

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

**214-975-0404
<http://www.littleelmtx.us>**

Workshop, Public Hearing & Regular Council

**Tuesday, March 5, 2013 - 6:00 PM
Town Hall Center---Council Conference Room and Chamber---100 W Eldorado Parkway**

1. Call to Order Council Work Shop at 6:00 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 - A. Items to be withdrawn from Consent Agenda.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 a future agenda for discussion, and recognition of excused absences.
 - D. Presentation by Town Staff on the 2013 Street Maintenance Program. (Director of Development Services)
 - E. Discussion on Doe Creek Road Agreements. (Director of Development Services)
 - F. Presentation and discussion regarding FY 2013-2014 Budget Planning Calendar and Budget Process. (Finance Director)
 - G. 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.
 - H. Council to highlight items on the agenda needing further discussion or comments

prior to the regular session.

2. Presentations/Acknowledgements:

- A. Special Recognition: to Cassidy Vance and Makayla Lewis in appreciation for going above and beyond and taking the Initiative to Serve the Town's Local Food Bank and Community. (Mayor Hillock)
- B. Presentations: Mayor Hillock to present Certificates of Recognition to Michael McClellan and Charlie Davis for their dedication and commitment in serving as members of the Planning and Zoning Commission for the Town.
- C. Proclamation: Proclaiming Sunday April 7th through Sunday April 14th, 2013 as Day of Remembrance in memory of the victims of the Holocaust and in honor of the survivors as well as the rescuers and liberators. (Mayor Hillock)
- D. Presentation: at the 19th annual North Central Texas Urban Forestry Conference the Town of Little Elm was presented with the Bronze Leaf Award for its commitment to urban tree management. (Planning Manager)

3. Roll Call/Call to Order Public Hearing and Regular Town Council Immediately Following Council Workshop.

4. Opening Prayer: Curtis Cornelious – Praise Fellowship Worship Center.

5. 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.

6. Public Hearing: on draft Hazard Mitigation Action Plan (HMAP)

A. Staff Report.

B. Open Public Hearing.

C. Public Comments.

D. Close Public Hearing.

E. Discussion and Action to approve Freese and Nichols to submit draft Hazard Mitigation Action Plan (HMAP) to Texas Division of Emergency Management (TDEM) and Federal Emergency Management Agency (FEMA for review and approval. (Director of Development Services)

7. Public Comments: 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.

8. 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 February 5, 2013 Workshop, Public Hearings and Regular Meeting.
(Town Secretary)

B. Minutes of the February 11, 2013 Workshop. (Town Secretary)

C. Minutes of the February 25, 2013 Special Meeting. (Town Secretary)

D. Approve and Receive Quarterly Investment Report for period ending 12-31-12
(Finance Director)

E. Approve and Receive Budget Report. (Finance Director)

F. Replat (Dollar General 380) Marietta Village at Savannah, Phase 9, Lots 2R1 & 5 Replat from JPH Land Surveying, Inc. generally located north of US 380 and approximately 300 feet west of Magnolia Boulevard, within the limited purpose annexed Town limits. (Planning Director)

- G. Authorize the Town Manager to execute Interlocal Agreement with North Texas Council of Government (NTCOG) as part of the Solar Recycling Container Grant. (Public Works Director)
 - H. Authorize Town Manager to enter into an annual contract with Nortex Concrete Leveling and Stabilization through an interlocal purchasing agreement with the City of Grand Prairie for an amount not to exceed \$145,000 for 2013 street repairs. (Public Works Director)
 - I. Authorize Town Staff to proceed with the Adopt-a-Street Program working with Keep Little Elm Beautiful to make it a successful program. (Public Works Director)
9. Reports and requests for Town Council consideration and appropriate action:
- A. Acceptance and receipt of the Town's audited financial statement and the opinion(s) expressed by its independent auditors Weaver and Tidwell, L.L.P. (Finance Director)
 - B. Discussion and Action to adopt Ordinance No. 1135 an Ordinance of the Town of Little Elm, Texas amending the Town's Budget for the Fiscal Year October 1, 2012 through September 30, 2013, so as to include therein certain adjustments which are for General Fund and Special Revenue Fund appropriations and 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 for an effective date. (Finance Director)
 - C. Discussion and Action to adopt Ordinance No. 1138 an Ordinance of the Town of Little Elm, Texas providing for Refuse Rates; providing for a repealing clause; providing for a severability clause; and providing an effective date. (Finance Director)
 - D. Discussion and Action to adopt Ordinance No. 1129 an Ordinance of the Town of Little Elm, Texas, adopting a new Article VIII of Chapter 102 of the Code of Ordinances relating to Solid Waste Disposal and Recycling Services; establishing a purpose; adopting definitions; requiring service; establishing limitations and prohibited activities; providing for customer responsibilities; establishing procedures for adoption of solid water collection rates; establishing types of service provided; establishing schedules for service; requiring use of specified containers; providing a repealing clause; providing a severability clause; providing a penalty; and providing for an effective date. (Public Works Director)

