

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, May 16, 2017 - 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. Invocation: Pastor Jay Cousino Button Memorial United Methodist Church.
 - B. Items to be withdrawn from Consent Agenda.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. Update and discussion on Average Water Billing Survey. (Chief Financial Officer Karla Stovall)
 - F. Discussion regarding annexation. (Director of Development Services Jason Laumer)
 - G. Discussion regarding Golf Carts in the town. (Chief of Police Rodney Harrison)
 - 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 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. Discussion and Action to approve Resolution No. 05161701 a Resolution of the Town of Little Elm, Texas canvassing the returns and declaring the results of: (I) General Election held in the Town of Little Elm on May 6, 2017, for the purpose of electing one (1) Council member for Place 1 for a three (3) year term, and one (1) Council member for Place 6 for a three (3) year term, (II) Special Election held in the Town on the same date for the purpose of submitting to the qualified voters of the Town a proposition on the question of the Reauthorization of the Local Sales and Use Tax in the Town of Little Elm at the rate of one-fourth of one-percent to continue providing for Maintenance and Repair of Municipal Streets under the provisions of Chapter 327, Texas Tax Code, as amended; making other declaration and finding other matters in connections with said elections as set forth herein; finding that all matters set forth herein are true and correct; providing for an effective date. (Town Secretary Kathy Phillips)
5. Presentations/Acknowledgments:
 - A. Mayor to issue Certificate of Election to Elected Council members Place 1 Curtis J. Cornelious and Place 6 Stephanie Shoemaker. (Mayor David Hillock)
 - B. Town Secretary to give Statement of Officer and Oath of Office to Council members Place 1 Curtis J. Cornelious and Place 6 Stephanie Shoemaker.
 - C. Little Elm SRO Officer Clif Holliefield to acknowledge two Police Explorers who participated in the Texas Public Service Association's State competition held in El Paso during the weekend of April 7-8, 2017 Aubrey Juarez and Nate Garza, both seniors at Little Elm High School, made the trip to El Paso and together they place 1st in the "Disturbance Call" scenario. We are proud of our Explorers' hard work

and success.

D. Proclamation proclaiming May 21-27, 2017 as National Public Works Week.
(Mayor David Hillock)

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. Minutes of the May 2 2017 Workshop, Public Hearings and Regular Meeting.
(Town Secretary Kathy Phillips)

B. Replat of Lot 75R, Block 1 of the Sunrise Bay at Lake Lewisville Addition into three (3) residential lots, Lot 75R-1, 76R, and 77R, Block 1 of Sunrise Bay at Lake Lewisville Addition, approximately 3.828 acres situated in the William Pea Survey, Abstract No. 1044, Denton County, Texas, generally located on the north side of Spinnaker Run Pointe, within both the Town of Lakewood Village and Little Elm's Extraterritorial Jurisdiction (ETJ). (Director of Development Services Jason Laumer)

C. Replat for Lot 2, Block 1 of the Little Elm Landscape Center Addition, approximately 4.666 acres of land situated in the William McFadden Survey, Abstract No. 893 Little Elm, Denton County, Texas and located at the northeast corner of FM 423 and Little Elm Parkway (FM 720), comprised of one non-residential lot, within the town limits of Little Elm. Texas. (Director of Development Services Jason Laumer)

D. Award Bid 2017-96 for Eldorado Widening Projects A-E, the incentive and contingency to GVN Construction in an amount not to exceed \$917,430.00 and to authorize the Town Manager to execute the agreement. (Purchasing Agent Dawn Berry)

E. Approval of a Mutual Aid Agreement with Little Elm Box 620 to provide rehabilitation to Town Staff. (Purchasing Agent Dawn Berry)

- F. Authorization to donate the 2008 Frazier ambulance (VIN 3D6WC66L19G503478) to Little Elm Box 620 to provide rehabilitation to Town Staff. This request is contingent upon the approval of the mutual aid agreement. (Purchasing Agent Dawn Berry)
 - G. Agreement for Administrative Services for Tax Increment Reinvestment Zone Number Five by and between MuniCap, Inc. and Town of Little Elm, Texas. (Chief Financial Officer Karla Stovall)
 - H. Contract Amendment #5 renewing Teen Court Services with Collin County for 2017-2018. (Chief Financial Officer Karla Stovall)
 - I. Approve Change Order #4 for Lakefront Trail and authorize the Town Manager to execute the Change Order. (Town Engineer Kimberly Brawner)
 - J. Authorize Work Order 2017-1093 for the design of irrigation main improvements to TRC Engineers in an amount not to exceed \$66,850.00 and to authorize the Town Manager to execute the work order. (Purchasing Agent Dawn Berry)
 - K. Authorize purchase of furniture from Work Place Solutions in an amount not to exceed \$58,292.99 for Recreation Center Expansion. (Purchasing Agent Dawn Berry)
 - L. Authorize 2016-76 Material Testing & Geotechnical Services Award to Alliance Geotechnical Group and D&S Engineering Labs. Purchasing Agent Dawn Berry)
 - M. Approve Resolution No. 05161706 a Resolution of the Town Council of the Town of Little Elm, Texas, approving Local Transportation Project Advance Funding with the State of Texas for construction of illumination of Oak Grove Parkway (FM 720) from Eldorado Parkway to Cottonwood Trail and authorizing the Town Manager to execute such agreement for the Town. (Town Engineer Kimberly Brawner)
 - N. Approve License and Maintenance Agreement between the Town of Little Elm and Sunset Pointe HOA for certain Town-owned properties. (Parks Director Chad Hyde)
8. Continue Public Hearing to consider proposed assessments to be levied against property within the Hillstone Pointe Public Improvement District No. 2 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 Comments:

