

**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, December 20, 2016 - 6:00 PM
Town Hall Center---Conference Room & Council 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 - A. Items to be withdrawn from Consent Agenda.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 on proposed Article for addition to the Code of Ordinances reference to Fireworks. (Fire Chief Brian Roach)
 - E. Discussion regarding Town Center (Lakefront) Proposed Zoning Change. (Director of Development Service Jason Laumer)
 - F. Discussion regarding Dickson Proposed Zoning Change. (Director of Development Services Jason Laumer)
 - 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. 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. 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.

5. 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 December 6, 2016 Workshop, Public Hearings and Regular Meeting. (Town Secretary Kathy Phillips)

B. Approve the Little Elm EDC Investment Policy for FY 2016-2017. (Executive Director of EDC Jennette Killingsworth)

C. Supplement to Contract for the Collection of Delinquent Taxes under Valencia on the Lake Public Improvement District with Sawko & Burroughs, P.C. (Chief Financial Officer Karla Stovall)

D. Award RFQ 2016-73 for Traffic Engineering Services to Lee Engineering, LLC, and to authorize the Town Manager to execute the agreement. (Purchasing Agent Dawn Berry)

E. Award 2016-74 for Engineering Services to TRC Engineers, Inc., Freese and Nichols, Inc., and Pacheco Koch Consulting Engineering, Inc. and to authorize the Town Manager to

execute each agreement. (Purchasing Agent Dawn Berry)

F. Award RFQ 2016-75 for Landscape Architecture Services to Dunaway Associates, LP; Half Associates, and Schrickel, Rollins and Associates, Inc. and to authorize the Town Manager to execute each agreement. (Purchasing Agent Dawn Berry)

G. Authorization to dispose of sludge and bulk waste at the unit price of \$23.00 per ton with Denton Municipal Landfill. (Purchasing Agent Dawn Berry)

H. Communications System Agreement for Mutual Aid Access (Single Use) –Government Entity between the Town of Little Elm and City of Fort Worth and authorizing the Assistant Town Manager/Director of Public Safety to execute agreement for the same. (Fire Chief Brian Roach)

I. Memorandum of Understanding (MOU) between the Town of Little Elm, Brazos Electric Power Cooperative and Coserv Electric. (Deputy Town Manager Doug Peach)

J. Agreement with SRA for the design service on FM 720 Green Ribbon Project in an amount not to exceed \$48,500.00 and to authorize the Town Manager to execute the agreement. (Purchasing Agent Dawn Berry)

K. First Amendment to Concession Agreement between the Town of Little Elm and Denton County Ice, LLC and authorize the Town Mayor to execute contract for the same. (Director of Development Services Jason Laumer)

6. Continue Public Hearing on the request Specific Use Permit for Commercial Amusement, Outdoor on approximately 2.28 acres of land, generally located south of Eldorado Parkway and west of Hillside Drive, currently zoned Light Commercial (LC) district, within Little Elm's town limits. (Director of Development Services)

A. Staff report:

B. Open Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Ordinance No. 1356 an Ordinance of the Town of Little Elm, Texas, amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, as amended, by issuing a Specific Use Permit for Outdoor Amusement Park Use on approximately 2.28 acres of land currently zoned Light Commercial District (LC); generally located south of Eldorado Parkway and west of Hillside Drive, 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 for an effective date.

7. Public Hearing: Pursuant to Section 372.009(c) and (d) of the Texas Local Government Code, as amended (the "Act"), notice is hereby given that the Town Council of the Town of Little Elm, Texas (the "Town"), will hold a public hearing to accept public comments and discuss the petition (the "Petition"), filed by The Little Elm Lakeside Development LP (collectively, the "Petitioner"), requesting that the Town create a public improvement district (the "District") to include property owned by the Petitioner.

A. Staff Report:

B. Open Public Hearing

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Resolution No. 12201606 a Resolution of the Town of Little Elm, Texas authorizing and creating the Lakeside Estates Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date. (Director of Development Services Jason Laumer)

8. Public Hearing to amend Ordinance Nos. 1255, 1258, and 1310 concerning Reinvestment Zone Number Five, Town of Little Elm, Texas, established pursuant to Chapter 311 of the Texas Tax Code, by amending and changing the boundaries and size of Tax Increment Financing Reinvestment Zone Number Five, Little Elm, Texas, include within the zone tracts of land of approximately 47.4 acres and 0.16 acres, both of which are located within the Marsella Jones Survey, Abstract No. 662, Denton County, Texas, All interested person may speak for or against the Reinvestment Zone and the proposed amendments, its boundaries, or the concept of Tax Increment Financing. Following the public hearing, the Town Council of the Town of Little Elm, Texas, will consider adoption of an Ordinance amending the Reinvestment Zone. (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. Open Public Hearing:

