

# Welcome to the October 22, 2024, Prosper Town Council Meeting

# Call to Order/Roll Call

# Invocation, Pledge of Allegiance, and Pledge to the Texas Flag

## Pledge to the Texas Flag

Honor the Texas flag; I pledge allegiance to thee,  
Texas, one state under God, one and indivisible.

# Announcements

# Consent Agenda

## Agenda Item 1.

Consider and act upon the minutes from the October 8, 2024, Town Council Work Session meeting. (MLS)

## Agenda Item 2.

Consider and act upon the minutes from the October 8, 2024,  
Town Council Regular meeting. (MLS)

## Agenda Item 3.

Consider and act upon a resolution adopting the Town of Prosper 2025 Legislative Agenda. (RB)



## Agenda Item 4.

Consider and act upon a resolution authorizing the Town Manager, and/or his/her designee, to apply for the Office of the Governor, FY2025 Rifle-Resistant Body Armor Grant Program and consider and act upon authorizing the Town Manager, and/or his/her designee, to accept the Office of the Governor, FY2025 Rifle-Resistant Body Armor Grant Program upon award. (DK)

## Agenda Item 5.

Consider and act upon a resolution authorizing the Town Manager, and/or his/her designee, to apply for the Office of the Governor, FY2025 Criminal Justice Division Program for Victim Assistance, General Direct Services Grant Program and consider and act upon authorizing the Town Manager, and/or his/her designee, to accept the Office of the Governor, FY2025 Criminal Justice Division Program for Victim Assistance, General Direct Services Grant Program upon award. (DK)

## Agenda Item 6.

Consider and act upon approving the purchase of mobile and portable radios through the Texas Department of Information Resources (DIR) Contract #22198-TX DIR TSO-4101 for \$91,626.  
(SB)

## Agenda Item 7.

Consider and act upon approving the purchase of two 2024 Ford F150 Trucks and one Ford F250 Truck for \$175,186 from Silsbee Ford, utilizing the Interlocal Purchasing System (TIPS) Contract No.210907. (SB)

## Agenda Item 8.

Consider and act upon approving the purchase of water meters from Core & Main for \$566,625 and authorizing the Town Manager to execute the same. (CJ)

## Agenda Item 9.

Consider and act upon approving the purchase of two (2) 2025 Ford F-450 Crew Cab trucks for \$172,071 for Public Works from Silsbee Ford utilizing The Interlocal Purchasing Systems (TIPS) Contract. (CJ)

## Agenda Item 10.

Consider and act upon approving the purchase of one 2025 Ford F250 Truck and one 2025 Ford F550 Truck with enclosed cab for \$178,294 from Silsbee Ford, utilizing the Interlocal Purchasing System (TIPS) Contract No. 210907. (DB)



# Citizen Comments



## 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.

## Agenda Item 11.

Conduct a public hearing and consider and act upon a request to amend Planned Development-59 on Twin Creeks Ranch, Phases 1-2, on 40.9± acres, to accommodate the reconfiguration of the wall and the landscaping between the subdivision and Frontier Parkway. (ZONE-24-0011) (DH)







# Purpose

## Request:

- Amend Planned Development-59
  - Allow screening wall to remain in place due to the taking of land for additional right-of-way.

## Zoning Ordinance:

- Residential Development Adjacent to Major/Minor Thoroughfares
  - Landscape Buffer
  - Screening Wall (Behind Landscaping)

# Background

## History:

- Planned Development approved with both landscaping and screening wall in correct location.
- TxDOT right-of-way acquisition eliminated area for landscape buffer in front of screening wall.
- Due to wall being 85% complete, the developer is requesting to leave the wall in place and provide alternatives.

# Development Standards

## Landscaping:

- Required landscape buffer permitted behind screening wall adjacent to Frontier Parkway.
- Landscaping provided along masonry portion of screening wall facing Frontier Parkway.
- Berm with additional landscaping provided behind screening wall.