B. Continue Public Hearing:

C. Receive Public Comments:

D. Continue Public Hearing:

9. Public Hearing on the request for a Specific Use Permit for a temporary concrete batch plant on approximately 1.25 acres of land situated in the T. Rodrigues Survey, Abstract No. 1068 and the A. Cooper Survey, Abstract No. 250, Denton County, Texas generally located on the north side of Rockhill Parkway approximately one mile south of Doe Creek Road, within the town limits of Little Elm, Texas. All interested citizens are welcome to attend the hearing and participate in same. (Director of Development Services Jason Laumer)

A. Staff Comments:

B. Open Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Resolution No. 05161702 a Resolution by the Town of Little Elm allowing for a temporary Concrete Batch Plant on approximately 1.03 acres of land, currently zoned Single Family (PD-SF), generally located north side of Rockhill Parkway approximately one mile south of Doe Creek Road, Little Elm, Denton County, Texas; providing an effective date.

10. Continue Public Hearing on the request for a Special Use Permit for automated car wash on approximately 1.287 acres of land currently zoning Planned Development-Light Commercial (PD-LC), generally located on the west side of Hart Road, approximately 200 feet north of Eldorado Parkway. All interested citizen are welcome to attend the hearing and participate in same. (Director of Development Services Jason Laumer)

A. Staff Report:

B. Continue Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Ordinance No. 1388 an Ordinance of the Town of Little, Texas, amending the Comprehensive Zoning Ordinances of the Town of Little Elm, Texas, herefore amended, by issuing a Specific Use Permit for Automated Car Wash Use on approximately 1.287 acres of land currently zoned Planned Development-Light Commercial (PD-LC), generally located on the west side of Hart Road and approximately 200 feet north of Eldorado Parkway , 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.

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

A. Discussion and Action to adopt Ordinance No. 1392 an Ordinance of the Town Council of the Town of Little Elm, Texas, approving the Final Reinvestment Zone Project Plan and Financing Plan for Reinvestment Zone Number Six, Town of Little Elm, Texas; providing a severability clause; and providing an effective date. (Director of Development Services Jason Laumer)

B. Discussion and Action to approve Resolution No. 05161703 a Resolution of the Town of Little Elm, Texas determining the costs of Phase #2 improvements to be financed by the Valencia Public Improvements District; approving an amended Service Plan and Assessment Plan, including proposed Assessment Roll for Phase #2 of the Valencia Public Improvement District; calling a meeting and noticing a Public Hearing for June 6, 2017 to consider an Ordinance Levying Assessments on Property located within Phase #2 of the Valencia Public Improvement District; directing the filing of the proposed assessment roll with the Town Secretary to make available for public inspection; directing Town Staff to publish and mail notice of said public hearing; and resolving other matters incident and related thereto. (Director of Development Services Jason Laumer)

C. Discussion and Action to adopt Ordinance No. 1393 an Ordinance of the Town Council of the Town of Little Elm, Texas, approving a negotiated settlement

between the ATMOS Cities Steering Committee (“ACSC”) and ATMOS Energy Corp., Mid-Tex Division regarding the Company’s 2017 Rate Review Mechanism Filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the settlement tariffs to be just and reasonable and in the public interest; requiring reconciliation and rate adjustments if Federal Income Tax Rates Change; terminating the RRM process for 2018 pending renegotiation of RRM Terms and Conditions; requiring the Company to reimburse ACSC’s reasonable ratemaking expenses; determining the this Ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a saving clause; declaring an effective date; and requiring delivery of this Ordinance to the Company and the ACSC’s legal counsel. (Deputy Town Manager Doug Peach)

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

- A. Town Secretary Monthly Report for April 2017.
- B. Development Services Monthly Report for April 2017.
- C. Public Works Monthly Report for April 2017.
- D. Police Department Monthly Reports for April 2017.
- E. Fire Department Monthly Reports for April 2017.
- F. Parks, Recreation and Library Monthly Reports for April 2017.

13. 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.

14. 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.

15. 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 12th day of May 2017.