeting, and the appointed individual will be limited to a total of 15 minutes.

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. [If you wish to address the Council, please fill out a "Public Comment Request Form" and present it to the Town Secretary, preferably before the meeting begins.]

Items for Individual Consideration:

20. Conduct a public hearing and consider and act upon a request for a Specific Use Permit (SUP) for a Child Care Center, Licensed use on 9.7± acres, on Collin County School Land Survey, Abstract 147, Tracts 145, 168, and 172, located 305± south of First Street and the east side of Church Street. (ZONE-23-0035) (DH)
21. Discuss and consider Town Council Subcommittee reports. (DFB)

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

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 and all matters incident and related thereto.

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 551.071 - To consult with the Town Attorney regarding Chapter 42 of the Texas Local Government Code and Extraterritorial Jurisdiction land use and development issues, and all matters incident and related thereto.

Section 551.074 - To discuss and consider personnel matters, including the annual evaluation of the Town Manager, Town Attorney and the Municipal Judge, and all matters incident and related thereto.

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

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, March 8, 2024, and remained so posted at least 72 hours before said meeting was convened.

Michelle Lewis Sirianni, 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.