MEETING
Town of Little Elm
100 W Eldorado Parkway
Little Elm, Texas  75068-5060

214-975-0404
http://www.littleelmtx.us

Work Shop, Public Hearings & Regular Council

Tuesday, May 3, 2011 - 6:30 PM
Town Hall Center---Council Conference Room and Chamber---100 W Eldorado Parkway

1. Call to Order Council Work Shop at 6:30 p.m.

   A. Items to be withdrawn from Consent Agenda.

   B. Emergency Items if posted.

   C. Request by the Town Council for items to be placed on the next regular council agenda for discussion, and recognition of excused absences.

   D. Presentation of monthly updates from department heads concerning law enforcement activities, municipal court, customer service, emergency medical services, fire department response, fire prevention activities, emergency management, ongoing economic development projects, building permits, code enforcement activities, library activities, human resources updates, information technology report, revenue and expenditure report, street construction status, sanitation services, highway construction status, utility operations, parks and recreation activities, as well as facility and fleet updates.

   E. Council to highlight items on the agenda.

2. Roll Call/Call to Order Public Hearing and Regular Town Council Meeting at 7:00 p.m.

3. Opening Prayer: Pastor Chad Howard-CrossRidge Church.

4. Pledge to the Flags:
A. United States Flag

B. Texas Flag:
Honor the Texas Flag I pledge allegiance to thee Texas,
one state under God, one and indivisible.

5. Proclamation: Proclaiming the Month of May as “Building Safety Month”. (Mayor)

6. Public Hearing and take necessary action: regarding a request to rezone approximately 109 acres of land from the Town Center-Interim-District to Town Center district (TC), generally located at the intersection of Main Street and Eldorado Parkway, within the Town limits of Little Elm, Denton County, Texas. All interested citizens are welcome to attend the hearing and participate in the same. (Please fill out form on table outside chamber doors and present to the Town Secretary prior to the meeting, if desire to speak).

A. Staff Report.

B. Open Public Hearing.

C. Applicant Presentation.

D. Receive Public Comments.

E. Close Public Hearing.

F. Discussion and Action to adopt Ordinance No. 1047 an Ordinance of the Town of Little Elm, Texas amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, hereafter amended, by changing the zoning on approximately 109 acres of land, generally located at the intersection of Eldorado Parkway and Main Street from Town Center-Interim District (TC-I), Duplex District (D), and Agricultural District (AG) to Town Center District (TC); providing a saving clause; correcting the official zoning map; providing a penalty; providing for a severability clause; providing a repealer clause; and providing for an effective date. (Planning Manager)

7. Public Hearing and take necessary action: regarding a request to rezone approximately 10 acres of land from Heavy Industrial (HI) to Planned Development District (PD-LI) in order to allow for a mini warehouse/self-storage, generally located at the northeast corner of FM 423 and Little Elm Parkway, south of the existing Goody Goody liquor
store, within the Town Limits of Little Elm, Denton County, Texas. All interested citizens are welcome to attend the hearing and participate in the same. (Please fill out form on table outside chamber doors and present to the Town Secretary prior to the meeting, if desire to speak).

A. Staff Report.

B. Open Public Hearing.

C. Applicant Presentation.

D. Receive Public Comments.

E. Close Public Hearing.

F. Discussion and Action to adopt Ordinance No. 1048 an Ordinance of the Town of Little Elm, Texas amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, herefore amended, by changing the zoning on approximately 10 acres of land, generally located at the northeast corner of Little Elm Parkway and FM 423, south of the existing Goody Goody liquor store, from Heavy Industrial District (HI) to Planned Development District with Light Industrial Base Zoning (PD-LI) in order to allow Mini-Warehouse/Self Storage; providing a saving clause; correcting the official zoning map; providing a penalty; providing for a severability clause; providing a repealer clause; and providing for an effective date. (Planning Manager)

8. Presentation and Announcements: Persons may address the Town Council on any issue. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. Please observe the time limit of three (3) minutes. In accordance with the State of Texas Open Meeting Act, the council may not comment or deliberate such statements during this period, except as authorized by Section 551.072, Texas Government Code.

