

Welcome to the October 28, 2025, 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

Presentations

Agenda Item 1.

Receive an update regarding the 89th Texas Legislative Session.
(RB)



The Town Of Prosper

Legislative Update

October 28, 2025

Mercury.

The background of the slide is a grayscale photograph of several people in a meeting or office setting. They are seated at a table, looking at laptops and talking. An orange semi-transparent rectangle is overlaid on the image, covering most of the frame. The text is white and centered within this orange area.

89th Legislative Session

Updates and Highlights

Jake Posey

Session Stats

- Jan 14, 2025 - June 2, 2025
- Bills filed (HB+SB): 8,719
- Bills passed (HB+SB): 1,213
- Pass rate (HB+SB): ~13.9%
- Two special sessions followed (July 21 & Aug 15, 2025)

Major Session Headlines

- School vouchers (SB 2) approved alongside major education and property-tax packages
- Debate over THC/hemp restrictions and criminal justice reforms
- Water infrastructure funding and grid/energy measures advanced

Special Session Stats

- Two special sessions (July 21 & Aug 15, 2025)
- First:
 - 369 Total SB's and HB's filed
- Second:
 - 368 Total SB's and HB's Filed
 - 21 Passed, and 1 Vetoed
 - Ended – Sept. 14, 2025

Special Session Headlines

- Congressional redistricting and border security funding
- Public safety initiatives after the July 4th floods
- THC/Hemp clarifications - no bill passed, but an executive order was released

Town of Prosper Priorities

➤ Digital Notice for Public Postings

- Progress made but still work to do among many stakeholders.

➤ Tax Rebate Reform

- Excellent effort. Nearly missed final passage.

Public/ Digital Notice

HB 1028, HB 1080 & SB 1508

Rep. Shaheen and Sen. Hagenbuch

- Would allow political subdivisions to meet publication requirements through “**alternative media**” such as:
 - Official websites, social media, direct mail, newsletters, and Comptroller-approved online platforms
- Decline of print publications and rise in digital or more cost-effective outreach.
- Progress made but did not advance beyond House Calendars Committee.

Tax Rebate

HB 5169 & SB 2747

Rep. Shaheen and Sen. Paxton

- **Goal:** Limit when a municipality can enter into a tax incentive arrangement with an entity (or affiliated group) to rebate its municipal sales & use tax.
- **Issue:** Curb instances where **city A** gives incentives to a retailer to relocate from **city B** (both in Texas), **shifting the sales tax base from city B to city A**, and thereby reducing overall public-safety/infrastructure revenue in the original jurisdiction.

Tax Rebate

HB 5169 & SB 2747

- To **prevent** the misuse of sales tax through **form-over-substance practices** that redirect tax revenue instead of using it for public safety and infrastructure investment.
- **Significant progress.** Passed the Senate and moved through the House committee process. Did not advance on the House Calendar due to the May 26, 2025, second reading deadline.

ADU (Accessory Dwelling Unit)

SB 673

- **Goal:** To help increase **housing supply and flexibility**, by allowing ADUs, for family members or rental income, in jurisdictions where single-family lots dominate.
- Municipalities/counties **may** set design standards (height, size, setbacks, landscape) for ADUs, but **only** if those standards are *no more restrictive than* the standards for single-family homes or duplexes.
- **Failed to advance on House** calendar due to the May 26, 2025, second reading deadline

PASSED - Minimum Lot Size

SB 15 & HB 3919

- Prohibits large cities from imposing excessive **minimum lot sizes** (> 3,000 sq ft).
- Eases restrictions on **density, parking, and setbacks** for residential developments.
- Encourages **flexibility and innovation** for fast-growing communities. Applies locally to cities such as **Plano, Irving, Garland, Frisco, McKinney, Grand Prairie, and Mesquite**
- **Effective Sept. 1, 2025.**

Mixed Use Religious Land Protection

HB 3172 & SB 854

- Broadens current law to protect the ability of religious organizations to develop or use land for faith-related purposes.
- Similar to the federal Religious Land Use and Institutionalized Persons Act (RLUIPA), providing religious protections at the state level.
- Stalled in Senate - not placed on Intent Calendar.

