

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

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

Workshop, Public Hearings & Regular Council

**Tuesday, March 19, 2013 - 6:00 PM
Town Hall Center---Council Conference Room & 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 - A. Items to be withdrawn from Consent Agenda.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. Discussion regarding proposed Ordinance No. 1139 “Driving or Parking over Street Curb”. (Chief of Police)
 - E. Discussion regarding Janitorial Services Contract. (Parks & Recreation Director)
 - F. Discussion on the 2013 Arboviral (West Nile Virus) Season Action Plan. (Public Works Director)
 - G. Presentation of Hilltown Subdivision Engineering Study by TRC Engineers, Inc. (Engineering Services Contract) and discussion on future of area adjacent to the Town. (Director of Development Services)
 - H. 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.

- I. Council to highlight items on the agenda needing further discussion or comments prior to the regular session.
2. Roll Call/Call to Order Public Hearings and Regular Town Council Immediately Following Council Workshop.
3. Opening Prayer: Pastor Richard Stevens-Living Word Baptist 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. Presentations:
 - A. 2012 Annual Planning & Zoning Commission report. (Planning Manager)
 - B. 2012 Annual Park and Recreation Board Report. (Edee Hansen Park & Recreation Board Chairman)
6. Public Hearing regarding a request for a Specific Use Permit for Fuel Sales on approximately 1 acre of land, generally located at the southeast corner of US Highway 380 and Navo Road, currently zoned Light Commercial district (LC). All interested citizens are welcome to attend the hearing and participate in same. (Please fill out form on table outside of council chambers if desire to comment and present to the Town Secretary prior to meeting)
 - A. Staff Comments.
 - B. Open Public Hearing.

C. Applicant Presentation.

D. Receive Public comments.

E. Close Public Hearing.

F. Discussion and Action to adopt Ordinance No. 1136 and Ordinance of the Town of Little Elm, Texas, amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, herefore amended, by issuing a Specific Use Permit for Gas Pumps/Fuel Sales Use on property currently zoned Light Commercial District (LC), with U.S. 380 Overlay District, generally located at the southwest corner of U.S. Highway 380 and Navo Road, providing that this Specific Use Permit is established subject to certain conditions as set forth herein; providing a savings clause; correcting the official zoning map; providing a penalty; providing a severability clause; providing a repealer clause; and providing an effective date. (Planning Manager)

7. Public Hearing regarding a Town-initiated rezoning of approximately 21.429 acres of land, generally located north of Smotherman Road and approximately 1,300 feet east of FM 423, currently zoned Single Family District (SF-3) with a Specific Use Permit for Assembly Uses to Light Commercial district (LC). All interested citizens are welcome to attend the hearing and participate in same. (Please fill out form on table outside of council chambers if desire to comment and present to the Town Secretary prior to meeting)

A. Staff Comments.

B. Open Public Hearing.

C. Applicant Presentation.

D. Receive Public comments.

E. Close Public Hearing.

F. Discussion and Action to adopt Ordinance No. 1137 and Ordinance of the Town of Little Elm, Texas, amending the Future Land Use Plan of the 2008 Comprehensive Plan to re-categorize approximately 21.429 acres of land from Medium Density Residential to Retail/Office; amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, by changing the zoning on approximately 21.429 acres

of land from Single Family District (SF-3) with a Specific Use Permit for Assembly Uses to Light Commercial District (LC), generally located north of Smotherman Road and approximately 1300' east of FM 423; providing a savings clause; correcting the official zoning map; providing a penalty; providing a severability clause; providing a repealer clause; and providing an effective date. (Planning Manager)

8. 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.
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. Notes of the March 4, 2013 Council Vision Retreat. (Town Secretary)
 - B. Minutes of the March 5, 2013 Workshop and Regular Meeting. (Town Secretary)
 - C. Replat Lakeshore Crossing, (one commercial lot into three commercial lots, resulting in 2 retail pad sites on Eldorado Parkway and 1 lot for the existing shopping center) from Vasquez Engineering, LLC, generally located at the southwest corner of Eldorado Parkway and Lobo Lane, within the Town limits. (Planning Manager)
 - D. Final Plat for Hart Road Gymnastics, one commercial lot and one common area lot (to be dedicated to Little Elm ISD) from CBG Surveying, Inc., generally located east of Hart Road and adjacently southern to Chavez Elementary, within the Town limits. (Planning Manager)
 - E. Final Plat for Paloma Creek South Phase 8A (68 residential lots and 2 non-residential lots) from Petit Barraza, L.L.C., generally located at the intersection of Villa Paloma Boulevard and Abby Creek Drive, within the Town's ETJ. (Planning Manager)
 - F. Final Plat Farley Addition (plat 2 lots) from G&A Consultants, LLC, generally located at the northwest corner of Lonesome Dove Drive and Hill Lane, within the

