

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, September 15, 2015 - 6:00 PM
Town Hall Center---Council Chamber---100 W Eldorado Parkway

1. Call to Order Council Work Shop at 6:00 p.m.
 - A. Invocation:
 - B. Items to be withdrawn from Consent Agenda.
 - C. Emergency Items if posted.
 - D. Request by the Town Council for items to be placed on a future agenda for discussion, and recognition of excused absences.
 - E. Discussion on potential revisions to Chapter 18 (Animals). (Community Services Manager –Dusty McAfee)
 - 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. Roll Call/Call to Order Regular Town Council Immediately Following Council

Workshop.

3. 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.

4. Presentations:

A. Mayor Hillock to read and present proclamation to Dawn Ventre representative of the Preston Ridge Chapter of the Daughters of the American Revolution proclaiming September 17th – 23rd as “Constitution Week” in the Town of Little Elm.

B. Mayor Hillock to read and present Proclamation to Jay Squyres (DFW Solar Tour volunteer) proclaiming October 4, 2015 as DFW Solar Tour Day.

C. Mayor Hillock to read and present Proclamation to Robert Johnson and John Taylor proclaiming the month of October 2015 as Clothe-a-Child month in the Town of Little Elm.

D. Mayor Hillock to present “The Certificate of Achievement for Excellence in Financial Reporting” to the Finance Department by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR).

5. 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.

6. 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 September 1, 2015 Workshop, Public Hearings and Regular Meeting. (Town Secretary-Kathy Phillips)

- B. Authorize the Town Manager to execute any and all contract documents with Blue Cross Blue Shield of Texas and Humana for the renewal of employee health care benefits. (Human Resource Director – Dee Dee Hale)

- C. Final Plat Paloma Creek Lakeview, Phase 2D1 from Jones and Carter, generally located along Lake Sierra Way and Lake Cypress Lane, within Little Elm’s ETJ. (Community Services Manager – Dusty McAfee)

- D. Final Plat Brentwood Phase 3 from Dowdey, Anderson & Associates, generally located along Keel Lane and Rigging Drive, within Little Elm town limits. (Community Services Manager – Dusty McAfee)

- E. Interlocal Cooperative Agreement for Shared Governance Communications & Dispatch Services System with Denton County. (Police Chief – Rodney Harrison)

- F. Approve Annual update to the Valencia Public Improvement District (PID) and Assessment Plan and Assessment Roll. (Assistant Finance Director-Dianne Lawson)

- G. Approve Utility Relocation Reimbursement Agreement between the Town of Little Elm and Mustang Special Utility District and authorize the Town Mayor to execute agreement for the same. (Director of Development Services – Jason Laumer)

- H. Approve Resolution No. 09151502 a Resolution of the Town Council of the Town of Little Elm, Texas, establishing prohibited parking locations pursuant to 98-101 (C) of the Town of Little Elm Code of Ordinances; amending Resolution No. 06021503; and providing for an immediate effective date.(Director of Public Works-Kevin Mattingly)

- I. Approve reappointment of Jason Olson to a term of September 15, 2015 to September 30, 2017, appoint Casey Russell to a term of September 15, 2015 to September 30, 2017, and appoint Bradley Elliott for an unexpired term from September 15, 2015 to October 31, 2016 as members of the Economic Development Corporation Board of Directors. (Town Council)

- J. Approval to accept the grant award from the Department of Homeland Security for

the SAFER Grant in accordance with the requirements of the grant process. (Fire Chief – Joe Florentino)

7. Public Hearing: to consider and act on an Ordinance dis-annexing an approximately 63.85 acre tract of land generally located at the southwest corner of FM 720 and US 380 and an approximately 36.62 acre tract of land generally located at the northwest corner of FM 720 and US 380, Little Elm, Denton County, Texas. 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 adopt Ordinance No. 1295 an Ordinance of the Town of Little Elm, Texas, disannexing adjacent and contiguous territory, as described in the attached legal description and as depicted in the attached drawing, from the Town of Little Elm, Texas; reducing its Extraterritorial Jurisdiction over such land; finding that all necessary and required legal conditions have been satisfied; further providing for amending and correcting the official boundaries of the Town as heretofore adopted and correcting the official Town Maps; providing a savings clause; providing a severability clause; providing a repealer clause; and providing for an effective date. (Community Services Manager-Dusty McAfee)

8. Public Hearing: regarding request for a Specific Use Permit for a Temporary Concrete Batch Plant on approximately 1.1 acres of land, generally located north of Candler Club Way and east of Witt Road, currently zoned PD-SF (Single Family). All interested citizens are welcome to attend and participate in the hearing.