Other Noteworthy Legislation

- **HB 21 – PASSED.** Effectively reins in the geographic authority of HFCs (including traveling HFCs), limiting their ability to support or acquire affordable housing developments beyond their home jurisdictions without express approval from local governing bodies.
- Impacts both new and existing HFC property tax exemptions.
- Notably, this bill applies to deals that are already in existence, requiring HFCs that already hold interests in out-of-jurisdiction properties to obtain local approval by Jan. 1, 2027, or risk losing the project's property tax exemption.

Prosper Outcomes

- Compliance and conforming changes at the local level.
- Issues resonated, and delegation members supported key initiatives. Keep working on agency and administrative angles.
- Prepare for the 2027 Legislative Session:
 - Develop strategies for potential legislation
 - Monitor any issues relevant to unpassed legislation

A group of business professionals in a meeting, overlaid with an orange semi-transparent rectangle. The text "Thank You" is centered in white.

Thank You

Consent Agenda

Agenda Item 2.

Consider and act upon the minutes of the October 14, 2025, Town Council Work Session meeting. (MLS)

Agenda Item 3.

Consider and act upon the minutes of the October 14, 2025,
Town Council Regular meeting. (MLS)

Agenda Item 4.

Consider and act upon the minutes of the October 16, 2025, Town Council, EDC, and P&Z Joint Work Session. (MLS)

Agenda Item 5.

Consider and act upon an Ordinance amending the Code of Ordinances by amending Section 1.09.008, “Bicycle and Electric Bicycle riding and skating in Parks and on Bike Trails,” of Article 1.09, “Parks and Recreation,” of Chapter 1, “General Provisions,” to provide for a speed limit for electric bicycles in Parks and on Bike Trails; Amending Chapter 12, “Traffic and Vehicles,” by adding a new Article 12.10, “Regulations Specific to Electric Bicycles, Pocket Bikes or Mini Motorbikes”. (TW)

E-Motorcycle & E-Bicycle (E-Bike)

Town Ordinance Amendments

Background and Context

Like many municipalities in North Texas, the Town of Prosper is experiencing increasing safety concerns related to juveniles operating E-motorcycles and E-bikes in unauthorized areas—including public roadways, sidewalks, parking lots, and Town parks.

SAFETY is the primary concern

- the safety of the juvenile riders and
- The safety of our motorists and pedestrians who travel our public rights-of-way

Reducing the costly and unnecessary damage to Town Parks and public property is also a concern

Many parents and young operators are unaware of the distinction between:

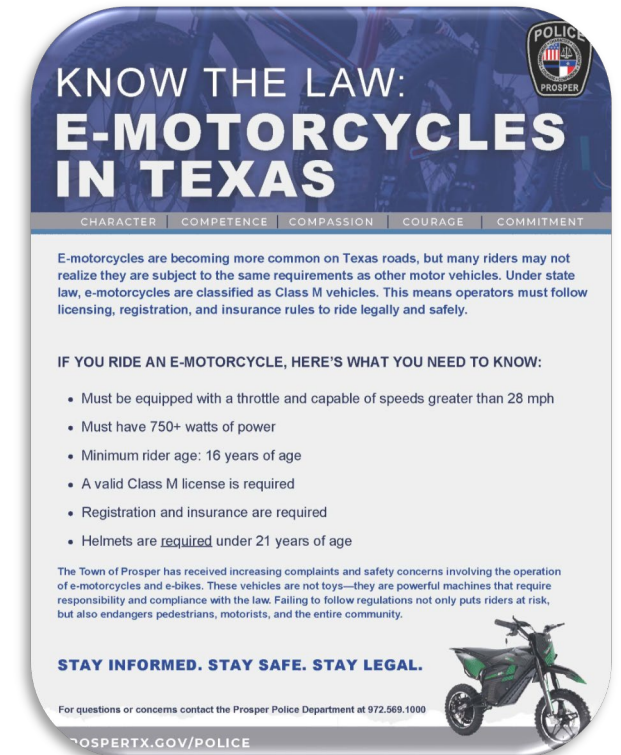
- E-motorcycles and
- E-bikes
- Resulting in hazardous conditions and violations of state motor vehicle laws, and use of unauthorized vehicles in public spaces.