## Maintenance:

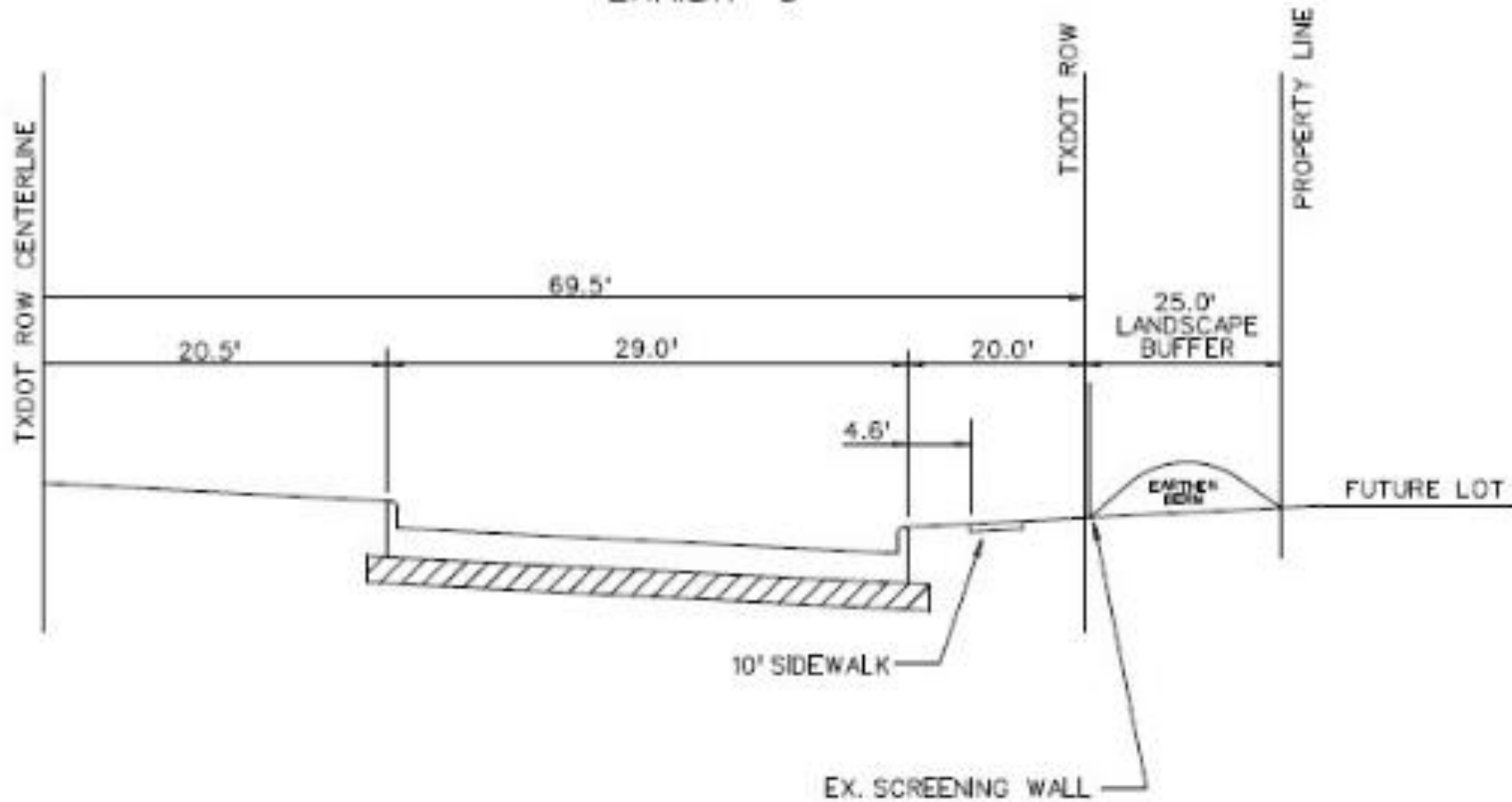
- Homeowner's Association responsible for the maintenance of landscaping and screening wall.



Subdivisions Between Preston and Custer on FM 1461	Distance from Existing Roadway Edge To				Distance from New Road Edge to Wall/Fence
	Existing Wall/Fence a		New Road Edge* b	=	
Frontier Estates	91'	-	50'	=	41'
Highland Meadows	60'	-	50'	=	10'
Gentle Creek Estates	93'	-	50'	=	43'
Amberwood Farms	58'	-	50'	=	08'
Twin Creeks Ranch East	70'	-	50'	=	20'
Twin Creeks Ranch West	80'	-	50'	=	30'



EXHIBIT 'D'



FUTURE FRONTIER PARKWAY  
(F.M. 1461) R.O.W.

N.T.S.





# Conclusion

## Notices:

- Friday, September 20<sup>th</sup>

## Citizen Response:

- None

## Planning & Zoning Recommendation:

- Approved (7-0)

## Staff Recommendation:

- Approval



## Agenda Item 12.

Consider and act upon approving a Guaranteed Maximum Price (GMP) Amendment between Pogue Construction Co., L.P., and the Town of Prosper, related to the Fire Station 4 project for \$11,610,004 with a total project cost not to exceed \$13,814,000.  
(SB)

