



Agenda
Prosper Town Council Meeting
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, February 14, 2023
4:15 PM

Prosper is a place where everyone matters.

Welcome to the Prosper Town Council Meeting.

Citizens may watch the meeting live by using the following link:
<https://prospertx.new.swagit.com/views/378/>

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 Town Council 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 of the Town Council. 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 January 24, 2023, Town Council Work Session meeting. (MLS)

2. Consider and act upon the minutes from the January 24, 2023, Town Council Regular meeting. (MLS)
3. Consider and act upon an ordinance ordering a General Election to be held on May 6, 2023, for the purpose of electing a Councilmember Place 3 and Councilmember Place 5; designating location of polling places; ordering notices of election to be given as prescribed by law and authorizing the Interim Town Manager to execute contracts with Collin County and Denton County Election Departments for joint election services. (MLS)
4. Consider and act upon an ordinance by the Town Council, acting as the Board of Directors of the Crime Control and Prevention District, ordering a Special Election to be held May 6, 2023, for the purpose of submitting to the qualified voters a referendum on the continuation of the Town of Prosper Crime Control and Prevention District for twenty (20) years, and a sales and use tax at the rate of one-fourth of one percent dedicated to crime control and prevention programs. (MLS)
5. Consider and act upon an ordinance by the Town Council, acting as the Board of Directors of the Fire Control, Prevention and Emergency Medical Services District, ordering a Special Election to be held May 6, 2023, for the purpose of submitting to the qualified voters a referendum on the continuation of the Town of Prosper Fire Control, Prevention and Emergency Medical Services District for twenty (20) years, and a sales and use tax at the rate of one-fourth of one percent dedicated to fire safety and emergency medical services programs. (MLS)
6. Consider and act upon approving the purchase of a subscription for weather alert software (web + mobile) from Perry Weather Consulting, Inc., for Frontier Park, Folsom Park, and Eagles Landing Park, and authorizing the Interim Town Manager to execute documents for the same. (DB)
7. Consider and act upon approving the purchase of Public Safety, Firehouse Supplies, and Equipment through the Texas Local Government Purchasing Cooperative from GT Distributors, Inc. (SB)
8. Consider and act upon approving a unit price, as needed contract, between DHS Automation Inc., a sole source provider, and the Town of Prosper, Texas, related to SCADA, maintenance, and water and wastewater electrical services and repair; and authorizing the Interim Town Manager to execute documents for the same. (FJ)
9. Consider and act upon approving the purchase and installation of streetlights from Groves Electrical Services, Inc., through the Texas Local Government Purchasing Cooperative; and authorizing the Interim Town Manager to execute documents for the same. (FJ)
10. Consider and act upon the purchase of ammunition and range supplies from GT Distributors Inc., utilizing the Buyboard Contract #603-20; and authorizing the Interim Town Manager to execute documents for same. (DK)
11. Consider and act upon a resolution authorizing the Interim Town Manager, and/or his/her designee, to apply for the Office of the Governor, FY 2024 Criminal Justice Division, General Victim Assistance Grant Program and consider and act upon authorizing the Interim Town Manager and/or his/her designee to accept the Office of the Governor, FY 2024 Criminal Justice Division, General Victim Assistance Grant Program upon award. (DK)

12. Consider and act upon authorizing the Interim Town Manager, and/or his/her designee, to accept the award for the Office of the Governor, Criminal Justice Division, Bullet Resistant Shield Grant Program, FY2023. (DK)
13. Consider and act upon a resolution authorizing the Interim Town Manager, and/or his/her designee, to apply for the Office of the Governor, Homeland Security Grants Division, 2022 SHSP – Town of Prosper SWAT Communication Headsets Project Grant and consider and act upon authorizing acceptance of the Office of the Governor, Homeland Security Grants Division, 2022 SHSP – Town of Prosper SWAT Communication Headsets Project Grant, if awarded. (DK)
14. Consider and act upon awarding RFP No. 2022-57-B Comprehensive Broadband Analysis to Lit Communities, related to the EDA Prosper Subregional Broadband Assessment & Strategy Project, and authorizing the Interim Town Manager execute an agreement for the same. (MM)
15. Consider and act upon authorizing the Interim Town Manager to execute a Professional Engineering Services Agreement between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the Water, Wastewater, and Roadway Impact Fee Update project. (HW)
16. Consider and act upon authorizing the Interim Town Manager to execute Contract Amendment No. 2 to the Professional Services Agreement, between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the design of the Custer Road Pipeline and Meter Vault Relocation project. (HW)
17. Consider and act upon an ordinance granting a non-exclusive gas franchise to Atmos Energy Corporation and repealing Ordinance No. 2023-02. (RBS)
18. Consider authorizing the Interim Town Manager to execute on behalf of the Town settlement documentation relative to the State of Texas’ and other governmental entities’ litigation against Allergan, CVS, Walmart and Walgreens for the marketing, sale and dispensing of opioids, and to take all actions incident and related thereto. (TW)
19. Consider and act upon an ordinance to rezone 0.177± acres from Single Family-15 (SF-15) to Downtown Office (DTO), on Lots 10A & 11B, located on the north side of Broadway Street, east of Coleman Street. (Z22-0017). (DS)

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.

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 551.074 - 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, and the Community Engagement Committee, and all matters incident and related thereto.

Section 551.071 - Litigation update.

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 10, 2023, 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.