Therefore, the Prosper Police Department has launched a coordinated education and enforcement initiative to address the dangerous, destructive, and illegal operations of these devices.

Legal Framework: Summary of Applicable State Law

E-Motorcycles

- If the device **does not have operable pedals** or **exceeds 750W** motor output →
 - it is legally classified as a **motor vehicle**.
- Requires:
 - **Class M Driver's License (Minimum 16 years of age),**
 - **registration, (License plate)**
 - **Insurance.** We will **TOW** uninsured E-Motorcycle
 - **Helmet** required if under 21 years of age
 - **(Parents Liability** - allowing an unlicensed driver to operate a motor vehicle)
- **Mini-motorcycles** and **pocket-bikes** are **not authorized for street use.**



Legal Framework: Summary of Applicable State Law

Continued

E-Bikes

- Classified into **3 classes** depending on assistance level and speed.
 - Class 3** requires rider to be age 15 or older.
 - No license, registration, or insurance required.
 - Must comply with **bicycle traffic laws**.
 - Subject to **local Ordinances**.

BICYCLE AND E-BIKE LAWS

CHARACTER | COMPETENCE | COMPASSION | COURAGE | COMMITMENT

E-BIKE LAWS IN TEXAS

	CLASS 1	CLASS 2	CLASS 3
PEDAL ASSIST	✓		✓
THROTTLE		✓	
TOP SPEED (ASSISTED)	20 MPH	20 MPH	28 MPH
MAX POWER	750 WATTS	750 WATTS	750 WATTS
MINIMUM RIDER AGE	NONE	NONE	15
HELMET	NOT REQUIRED	NOT REQUIRED	NOT REQUIRED
LICENSE	NOT REQUIRED	NOT REQUIRED	NOT REQUIRED

FOR YOUR SAFETY, IT IS RECOMMENDED TO ALWAYS WEAR A HELMET WHEN OPERATING ANY BICYCLE OR ELECTRIC BIKE.

Bicycles and E-Bikes in Texas Rights & Rules

- Riders of bicycles and e-bikes have the same rights and duties as motor vehicle drivers.
- Parents/guardians must ensure children follow traffic laws.

Traffic Rules

- Stop at stop signs and walk bikes through crosswalks.
- Ride on the right to avoid impeding traffic flow.
- (Texas Transportation Code 551.101 & 551.103)

Safety Equipment

- Brakes: Must skid on dry, level pavement.
- Night Riding:
 - Front white light (visible up to 500 ft).
 - Rear red reflector or light (visible 50-300 ft).
 - (Texas Transportation Code 551.104)

E-Bike Classes (Texas Transportation Code 664.001)

Class 1 & 2:

- No age restriction, max speed 20 mph.
- Class 1: Pedal assist required.
- Class 2: Hand throttle (optional pedals).

Class 3:

- Minimum age: 15, max speed 28 mph.
- Requires pedal assist and speedometer.

E-Bike Requirements (Texas Transportation Code 551.107 & 664.002)

- Max motor: 750 watts.
- Permanent label must show:
 - E-bike class (1, 2, or 3).
 - Top assisted speed.
 - Motor wattage.