9. Consent Agenda: All matters listed under the Consent Agenda are considered to be routine by the Town Council and require little or no deliberation. There will not be a separate discussion of these items and the agenda will be enacted by one vote. If the Council expresses a desire to discuss a matter listed, that item will be removed from the consent agenda and considered separately:

A. Minutes of the April 19, 2011 Special Meeting, Work Shop and Regular Council
Meeting. (Town Secretary)

B. Minutes of the April 20, 2011 Joint Meeting with Town Council, CDC, EDC, TIRZ #1, and LERA Boards. (Town Secretary)

C. Approve Task Order for testing on the Streetscape and Gateways-Phase 1 Testing between the Town of Little Elm and Alliance Geotechnical Group for the estimated amount of $13,820.00 and authorize the Town Manager execute contract for the same. (Assistant Town Manager)

D. Acceptance of water, sewer, drainage, and street improvements for Sunset Pointe Phase 19C. (Assistant Town Manager)

10. Reports and requests for Town Council consideration and appropriate action:

A. Discussion and Action to approve Construction Project Change Order #1 in the amount of $112,000.00 for the Town’s Eldorado Parkway Wastewater Improvements-East Side with Quality Excavation, Ltd. for the construction of a force main addition and authorize the Town Manager to execute the same. (Assistant Town Manager)

B. Discussion and Action to approve a Design Change Order #4 for Consulting Services for updated electrical design at Little Elm Park to the Lobo Lane Improvement Design Contract between the Town of Little Elm and Cobb Fendley & Associates, Inc. for the amount of $12,155.00 and authorize the Town Manager to execute a contract for the same. (Assistant Town Manager)

C. Discussion and Action to approve Construction Project Change Order #1 in the amount of $76,060.70 and 14 additional days for the Town’s Lobo Lane Improvements Project to Weir Bros., Inc. of Dallas, Texas for the construction of a parking lot for the Soccer Field Addition in Little Elm Park, and authorize the Town Manager to execute the same. (Assistant Town Manager)

D. Public Hearing to amend the TIRZ #1 Project Plan and Financing Plan to incorporate the proposed development of Little Elm 423 Partners, L.P. at the southwest corner of F.M. 720 and F.M. 423.

E. Close Public Hearing.
F. Discussion and Action to adopt Ordinance No. 1050 of the Town Council of the Town of Little Elm, Texas, approving the second amendment to the Reinvestment Zone Number One, Town of Little Elm, Project Plan and Financing Plan; providing a severability clause; and providing for an immediate effective date. (Assistant Town Manager)

G. Discussion and Action to approve TIRZ #1 Reimbursement Agreement for infrastructure reimbursement within the 380 Development Agreement between the Developer of the southwest corner of FM 423 and Little Elm Parkway and the Town of Little Elm. (Assistant Town Manager)

H. Discussion and Action to approve 380 Development Agreement between the Developer, Little Elm 423 GP, LLC, of the southwest corner of FM 423 and Little Elm Parkway and the Town of Little Elm. (Assistant Town Manager)

I. Discussion and Action to adopt Ordinance No.1049 an Ordinance of the Town of Little Elm, Texas amending the Town’s Budget for the Fiscal Year, October 1, 2010 through September 30, 2011, so as to include therein certain adjustments which are for General Fund appropriations pertaining to a 380 Economic Development Agreement to provide funds to Developer in the amount of Two Hundred Thousand Dollars ($200,000.00) for the construction of deceleration lanes at FM 720 and FM 423; and, for which said appropriations are not included in the current year budget; providing that expenditures from said fiscal year shall be made in accordance with said amended budget; and providing an effective date. (Finance Director)

11. The Town Council will hold a Closed (executive) session meeting pursuant to Chapter 551, Texas Government Code, Vernon’s Texas Code Annotated, in accordance with the authority contained in:

A. Section 551.071: Consultation with Town Attorney to receive legal advice concerning legal matters and contemplated litigations.

1. Tri Dal, LTD v Town of Little Elm.

2. Yes Communities v Town of Little Elm.

12. Reconvene into Open Session: Discussion and consideration to take any action necessary as the result of the Closed (executive) session.

A. Section 551.071:
1. Tri Dal, LTD v Town of Little Elm.

2. Yes Communities v Town of Little Elm.

13. FYI: (All matters are provided to the Town Council for informational purposes only)

   A. Revised outline of strategies from April 19th meeting.


Pursuant to the Texas Open Meeting Act, (Chapter 551, Texas Government Code), one or more of the above items will be taken or conducted in open session following the conclusion of the executive closed session.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aide of service such as interpreters for the hearing impaired, reader or large print are requested to contact the secretary at 214-975-0404 two days prior to the meeting so appropriate arrangements can be made. BRAILLE IS NOT PROVIDED.

Respectfully,

[Signature]

Town Secretary

This is to certify that the above notice was posted on the bulletin board at the Town Hall Center this 29th day of April 2011.