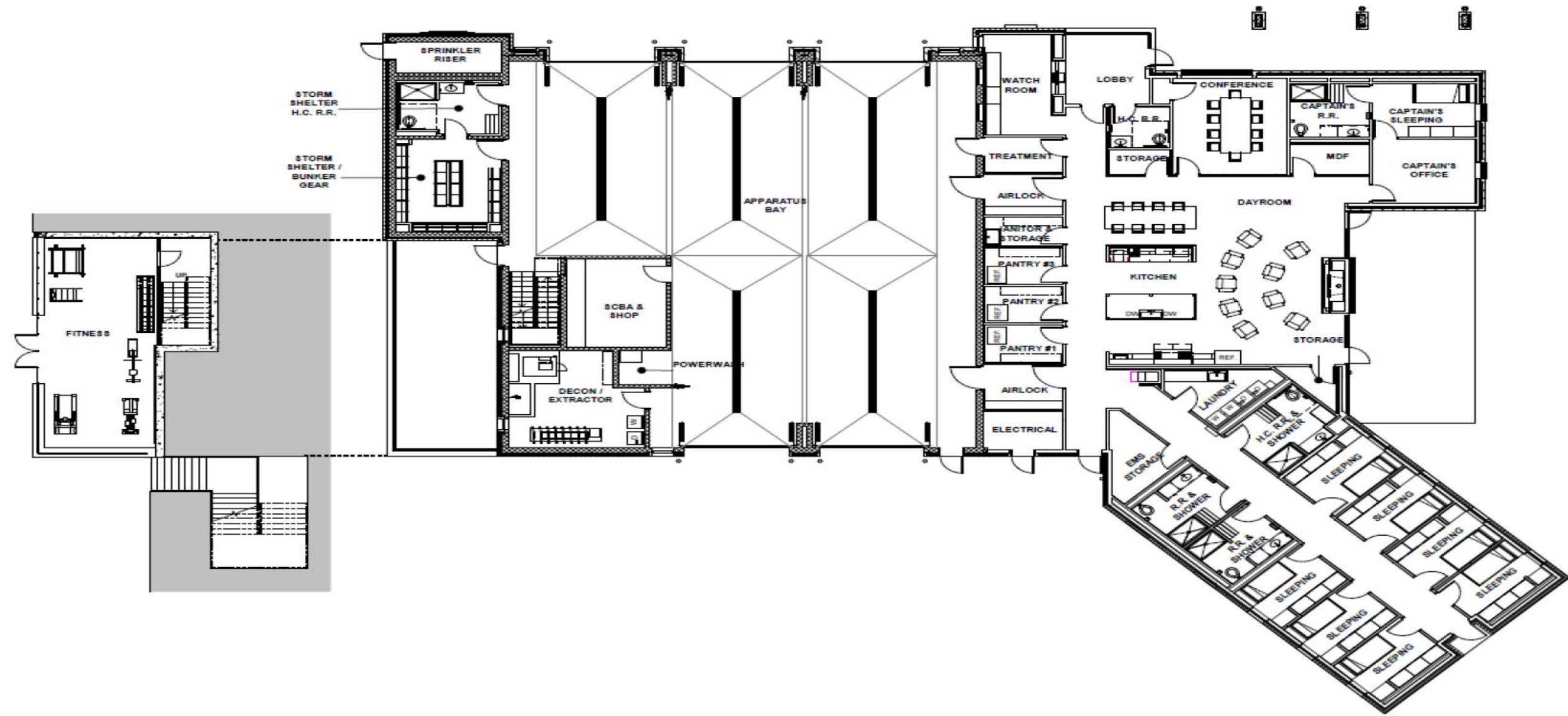












## Background

- November 9, 2021 - Town Council Approved the Architectural Design Agreement with BRW
- June 14, 2022 - Town Council Approved the CMAR agreement with Pogue Construction
- August 23, 2022 - Town Council Update
  - Included schematic design.
  - The Town Council direction was to maintain the station's size with no further value engineering efforts.
- January 10, 2023 - Town Council GMP Review
  - GMP \$10,213.950, Decision to Postpone to October 2023.

- Due to delays, the project had to undergo additional reviews to comply with IBC and IFC standards.
  - The Town of Prosper Adopted the 2021 IBC and IFC, January 2023.
  - All construction documents were required to be updated.
- The additional design and code review cost was negotiated to \$342,300.
- BRW agreed to amend the contract from \$608,300 to \$950,680, removing the 8.85% fee provision exceeding the original estimate.

# Fire Station 4 Construction Project

Budget for Fire Station 4 Project	Amount Encumbered	Estimate August 2022	Project Total January 2023	2024 Estimate May 28, 2024	GMP October 22, 2024
Professional Services Budget - 750-5410-10-00-2137-FC	950,000	923,380	623,380	950,680	950,680
Other Development Costs - 750-5410-10-00-2203-FC	8,250	678,274	553,274	553,274	553,274
Construction of Facility - 750-6610-10-00-2205-FC	0	9,923,346	10,213,950	11,235,345	11,610,003
Furniture, Fixtures, & Equipment - 750-6610-10-00-2206-FC	0	775,000	700,000	700,000	700,000
<b>Project Cost</b>	958,250	12,000,000	12,090,604	13,439,299	13,813,957
Alternate 2 - Natural Gas Line	N/A	N/A	195,000	195,000	Boring - Included in Construction
<b>Total Project With Alternates</b>	958,250	12,000,000	12,285,604	13,634,299	13,813,957

# QUESTIONS



## Agenda Item 13.

Discuss and consider Town Council Subcommittee reports. (DFB)

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

## Executive Session

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 551.071 – To consult with the Town Attorney regarding legal issues associated with code enforcement activities and substandard structures, and all matters incident and related thereto.



The Town Council will reconvene after Executive Session.

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

Adjourn.