For questions or concerns contact the Prosper Police Department at 972- 569-1000

PROSPERTX.GOV/POLICE

Legal Framework: Summary of Applicable Town Ordinances

Town of Prosper Ordinances

Adopted April 8, 2025

- **E-Bikes classified as motor vehicles**

No person shall operate a motor vehicle off the pavement or main-traveled portion of the roadway or a designated or permitted parking area onto any private or public property without the effective consent of the owner

Adopted July 22, 2025

- E-bikes **prohibited in specific park zones:**
 - playgrounds, pedestrian-only paths, athletic fields,
 - courts, and certain trail areas.

Presentation and Recommendations October 14, 2025



Proposed Amendments to Town Ordinances

- Section 1.09.008, “Bicycle Riding and Skating In Parks and on Bike Trails,” of Article 1.09, “Parks and Recreation”

§ 1.09.008. Bicycle and Electric Bicycle Riding and Skating in Parks and on Bike Trails.

Bicycle and electric bicycle riding and skating shall be prohibited in playgrounds, flowerbeds, pedestrian-only sidewalks, open space areas of parks, tennis courts, athletic courts, athletic fields, picnic pavilions and/or any other areas designated by the town.

Maximum speed of an electric bicycle is 10 miles per hour, unless otherwise restricted



Proposed Amendments to Town Ordinances

Chapter 12, “Traffic and Vehicles,” of the Town’s Code of Ordinances

ARTICLE 12.10 REGULATIONS SPECIFIC TO ELECTRIC BICYCLES, POCKET BIKES OR MINIMOTORBIKES

§ 12.10.001. Electric Bicycle Permit Required.

FREE issued by the Police Department

§ 12.10.002. Safety Regulations for Electric Bicycles:

No - wearing any headphones, earbuds, ear plugs or other noise reduction devices

No - carrying a passenger on such electric bicycle unless the electric bicycle is specifically designed for a passenger with additional seating, or the passenger is a child riding in a properly attached child safety seat

No - operating an electric bicycle after dusk without the electric bicycle being equipped with a front white light visible from 500 feet away, and red rear reflector visible from 300 feet away or a lamp visible from 500 feet away.

No - person under the age of fifteen (15) years shall operate a Class 3 electric bicycle.

No - person under the age of sixteen (16) shall operate an electric bicycle without wearing a helmet that is properly-fitted; is not structurally damaged; and conforms to current standards

§ 12.10.003. Operation of Electric Bicycles in Parks and Other Town Facilities.

The operation of an electric bicycle in a Town park, bike trail or in outdoor areas and facilities shall be subject to the provisions of Article 1.09 of Chapter 1 of this Code of Ordinances.



Proposed Regulations: Penalties

§ 12.10.005. Penalties.

- (a) Any person violating this Article shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount of no less than \$250.00.**
- (b) Any person violating this Article shall be deemed guilty of a misdemeanor, and upon conviction of a second offenses within one (1) year of a first conviction for a violation of this Article, shall be fined in an amount of no less than \$500.00.**

§ 12.10.005. Pocket Bikes or Minimotorbikes.

The operation of pocket bikes or minimotorbikes is governed by Chapter 551 of the Texas Transportation Code, as amended, and the provisions of this Article shall not apply to pocket bikes or minimotorbikes.”



Proposed Amendments to Town Ordinances

Thank You!

Agenda Item 6.

Consider and act upon authorizing the Town Manager to approve the purchase of a Managed Security Service Provider platform, through SHI Public Sector in the amount of \$92,465.
(LJ)

Agenda Item 7.

Consider and act upon authorizing the Town Manager to approve the purchase of the annual license renewal of the Town's virtual server cluster platform, through SHI Public Sector in the amount of \$60,348.16. (LJ)

Agenda Item 8.

Consider and act upon approving the purchase of Fire Station Emergency Station Alerting equipment from US Digital Designs for the new Fire Station 4, through the Houston-Galveston Area Council (HGAC) Cooperative Purchasing Program Contract#EC07-23 in the amount of \$94,316.70.
(SB)

Agenda Item 9.