- E. Discussion and Action to approve Denton County Interlocal Agreement to provide funding for certain street and roadway improvements (Doe Creek Road Project) within the Town and authorize Town Manager to execute the Denton County Interlocal Agreement to provide up to \$250,000.00 in funding for the same.. (Director of Development Services)
 - F. Discussion and Action to approve Revised Frisco Hills, Frisco Ranch, and The Preserve Development Agreement, Interlocal Agreement, and Compromise and Settlement Agreement-Amendment #1 between the Town of Little Elm and FH 295, LLC and authorize the Town Manager to execute amendment for the same. (Director of Development Services)
 - G. Discussion and Action to approve the Agreement between the Town and the Rudman Partnership, Ltd. and authorize the Town Manager to execute the agreement for same. (Director of Development Services)
 - H. Discussion and Action to approve Town of Little Elm, City of Frisco, and Frisky RE I, LP. Development and Interlocal Agreement between the Town of Little Elm, Frisco, and Frisky RE I L.P. and authorize the Town Manager to execute agreement for the same. (Director of Development Services)
 - I. Discussion and Action to approve a Master Service Agreement for Consulting Services and Task Order for Doe Creek Road Improvements between the Town of Little and Pettit Barraza, LLC for the amount of \$113,000.00 and authorize the Town Manager to execute contract for the same. (Director of Development Services)
 - J. Discussion and Action to award construction contract for FM 423 North-Water and Sewer Line Relocations-Phase II Improvements in the amount of \$2,425,059.71 to Quality Excavation, Ltd. of Aubrey, Texas and authorize the Town Manager to execute a contract for the same. (Director of Development Services)
 - K. Discussion and Action to approve Resolution No. 03051301 a Resolution of the Town Council of the Town of Little Elm, Texas, supporting Special Legislation for the Creation of HWY 380 Municipal Management District (MMD) No. 1 and authorize the Mayor to execute Resolution for same. (Director of Development Services)
10. Executive Closed Session of the Town Council: The Town Council will now hold a Closed Executive Session meeting pursuant to the provisions of Chapter 551 of the Texas Government Code in accordance with the authority within:

- A. Section 551.074 of Texas Government Code: Discussion and deliberation regarding the interviewing and appointment of applicants to the Planning and Zoning Commission and Board of Adjustment to fill vacancies.
 - B. Section 551.087 of the Texas Government code to discussion or deliberate regarding commercial or financial information that the Town has received from a business prospect, and to deliberate the offer of a financial or other incentive with a business prospect.
11. Reconvene into Open Session: Discussion and consideration to take any action necessary as the result of the Closed (executive) session.
- A. Section 551.074 of the Texas Government Code: Discussion and deliberation regarding the interviewing and appointment of applicants to the Planning and Zoning Commission and Board of Adjustment to fill vacancies.
 - B. Section 551.087 of the Texas Government code to discussion or deliberate regarding commercial or financial information that the Town has received from a business prospect, and to deliberate the offer of a financial or other incentive with a business prospect.
12. FYI: (All matters are provided to the Town Council for informational purposes only)
- A. Town Secretary Monthly Report.
 - B. Development Services Monthly Report.
 - C. Public Works Monthly Report.
 - D. Fire Department. Monthly Report.
 - E. Thank You Card. (Wendy)
 - F. Recognition of Little Elm 18th Safest City in America.
13. Adjourn Work Shop and Regular 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. **BRILLE IS NOT PROVIDED.**

Respectfully,

A handwritten signature in cursive script, appearing to read "Cathy Phillips", written in black ink over a light-colored background.

Town Secretary

This is to certify that the above notice was posted on the bulletin board at the Town Hall Center this 1st day of March 2013.