D. Close Public Hearing:

E. Discussion and Action to approve Ordinance No. 1371 an Ordinance of the Town Council of the Town of Little Elm, Texas, amending Ordinance Nos. 1255, 1258, and 1310, concerning Reinvestment Zone Number Five, Town of Little Elm, Texas, established pursuant to Chapter 311 of the Texas Tax Code, by amending and changing the boundaries and size of Tax Increment Financing Reinvestment Zone Number Five, Town of Little Elm, Texas, as described and depicted in Exhibit C of this Ordinance, which is attached hereto and incorporated herein for all purposes, to include within the zone tracts of land of approximately 47.4 acres and 0.16 acres, both of which are located within the Marsella Jones Survey, Abstract No. 662, Denton County, Texas, as described and depicted in Exhibits A and B of this Ordinance; providing a severability clause; and providing for an effective date. (Director of Development Services-Jason Laumer)

9. Continue Public Hearing to consider proposed assessments to be levied against property within the Rudman Tract Public Improvement District pursuant to the provisions of Chapter 372 of the Texas Local Government Code, as amended. All written or oral objections on the proposed assessment within the District will be considered at the public hearing. (Director of Development Services Jason Laumer)

A. Staff Report:

B. Open Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Ordinance No. 1359 an Ordinance of the Town Council of the Town of Little Elm, Texas accepting and approving a Service and Assessment Plan and Assessment Rolls for the Rudman Tract Public Improvement District; making a finding of special benefit to property within the district; levying special assessments against property

within the district and establishing a lien on such property; providing for payment of the assessment in accordance with Chapter 372, Texas Government Code, as amended; providing for the method of assessment and the payment of the assessments, providing for penalties and interest on delinquent assessments, providing for severability, and providing an effective date. (Director of Development Services Jason Laumer)

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

- A. Discussion and Action to adopt Resolution No. 12201602 a Resolution of the Town of Little Elm, Texas, approving the Rudman Tract Public Improvement District Phase #1 Improvements Reimbursement Agreement with OPLE Prairie Oaks Development, Inc.; authorizing and directing the Mayor of the Town to execute the Rudman Tract Public Improvement District Phase #1 Improvements Reimbursement Agreement; and providing for an effective date. (Director of Development Services Jason Laumer)
- B. Discussion and Action to adopt Resolution No. 12201603 a Resolution of the Town of Little Elm, Texas approving the Rudman Tract Public Improvement District Phase #2 Major Improvements Reimbursement Agreement with OPLE Prairie Oaks Development, Inc.; authorizing and directing the Mayor of the Town to execute the Rudman Tract Public Improvement District Phase #2 Major Improvements Reimbursement Agreement; and providing an effective date. (Director of Development Service Jason Laumer)
- C. Discussion and Action to adopt Resolution No. 12201604 a Resolution of the Town of Little Elm, Texas approving the Phase #1 Improvement Construction, Funding, and Acquisition with OPLE Prairie Oaks Development, Inc., authorizing and directing the Mayor of the Town to execute the Phase #1 Improvements Construction, Funding, and Acquisition; and providing an effective date. (Director of Development Services Jason Laumer)
- D. Discussion and Action to adopt Resolution No. 12201607 a Resolution of the Town of Little Elm, Texas approving the Phase #2 Major Improvements Construction, Funding, and Acquisition with OPLE Prairie Oaks Development, Inc., authorizing and directing the Mayor of the Town to execute the Phase #2 Major Improvements Construction, Funding, and Acquisition; and providing an effective date. (Director of Development Services Jason Laumer)
- E. Discussion and Action to adopt Resolution No. 12201605 a Resolution of the Town of Little Elm, Texas authorizing the execution of a Consent Letter relating to the Issuance of Certain Bonds by the Public Finance Authority; and containing other matters related thereto. (Director of Development Services Jason Laumer)

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

- A. Town Secretary Monthly Report for November 2016.
- B. Public Works Monthly Report for November 2016.
- C. Police Department Monthly Reports for November 2016.
- D. Fire Department Monthly Reports for November 2016.
- E. Parks, Recreation and Library Monthly Reports for November 2016.

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.
- 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.
- B. Section 551.072 to discuss certain matters regarding real property.
- C. Section 551.076 to discuss security matters.

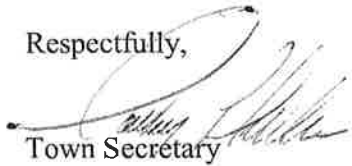
D. Section 551.087 to discuss Economic Development.

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. **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 16th day of December 2016.