Consider and act upon approving the purchase of one (1) Cascade SCBA Fill Station from August Industries Inc., through the BuyBoard Purchasing Cooperative Contract 698-23 in the amount of \$58,132.05. (SB)

Agenda Item 10.

Consider and act upon authorizing the Town Manager to execute a Construction Agreement with Ratliff Hardscape, Ltd. for the Doe Branch Trail Connections in the amount of \$312,116.65.
(DB)



Agenda Item 11.

Consider and act upon approving a Professional Services Agreement between Kimley-Horn and Associates, Inc. and the Town of Prosper, Texas, for the preparation of plans and construction documents for landscaping of Mahard Pkwy and Prairie Drive roadway medians in the amount of \$100,000, and authorize the Town Manager to execute documents for the same.
(DB)



Agenda Item 12.

Consider and act upon authorizing the Town Manager to execute a Construction Agreement awarding CSP No. 2025-17-B to Roadway Solutions Inc., related to construction services for the Teel Parkway at Prairie Drive traffic signal project, for \$517,548.75. (HW)

Bids Received:

Two (2) – August 12, 2025

Updated CSP Percentages:

- Cost Proposal = 65%
- Project Timeline = 25%
- Qualifications/Exp = 10%

Range of Proposals (Cost):

\$517,548.75 - \$636,293.44

Engineer's Estimate:

\$415,932.50

Budget:

\$600,000

Range of Proposals (Time):

240 days – 265 days (2 signals)

Recommendation:

Roadway Solutions Inc.

\$517,548.75

132 days (1 signal)



Agenda Item 13.

[TABLED TO NOVEMBER 11] Conduct a Public Hearing to consider the adoption of a Unified Development Code, which encompasses amendments to Building Regulations, Business Regulations, Fire Prevention and Protection codes, Health and Sanitation codes, the Subdivision Regulation, Utilities standards, the Zoning Ordinance, Engineering Design Standards, and Definitions. (ZONE-25-0014) (DH) Town staff has requested for this item to be tabled.

Agenda Item 14.

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)

