

**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, August 6, 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 - A. Items to be withdrawn from Consent Agenda.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. Discussion regarding request from Jeremy Creed President of the Little Elm High School Lobo Football Booster Club.
 - E. Discussion regarding Boards and Commissions Membership Appointment Policy.
(Town Manager)
 - F. 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
 - G. Council to highlight items on the agenda needing further discussion or comments prior to the regular session.

2. Call to Order Public Hearings and Regular Town Council Immediately Following Council Workshop.
3. Opening Prayer: Reverend Timothy Owens New Life Community 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. Presentation: Certificate of Recognition to Caelum Albrecht. (Mayor)
6. Public Hearing regarding a request to re-zone approximately 6.53 acres of land from Light Commercial (LC) with an SUP for Liquor Sales an SUP for Child Care Center to Planned Development-Light Commercial district (PD-LC) in order to allow for truck rental, car rental, and modifications to the development regulations while maintaining and not expiring the current Sup's, generally located at the southwest corner of Eldorado Parkway and Lobo Lane, within the Town Limits of Little Elm, Denton County, Texas. At the public hearing interested persons are entitled to speak and present evidence for or against the amendment to modifying fence standards. (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. Receive Public comments.
 - D. Close Public Hearing.
 - E. Discussion and Action to adopt Ordinance No. 1155 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 6.53 acres of land from Light Commercial (LC) with an SUP for Liquor Sales and SUP for Child Care Center to Planned Development-Light Commercial district (PD-LC)

in order to allow for auto and truck leasing and to modify development regulations while maintaining and not expiring the current SUP rights; generally located at the southwest corner of Eldorado Parkway and Lobo Lane; 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 request to rezone approximately 20.7 acres of land from Duplex district (D) and Manufactured Home District (MH1) to Duplex district (D), generally located north of Eldorado Parkway and long Castleridge Drive and Woodgrove Drive, within the Little Elm Town Limits. At the public hearing interested persons are entitled to speak and present evidence for or against the amendment to modifying fence standards. (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. Receive Public comments.
 - D. Close Public Hearing.
 - E. Discussion and Action to adopt Ordinance No. 1156 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 20.07 acres of land from Duplex district (D) and Manufactured Home District (MH1) to Duplex district (D) ; generally located north of Eldorado Parkway and a long Castleridge Drive and Woodgrove Drive; 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 Hearing regarding a Town-initiated request to rezone approximately 17.9 acres of land from Manufactured Home District (MH1) to Duplex district (D), generally located west of Lobo Lane along Douglas Street and Debbie Street, within the Little Elm Town Limits. At the public hearing interested persons are entitled to speak and present evidence for or against the amendment to modifying fence standards. (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. Receive Public comments.
 - D. Close Public Hearing.
 - E. Discussion and Action to adopt Ordinance No. 1157 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 17.9 acres of land from Manufactured Home District (MH1) to Duplex district (D) ; generally located west of Lobo Lane along Douglas Street and Debbie Street: 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)
9. Public Hearing: on and regarding the need to continue Ordinance No. 962 of the Town regarding Juvenile curfew and matters in connection therewith, or in lieu of continuing such ordinance the enactment of a new juvenile curfew ordinance.
- A. Staff Comments.
 - B. Open Public Hearing.
 - C. Receive Public comments.
 - D. Close Public Hearing.
 - E. Discussion and Action to adopt Ordinance No. 1159 an Ordinance establishing a Juvenile Curfew within the incorporated Town Limits of the Town of Little Elm, Denton County Texas from 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 6:00 a.m. of the following day, from 12:01 a.m. until 6:00 a.m. on any Saturday or Sunday, and 9:00 a.m. until 2:30 p.m. on any Monday, Tuesday, Wednesday, Thursday or Friday; providing definitions; providing that is an offense for a minor to remain in a Public Place or on the premises of an establishment during curfew hours, and providing that a parent or guardian commits an offense for knowingly permitting or by insufficient control allowing a minor to remain in a Public Place or on the premises of an establishment during curfew hours; providing defenses; providing provisions regarding the enforcement of this

Ordinance; providing a penalty not to exceed the sum of five hundred dollars (\$500.00) for each offense, and a separate offense is deemed committed each day or part thereof during which a violation occurs; providing an expiration date of this Ordinance unless the same is extended or earlier terminated; a public hearing; providing a savings clause except that Ordinance No. 962 of the Town is repealed hereby); providing a severability clause, providing an effective date. (Chief of Police)

