



**Agenda**  
**Prosper Town Council Meeting**  
Prosper Town Hall, Council Chambers  
250 W. First Street, Prosper, Texas  
Tuesday, February 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](http://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 March 2024, as Theatre in our Schools Month. (MLS)
2. Presentation to the Prosper Community Library for receiving the Library of Excellence award. (LS)

**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 February 13, 2024, Town Council Work Session meeting. (MLS)
4. Consider and act upon the minutes from the February 13, 2024, Town Council Regular meeting. (MLS)
5. Consider and act upon an ordinance canceling the May 4, 2024, General Election. (MLS)
6. Consider acceptance of the January 2024 Monthly Financial Report. (CL)
7. Receive the Quarterly Investment Report for December 31, 2023. (CL)
8. Consider and act upon approving purchase orders for the purchase and installation of furniture from Workspace Interiors by Office Depot Business Solutions through the Omnia Partners Cooperative; and authorizing the Town Manager or his/her designee to execute documents related to said purchases. (CL)
9. Consider authorizing the Town Manager to enter into a three-year Professional Services Agreement with two one-year renewals for sales tax consulting with Texas City Services LLC for the Town, EDC and the Crime and Fire Special Purpose Districts. (CL)
10. Receive the 2023 Annual Racial Profiling Report for the Prosper Police Department as required by state law. (DK)
11. Consider and act upon an ordinance amending Section 1.09.017 of the Code of Ordinances relative to the carrying of firearms in Town parks, and Sections 8.03.001 and 8.03.002 of the Code of Ordinances relative to the carrying and discharge of firearms in Town buildings or in the Town limits. (TW/DK)
12. Consider and act upon awarding RFP No. 2024-08-A to Sweeping Corporation of America, LLC., related to the Town's Street Sweeping services, and authorizing the Town Manager to execute a construction agreement for same. (CE)
13. Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between Angel Valuation Services, LP, and the Town of Prosper, Texas, related to appraisal services for the FM 1461 12-inch Water Line Relocation project. (HW)
14. Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between Geotex Engineering LLC, and the Town of Prosper, Texas, related to professional construction materials testing and observation services for the Legacy (Prairie – First) – 4 Lanes project. (HW)
15. Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between ECS Southwest, LLP, and the Town of Prosper, Texas, related to professional construction materials testing and observation services for the Teel Parkway (US 380 - First Street) – 2 NB Lanes project. (HW)

16. Consider and act upon authorizing the Town Manager to execute an Agreement between Blue Star Allen Land L.P., and the Town of Prosper, Texas, related to the repairs of certain roadways in Star Trail, Phase 5. (HW)
17. Consider authorizing the Town Manager to enter into a Professional Services Agreement with Peak Program Value (PPV) for Construction Management Services for Raymond Park. (CL)
18. Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between the Town of Prosper and Gray Event Management for recreation program instructor services. (DB)
19. Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between the Town of Prosper and Soccer Sparks, LLC, for recreation program instructor services. (DB)
20. Consider and act upon an ordinance granting a Specific Use Permit for a Wireless Communications and Support Structure, on Lakewood Preserve, Block A, Lot 1, on 0.1± acre, located south of East First Street and east of South Coit Road. The property is zoned Planned Development-87 (PD-87) Lakewood. (ZONE-23-0036) (DH)
21. 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:**

22. 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 legal issues associated with Article 1.09 and Article 8.03 of the Town's Code of Ordinances, and Chapter 214 of the Texas Local Government Code, 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, February 23, 2024, and remained so posted at least 72 hours before said meeting was convened.

\_\_\_\_\_  
Michelle Lewis Sirianni, Town Secretary

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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.