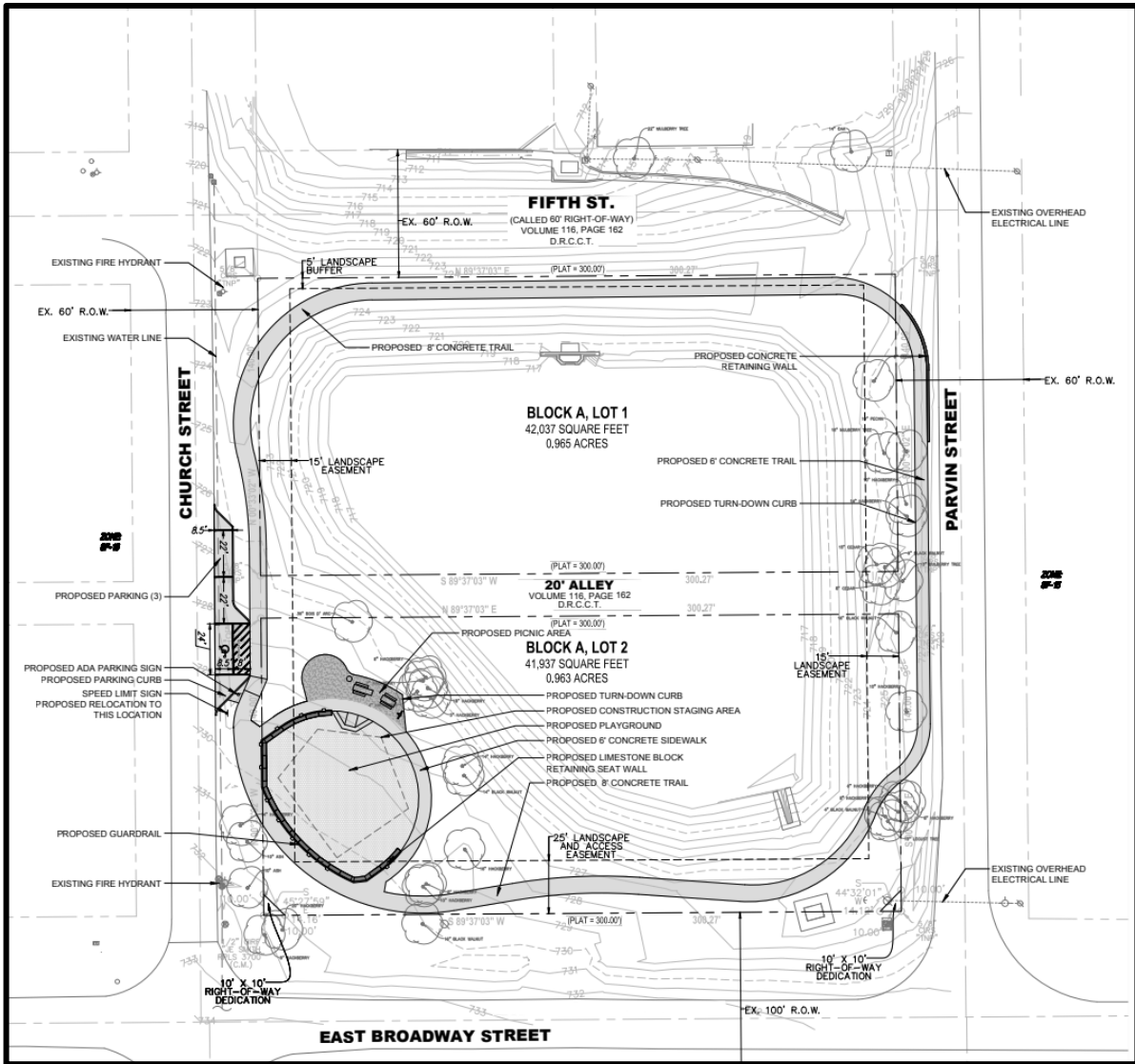
Parvin Park,
Block A, Lots 1 and 2
(DEVAPP-25-0062)

Information

Purpose:

- Improve existing park amenities at Parvin Park.
 - Loop Trail
 - Park Furnishings
 - Picnic Facilities
 - Playground





Citizen Comments

03:00

Regular Agenda

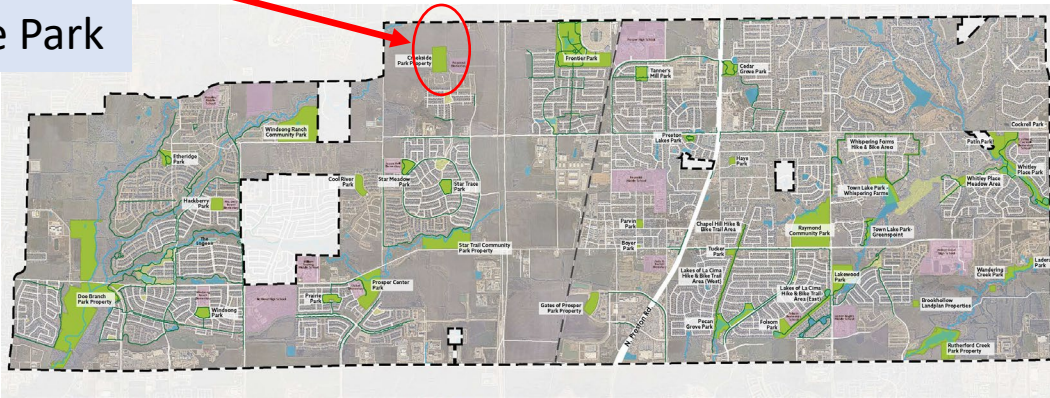
Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened.