10. 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.
11. 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 July 16, 2013 Workshop and Regular Meeting. (Town Secretary)
 - B. Minutes of the July 29, 2013 Budget Workshop. (Town Secretary)
 - C. Final Plat (Holt Cat) from BEFCO Engineering, Inc., generally located on the southeast corner of US 380 and FM 1385, within the Little Elm town limits. (Planning Manager)
 - D. Final Plat (The Towers) from RKM & Associates, Inc., generally located southwest of the intersection of Cottonwood Creek and FM 423. (Planning Manager)
 - E. Final Plat (Sunset Pointe, Phase 27) from Dowdey, Anderson & Associates generally, located east of Canyon Lake Drive, along Hammock Lake Drive and Lakebend Drive, within the Little Elm town limits. (Planning Manager)
 - F. Final Plat (Frisco Hills, Phase 1A) from Scarborough Lane Development, generally located west of Cavanal Hill Drive and north of Blueberry Hill Drive, within Little Elm's ETJ. (Planning Manager)

- G. Final Plat (Frisco Hills, Phase 1B) from Scarborough Lane Development, generally located along western Notting Hill Drive and Cypress Hill Drive, within Little Elm's ETJ. (Planning Manager)

- H. Final Plat (Frisco Hill Phase 1C) from Scarborough Lane Development, generally located along eastern Notting Hill Drive, within Little Elm's ETJ. (Planning Manager)

- I. Final Plat (Frisco Hills Phase 3B) from Scarborough Lane Development, generally located on either side of Encino Drive, along Sundrop Drive and Calliopsis Street, within Little Elm's ETJ. (Planning Manager)

- J. Final Plat (Frisco Hills Phase 4B) from Scarborough Lane Development, generally located between Encino Drive and Alder Street, along Cypress Hill Drive and Mist Flower Drive, within Little Elm's ETJ. (Planning Manager)

- K. Final Plat Paloma Creek South, Phase 8C) from Petitt Barraza, LLC, generally located along southern Abby Creek Drive and southern Christopher Creek Drive, within Little Elm's ETJ. (Planning Manager)

- L. Final Plat (Paloma Creek South, Phase 9C) from Petitt Barraza, LLC, generally located between Bird Creek Drive and Sun Creek Drive, along Kinghaven Drive and Goldenmist Drive, within Little Elm's ETJ. (Planning Manager)

- M. Accept and Approve Quarterly Budget Report ending June 30, 2013. (Finance Director)

- N. Accept and Approve Quarterly Investment Report ending June 30, 2013. (Finance Director)

- O. Renewal of Non-Exclusive Distribution Agreement between the North Texas Tollway Authority and the Town of Little Elm and authorize the Mayor to execute the same. (Finance Director)

- P. Interlocal Agreement between the Town of Little Elm and Denton County for Tax Collections for a term of one (1) year beginning October 1, 2013 through September 30, 2014 with an automatic renewal of an additional one (1) year term at the discretion of the County and the Town and authorize the Mayor to execute the same. (Finance Director)

- Q. Task Order for construction material testing for Little Elm Park-Phase 1 Improvements between the Town of Little Elm and D&S Engineering Labs, PLLC for the estimated amount of \$10,390.00 and authorize the Town Manager to execute contract for same. (Director of Development Services)

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

- A. Discussion and Action to adopt Ordinance No. 1158 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 far as to include therein certain adjustments which are for General Fund Fire Department 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 an effective date. (Finance Director)
- B. Discussion and Action to authorize Town Staff to completed the purchase of the following from Phillpott Motors LTD, Nederland, Texas (1) Ford F550 Brush Truck for Fire Department through BuyBoard for \$65,400 and outfit the vehicle for an additional \$10,000. (Fire Chief)
- C. Discussion and Action to approve Resolution No. 08061301 a Resolution appointing one member to the Board of Managers of the Denco Area 9-1-1 District. (Council)
- D. Discussion and Action to approve Town of Little Elm Strategic Plan. (Council)
- E. Presentation and Acceptance of Town Manager's proposed budget for the FY 2014 and hear presentation on the highlights of the operating budget. (Town Manager)
- F. Discussion and Action to receive and accept certified taxable property values and tax rate calculations as presented. (Finance Director)

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

- A. Letter of thanks-Al Leistikow.
- B. Note of thanks-The Glover Family.

14. Council will convene in Executive Session pursuant to Texas Government Code:
 - A. Section 551.071 for private consultation with the Town Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the Town Attorney has a duty under the Texas Rules of Discipline and Professional conduct regarding confidential communication with the Town Council.
 - B. Section 551.072 to discuss certain matters regarding real property.
 - C. Section 551.076 to discuss security matters.
 - D. Section 551.087 to discuss Economic Development.
15. Reconvene into Open Session: Discussion and consideration to take any action necessary as the result of the Executive Session.
 - A. Section 551.071 for private consultation with the Town Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the Town Attorney has a duty under the Texas Rules of Discipline and Professional conduct regarding confidential communication with the Town Council.
 - B. Section 551.072 to discuss certain matters regarding real property.
 - C. Section 551.076 to discuss security matters.
 - D. Section 551.087 to discuss Economic Development.
16. 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 blue ink, appearing to read "Cathy Phillips".

Town Secretary

This is to certify that the above notice was posted on the bulletin board at the Town Hall Center this 2nd day of August 2013.