



Agenda
Prosper Town Council Meeting
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, August 27, 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.

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.

1. Consider and act upon the minutes from the August 13, 2024, Town Council Regular meeting. (MLS)
2. Consider and act upon the minutes from the August 20, 2024, Town Council Special meeting. (MLS)

3. Consider and act upon the minutes from the August 22, 2024, Town Council Special meeting. (MLS)
4. Consider and act upon a resolution approving a negotiated settlement between the Atmos Cities Steering Committee (ACSC) and Atmos Energy Corporation, Mid-Tex Division regarding the company's 2024 rate review request. (CL)
5. Consider and act upon approval of an estimated total spend of \$142,660 for various annual operational purchases for the Information Technology Department during FY 2024 from SHI Government Solutions, Inc. (LJ)
6. Consider and act upon approving the purchase of additional CAD/RMS licenses associated with new positions in the amount of \$72,855 from ICS Public Safety and authorizing the Town Manager to execute documents for the same. (LJ)
7. Consider and act upon approval of Amendment Eighteen to the Interlocal Agreements between Collin County and the Town of Prosper for Animal Sheltering Services and Animal Control Services; and authorizing the Town Manager to execute the same. (DH)
8. Consider and act upon authorizing the Town Manager to execute a Professional Engineering Services Agreement between Halff Associates, Inc., and the Town of Prosper, Texas, related to the design of the Prosper Trail (Coit-Custer) – 2 WB Lanes project for \$763,000. (PA)
9. Consider and act upon authorizing the Town Manager to execute a Wastewater Line Construction Costs Reimbursement Agreement between H-E-B, LP, and the Town of Prosper, Texas, related to the construction of a portion of the Upper Doe Branch Wastewater Line on the H-E-B property for \$186,996. (HW)
10. Consider and act upon authorizing the Town Manager to execute an amendment to a Professional Services Agreement with Peak Program Value, LLC, for additional project control services related to the development of Raymond Community Park in the amount of \$64,390. (DB)
11. Consider and act upon approval of an amendment to a Professional Services Agreement with Dunaway Associates, LLC, for additional design and construction administration services related to the development of Raymond Community Park in the amount of \$61,000. (DB)

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:

12. Conduct a public hearing to consider and act upon an ordinance amending Article 2, Division 13 – Multifamily District; Article 4, Division 4, Section 4.4.3 – Non-Residential and Multifamily Parking Provisions; and Article 4, Division 8 - Non-Residential & Multifamily Design and Development of the Town of Prosper Zoning Ordinance to modify Multifamily development standards. (ZONE-24-0019) (DH)
13. Consider and act upon the approval of a budget transfer in the amount of \$2,007,000 to amend Raymond Community Park GMP 2 to construct an irrigation well, expand the park irrigation system, and fund additional prioritized bid alternate items. (DB)
14. 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 the 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 551.089 - Deliberation of security information collected, assembled, or maintained by or for a governmental entity to prevent, detect, or investigate criminal activity, pursuant to Section 2059.055 of the Texas Government Code, and all matters incident and related thereto.

Section 551.071 - To consult with the Town Attorney regarding BFS Real Estate LLC, et al., v. Town of Prosper, et al., pending in the 471st Judicial District Court of Collin County, Texas, and all matters incident and related thereto; and discuss and consider anticipated litigation regarding contractual obligations.

Section 551.074 - To discuss appointments to the Board of Adjustment/Construction Board of Appeals, Parks & Recreation Board, Library Board, Prosper Economic Development Corporation Board, Planning & Zoning Commission, Community Engagement Committee, Downtown Advisory Committee, and the Bond Committee, 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, August 23, 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) 569-1073 at least 48 hours prior to the meeting time.