

**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, August 5, 2014 - 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  - A. Items to be withdrawn from Consent Agenda.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 the issue of adult beverages at private events in the gym at the Recreation Center. (Mayor)
  - E. 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.
  - F. Council to highlight items on the agenda needing further discussion or comments prior to the regular session.
2. Roll Call/Call to Order Regular Town Council Immediately Following Council Workshop.

3. Opening Prayer: Minister Corey Simon-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. 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 Little Elm town limits. 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 Report.

B. Open Public Hearing.

C. Receive Public Comments.

D. Close Public Hearing.

E. Discussion and Action to approve Ordinance No. 1223 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), 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 repealing clause; and providing an effective date. (Community Services Manager)

6. 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. 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.

7. 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. Accept Minutes of the July 15, 2014 Workshop and Regular Meeting. (Town Secretary)
  - B. Accept Minutes of the July 1, 2014 TIRZ #4 Meeting. (Town Secretary)
  - C. Preliminary Plat Victory at Creekside Addition from Texas Development Services generally located east of FM 423 and north of Cottonwood Creek, within Little Elm town limits. (Community Services Manager)
  - D. Final Plat Sunset Pointe, Phase 28 from Dowdey Anderson & Associates, generally located along Bella Vista Drive and Portsocall Drive, within Little Elm town limits. (Community Services Manager)
  - E. Accept Quarterly Investment report for period ending June 30, 2014. (Finance Director)
  - F. Accept Quarterly Budget report for period ending June 30, 2014. (Finance Director)
  - G. Final Payment to release retainage to XIT Paving and Construction, Inc. of Waxahachie, Texas in the amount of \$148,786.88 for construction of Main Street Phase II and Lakeshore Realignment Improvements. (Director of Development Services)
  - H. Final Payment to release retainage to Groves Electrical Services, Inc. in the amount of \$26,287.50 for construction of Walker Lane and Hart Road Street Lighting Improvements. (Director of Development Services)
  - I. Boundary and Extraterritorial Jurisdiction Adjustment Agreement between the Municipalities of Little Elm and Oak Point. And authorize Town Mayor to execute agreement for same. (Director of Development Services)
  - J. Recognize voluntary resignation of DeLeon English as member of the Planning and

Zoning Commission and appoint Tyler Hook to Position #1 on the Planning and Zoning Commission with a term expiring 02/28/2015. (Community Services Manager)

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

- A. Discussion and Action to adopt Ordinance No. 1224 an Ordinance of the Town of Little Elm, Texas, amending Ordinance No. 1165 and the existing Code of Ordinances by amending the Comprehensive Listing of School Zones for the Town of Little Elm, Texas, established by Ordinance No. 1165, establishing school zones near or adjacent to certain public schools located in the Town of Little Elm, Denton County, Texas, per the revised chart in Exhibit "A" ; establishing a prima facie maximum speed limits during school hours in such zone(s); providing for notification of the maximum speed limits(s) by installation of signs and markers to regulate vehicular speed on the designated street(s); providing for a penalty for the violation of this Ordinance; providing for repealing, savings, and severability clauses; providing for an effective date of this ordinance; and providing for the publication of the caption hereof. (Public Works Director)
- B. Discussion and Action to adopt Resolution No. 08051401 a Resolution setting a date, time and place for two Public Hearings on the proposed annexation of certain property by the town of Little Elm, Texas, authorizing and directing the Planning Director to publish notices of such public hearings and direct Staff to develop a Service Plan. (ROW tracts near Union Park & Navo School)(Community Services Manager)
- C. Discussion and Action to adopt Resolution No. 08051402 a Resolution setting a date, time and place for two Public Hearings on the proposed annexation of certain property by the town of Little Elm, Texas, authorizing and directing the Planning Director to publish notices of such public hearings and direct Staff to develop a Service Plan. (Valencia on the Lake) (Community Services Manager)
- D. Discussion and Action to approve Subordination Agreement between the Town of Little Elm, Texas, Valencia on the Lakes L.P., and the lienholders of the property within the Valencia Public Improvement District (the "Subordination Agreement and Estoppel Certificate") and authorize the Town Manager to execute said Agreement. (Town Attorney)
- E. Discussion and Action to appoint three (3) members to Little Elm Community Development Corporation Board of Directors with terms ending June 1, 2016. (Director of Development Services)