Agenda Item 15.

Consider and act upon a Park Improvement Fee Agreement between the Town of Prosper and Shaddock-Creekside Prosper, LLC, for the Creekside development. (DB)

Park Improvement Agreement for Creekside Development

Future site of
Creekside Park



Park Improvement Fees

- 221 lots @ \$1,500 each = \$331,500

Parkland Dedication Fees

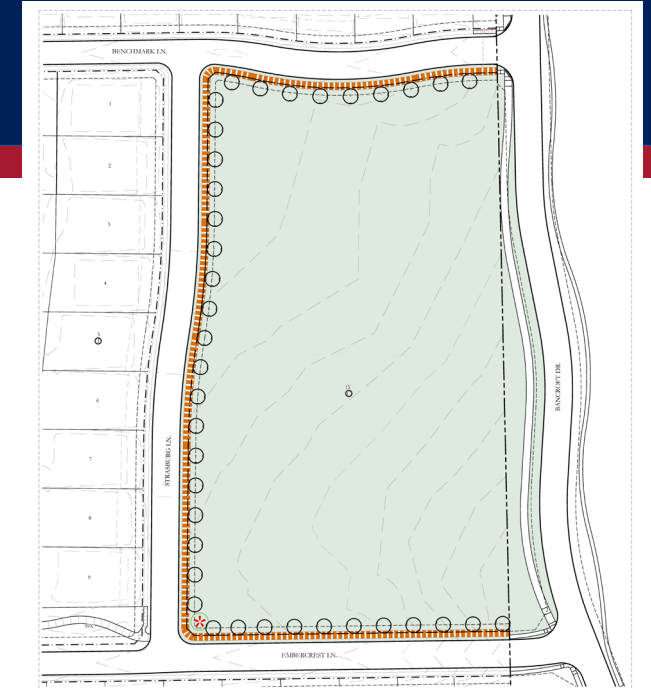
- 1 acre per 35 units = 6.31 acres
- Donation is 7.034 acres

- **Creekside** is a proposed residential community of 221 lots
- Park improvement fees due - \$331,500 (221 lots x \$1,500 per lot).
- Developer shall construct hike and bike trail along the east side of Legacy Drive per Town's Trails Masterplan
- Developer shall receive a credit against park improvement fees owed for costs to upsize from standard width sidewalk to the hike and bike trail specs – estimated credit is ~\$50k



Creekside Development Park Agreement

- The amount of park improvement fees due *less* the credit for the trail upsizing shall be deposited into an escrow account – estimated Developer escrowed funds is ~\$280k
- Developer and the Town will work together to finalize the plans for the neighborhood park and establish the approved costs – estimated overall cost is ~\$723k - current estimated Town contribution to be ~\$443k
- Developer will lead (with Town staff's review/approval) the park improvements – bidding, manage the work in the field, and process pay apps
- Contractors will be paid from the escrow account as the work progresses
- If Town funding can be identified and allocated - goal is to complete park improvements by late 2026, provided CIP Subcommittee approves funding
- PARB approved Oct 9, 2025 – made request that park be amenitized as quickly as possible.



Park Completion

- Developer will utilize same contractors (flatwork, landscape, irrigation) to build the park that are being used for the community development.
- Currently projecting completion of the community to be late summer / early fall of 2026.
- Developer will commit to the park being completed within 6 months after final acceptance of the community (as long as scope does not change).

Agenda Item 16.

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 551.089 - To deliberate 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.

Executive Session

Section 551.071 - Consultation with the Town Attorney regarding legal issues associated with HB 3611 (2025 Regular Session), 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, Community Engagement Committee, and the Downtown Advisory Committee, and all matters incident and related thereto.

Section 551.071 – Consultation with the Town Attorney to discuss legal issues associated with any work session or regular agenda item.

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.