A. Staff Report.

B. Open Public Hearing.

C. Receive public comments.

D. Close Public Hearing.

E. Discussion and Action to adopt Resolution No. 09151501 a Resolution by the Town of Little Elm allowing for a Temporary Concrete Batch Plant on approximately 1.1 acres of land, currently zoned Single Family(PD-SF), generally located north of Candler Club Way and east of Witt Road, Little Elm, Denton County, Texas; providing an effective date. (Community Services Manager –Dusty McAfee)

9. Public Hearing to discuss a proposal by the Town to develop an ADA-accessible Splash Pad in McCord Park (2050 FM 423). The scope of the proposed project, construction, and minimal anticipated environmental impacts will be discussed in open for public comments. All interested citizens are welcome to attend and participate in the hearing. (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 adopt Resolution No. 09151503 a Resolution by the Town of Little Elm designating the Town Director of Development as responsible for, acting for, and on behalf of the Town of Little Elm in dealing with the Texas Parks and Wildlife Department for the purpose of participating in the Local Park Grant Program; certifying that the Town of Little Elm is eligible to receive program assistance; certifying that the Town of Little Elm matching share is readily available; and dedicating the proposed site for permanent (or for the term of the lease of property) Public Park and Recreational Uses. (Director of Development Services – Jason Laumer)

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

A. Discussion and Action on ratifying the property tax revenue increase reflected in the annual budget for the Fiscal Year 2015—2016; beginning October 1, 2015 ending September 30, 2016. (Chief Financial Officer-Karla Stovall)

- B. Discussion and Action to adopt Ordinance No. 1296 an Ordinance of the Town of Little Elm, Texas, adopting a budget and appropriating resources for Fiscal Year 2015-2016, beginning October 1, 2015 and ending September 30, 2016; in accordance with existing statutory requirements; repealing all conflicting ordinances; containing a severability clause; and providing for an effective date. (Chief Financial Officer-Karla Stovall)

 - C. Discussion and Action to adopt Ordinance No. 1297 an Ordinance fixing the Tax Rate and Levy for the Town of Little Elm, Texas, for the purpose of paying the current expenses of the Town for the Fiscal Year ending September 30, 2016, and for the further purpose of creating a Sinking Fund to retire the Principal and Interest of the Bond Indebtedness of the Town; providing for a Lien on all Real and Personal Property to secure payment of tax due thereon; containing a severability clause; repealing all ordinance and parts thereof in conflict herewith; and providing for and effective date. (Chief Financial Officer-Karla Stovall)

 - D. Discussion and Action to adopt Ordinance No. 1298 an Ordinance of the Town Council of Little Elm, Texas (“Town”), authorizing certain budget amendments pertaining to the Fiscal Year 2014-2015 Budget; and providing an effective date. (Chief Financial Officer-Karla Stovall)
11. FYI: (All matters are provided to the Town Council for informational purposes only)
- A. Town Secretary Monthly Report for August 2015.

 - B. Development Services Monthly Report for August 2015.

 - C. Public Works Monthly Report for August 2015.

 - D. Police Department Monthly Reports for August 2015.

 - E. Fire Department Monthly Reports for August 2015.
12. 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.

1. Consider potential settlement of pending litigation with City of Oak Point in Town of Cross Roads et al v. Town of Little Elm, et al, Cause No. 15-02716-158, District Court of Denton County, Texas; and in Ex Parte Town of Little Elm, Cause No. 15-05247-367, District Court of Denton County, Texas.
 - 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.
13. 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.
 1. Discussion and Action to adopt Ordinance No. 1299 approving a boundary agreement and a compromise and settlement agreement with the City of Oak Point, Texas, and authorizing the Mayor to execute such agreements.
 - 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.
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. **BRILLE IS NOT PROVIDED.**

Respectfully,

A handwritten signature in blue ink, appearing to read "Cathy Miller", is written over the word "Respectfully,".

Town Secretary

This is to certify that the above notice was posted on the bulletin board at the Town Hall Center this 11th day of September 2015.