- F. Discussion and Action to award construction contract for the 2014 Annual Street Maintenance Project in the amount of \$453,914.00 to Quality Excavation, LTD, of Aubrey, Texas and authorize the Town Manager to execute a contract for the same. (Director of Development Services)
  
- G. Discussion and Action to approve Screening Wall Agreement between the Town of Little Elm and Glen Cove HOA and authorize the Town Manager to execute a contract for the same. (Director of Development Services)
  
- H. Discussion and Action to approve License Agreement between the Town of Little Elm and Little Elm Independent School District and authorize the Town Manager to execute contract for the same. (Director of Development Services)
  
- I. Discussion and Action to approve a Task Order for a signal design on Navo Road at University Drive (US 380) between the Town of Little Elm and Lee Engineering, LLC for the amount of \$16,000.00 and authorize the Town Manager to execute a contract for the same. (Director of Development Services)
  
- J. Discussion and Action to approve Interlocal Agreement between the Town of Little Elm and North Central Texas Council of Governments to provide funding in the amount of \$1,120.00 and authorize the Town Manager to execute interlocal for the same. (Director of Development Services)
  
- K. Discussion and Action and adopt Resolution No. 08051403 a Resolution of the Town Council of the Town of Little Elm, Texas, Releasing, Relinquishing and Allocating certain designated Extraterritorial Jurisdiction to the City of Oak Point, Texas. (Director of Development Services)
  
- L. Discussion and Action to approve Concession Agreement between the Town of Little Elm and Garland Wilson and Teri Wilson, DBA Aubrey Ice and authorize the Town Mayor to execute contract for same. (Director of Development Services)
  
- M. Discussion and Action to approve Agreement to Terminate Park Maintenance Obligations for McCord Park Property Owners Association between the Town of Little Elm and McCord Park Property Owners Association, Inc. and authorize the Town Manager to execute contract for the same. (Director of Development Services)
  
- N. Public Hearing to discuss proposal by the Town to expand McCord Park (2050 FM 423), which will include activities in the 100 year flood plain. People who may be affected by activities in the floodplain and those who have an interest in the

protection of the natural environment will be given an opportunity to express their concerns and provide information about those areas. 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)

1. Staff Report.
  2. Open Public Hearing.
  3. Receive Public Comments.
  4. Close Public Hearing.
- O. Discussion and Action to adopt Resolution No. 08051404 for the Texas Parks & Wildlife Department Outdoor Recreation grant project to authorize local funding and support of the project, and dedicate land needed for Phase II of McCord Park as parkland in perpetuity. (Director of Development Services)
- P. Discussion and Action to adopt Resolution No. 08051405 for the Texas Parks & Wildlife Department Outdoor Recreation grant project to prohibit drilling and mining in the McCord Park project area. (Director of Development Services)
- Q. Discussion and Action to approve Economic Development Incentive Agreement by and between the Town of Little Elm (“Grantor”) and Landon Homes, LP (“The Company”) for the purpose of generating Use Tax Revenue to the Town and further providing for Economic Development Grant to the Company and authorize the Town Manager to executed agreement for same. (Finance Director)
- R. Discuss and Receive the Town Manager’s Proposed Budget of Programs and Services for Fiscal Year 2014-2015. (Finance Director)
- S. Discussion and Action to receive and accept 2014 certified taxable property values, effective and roll-back tax rate calculations as presented. (Finance Director)
9. 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.

10. 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.

11. 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 1st day of August 2014.**