Town's ETJ. (Planning Manager)

- G. Final Plat Marion Drive Cul-de-sac (3 residential lots) from Landmark Surveyors, LLC. generally located at the southern terminus of Marion Drive on the west side, within the Town limits. (Planning Manager)
 - H. Authorize the Police Department to apply for grant for a Criminal Justice Division Victim Assistance from the Denton County Friends of the Family. (Chief of Police)
 - I. Accept the 2012 Racial Profiling Report as presented. (Chief of Police)
 - J. Authorize the purchase of one (1) Narcotics Canine from Lone Star K-9, LLC for an amount of \$10,000, as recommend by Staff. (Chief of Police)
 - K. Authorize a budget amendment for the purchase of one (1) Chevrolet Tahoe from Defender Supply Dealership a member of the Tarrant County Cooperative Contract #2012-151 in the amount of \$55,458.88. (Chief of Police)
 - L. Authorize the purchase of one (1) Vie VU video body camera and one (1) UFED Touch Logical data extraction device for a total cost of \$6,983.95. (Chief of Police)
 - M. Approve Britton Meter Supply bid in the amount estimate of \$206,854.00 in response to bid # 022613-6101 for procurement of Radio Read Meters and authorize staff to purchase as needed. (Public Works Director)
 - N. Approve a Task Order for testing on the FM 423 North-Water and Sewer Line Relocations-Phase II Improvements between the Town of Little Elm and D&S Engineering Lab, PLLC for the estimated amount of \$16,985.00 and authorize the Town Manager to execute contract for the same. (Director of Development Services)
 - O. Approve a Task Order for construction material testing on the 2013 Annual Street Maintenance Improvements between the Town of Little Elm and Alliance Geotechnical Group for the estimated amount of \$11,148.50 and authorize the Town Manager to execute contract for the same. (Director of Development Services)
10. Reports and requests for Town Council consideration and appropriate action:
- A. Discussion and Action to adopt Ordinance No. 1139 an Ordinance of the Town Council of the Town of Little Elm, Texas, amending Chapter 98, "Traffic and

Vehicles,” of the Code of Ordinances of the Town of Little Elm, Texas, by amending Article V, “Parking, Driveways and Vehicular Use Areas,” by adding Section 98-111 Entitled “Driving or Parking Over Street Curb;” providing a penalty clause; repealing all conflicting ordinances; providing a severability clause; and providing an effective date. (Chief of Police)

- B. 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)
 - C. Discussion and Action to award construction contract for the 2013 Annual Street Maintenance Project in the amount of \$568,331.50 to Quality Excavation, LTD of Aubrey, Texas and authorize the Town Manager to execute a contract for the same. (Director of Development Services)
 - D. Consider and take Action on Resolution No. 03191301 authorizing the use of eminent domain to acquire a water and sanitary sewer easement in approximately 0.313 acres situated in the W. McFadden Survey, Abstract No. 893, Denton County, Texas, for use for the Town of Little Elm’s FM 423 Water and Sanitary Sewer Relocation Construction and Improvement Project. (Director of Development Services)
 - E. Discussion and Action to award Janitorial Services Contract in the amount of \$95,128 to TIBH of Austin, Texas and authorize the Town Manager to execute a contract for the same. (Parks & Recreation Director)
11. 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 551.087 of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the Town of Little Elm has received from a business prospect, and or to deliberate the offer of financial or other incentive with a business prospect regarding property along King Road/ Witt Road.
12. Reconvene into Open Session: Discussion and consideration to take any action necessary as the result of the closed (executive) session.
- A. Section 551.087 of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the Town of Little Elm has received from a

business prospect, and or to deliberate the offer of financial or other incentive with a business prospect regarding property along King Road/ Witt Road.

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

A. Town Secretary Monthly Report.

B. Development Services Monthly Report.

C. Fire Department Monthly Report.

D. Library Monthly Report.

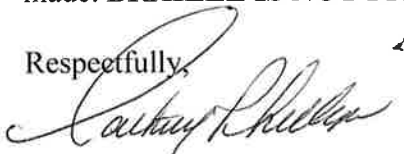
E. Recreation Center Monthly Report.

14. 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. **BRaille IS NOT PROVIDED.**

Respectfully,



Town Secretary

This is to certify that the above notice was posted on the bulletin board at the Town Hall Center this 15th day of March 2013.