

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, November 19, 2019 - 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. Pledge to Flags:
 - C. Items to be withdrawn from Consent Agenda.
 - D. Emergency Items if posted.
 - E. Request by the Town Council for items to be placed on a future agenda for discussion, and recognition of excused absences.
 - 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. Presentations:

A. Recognition of Town Employee(s) accomplishments.

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. Each member of the public who desires to address the Town Council regarding an item on an agenda for an open meeting of the Town Council shall have the right to address the Town Council on the item before the Town Council's consideration of the item. All speakers not requiring a translator are given 3 minutes to speak and may address the Council only once on each agenda item. Non-English Speakers who require a translator are given 6 minutes to speak and may address the Council only once on each agenda item. 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 551.042, 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 November 5, 2019 Workshop and Regular Meeting. (Town Secretary Kathy Phillips)

B. Minutes of the November 5, 2019 Special Meeting. (Town Secretary Kathy Phillips)

C. Accept Quarterly Investment Report for period ending September 30, 2019. (Assistant Financial Officer Dianne Lawson)

D. Accept Quarterly Budget Report for period ending September 30, 2019. (Assistant Financial Officer Dianne Lawson)

E. Authorization to purchase a Pierce Custom Velocity Aerial, Platform 100' from Siddons Martin Emergency Group, LLC in the amount of \$1,114,632.89. (Purchasing Manager Rebecca Hunter)

F. Approve Interlocal Agreement between the Town of Little Elm and Highway 380 Municipal Management District No 1 regarding the installation and maintenance of

landscaping improvements within the TxDot right-of-way. (Town Engineer Wesley Brandon)

- G. Approve Post-Closing Development and Escrow Agreement between the Town of Little Elm, H4 Little Elm, LP (Hillwood), and Cross Development; and authorize the Town Manager to execute said agreement and allow minor amendments with regard to property area and final estimated cost of the proposed improvements. (Town Engineer Wesley Brandon)
 - H. Approve Resolution No. 11191903 a Resolution of the Town Council of the Town of Little Elm, Texas, consenting to the addition of a certain area into Mustang Special Utility District's CCN No. 11856; and providing an effective date thereof. (Deputy Town Manager Doug Peach)
 - I. Adopt Ordinance No. 1523 an Ordinance of the Town of Little Elm, Texas, adopting New Personnel Policies and repealing all prior Ordinances, Resolutions, and Council actions related to same; and providing an effective date. (Assistant to the Town Manager Caitlan Biggs)
 - J. Approval of Chapter 380 Grant Agreement between the Town of Little Elm, Texas and Bloomfield Homes, L.P. (EDC Executive Director Jennette Espinosa)
 - K. Approve an order of the Town Council of the Town of Little Elm, Texas, with finding of fact, declaring the building located at 3572 Pinnacle Bay Pointe, Sunrise Bay at Lake Lewisville, Block 1, Lot 179, a dangerous and substandard structure as defined in Section 22.56 of the Little Elm Code of Ordinances. (Building Manager Kevin Robinson/Director of Development Services Fred Gibbs)
6. Continue Public Hearing on request to rezone approximately 7.22 acres of land from Light Commercial (LC) to Planned Development –Light Commercial (PD-LC), generally located on the west side of FM 423, approximately 155 feet south of Woodlake Parkway, within Little Elm's town limits. (Director of Development Services Fred Gibbs/Town Planner Skye Thibodeaux)
- A. Staff Report:
 - B. Continue Public Hearing:
 - C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Ordinance No. 1526 an Ordinance of the Town of Little Elm, Texas amending the Comprehensive Zoning Map of the Town of Little Elm, Texas, herefore amended, by rezoning approximately 7.22 acres of land from Light Commercial to Planned Development-Light Commercial (PD-LC) to allow for retail, office, and commercial services with modified development standards, generally located on the west side of FM 423, approximately 155 feet south of Woodlake Parkway; correcting the official zoning map; providing a savings clause; providing a severability clause; providing a penalty; and providing for an effective date.

F. Discussion and Action to approve the Development Agreement for Little Elm Courts between the Town of Little Elm and KM 423 Partners, LP and authorize the Town Manager to execute agreement for the same subject to the Planned Development Ordinance being approved.

7. Public Hearing on a request to rezone approximately 19.974 acres of land from Light Commercial (CL) to Planned Development-Single Family 4 (PD-SF4) to allow for a residential subdivision with modified development standards, generally located on the south side of King Road, approximately 501 feet east of Witt Road, with the Little Elm town limits.

A. Staff Report:

B. Open Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Ordinance No. 1529 an Ordinance of the Town of Little Elm, Texas amending the Comprehensive Zoning Map of the Town of Little Elm, Texas, herefore amended, by rezoning approximately 19.974 acres of land from Light Commercial (CL) to Planned Development-Single Family 4 (PD-SF4) to allow for residential subdivision with modified development standards, generally located on the south side of King Road, approximately 501 feet east of Witt Road; correcting the official zoning map; providing a savings clause; providing a severability clause; providing a penalty; and providing for an effective date.

F. Discussion and Action to approve the Developers Agreement for Kings Court between the Town of Little Elm and Dickerson Development, Inc. and authorize the Town Manager to execute agreement for same subject to Planned Development Ordinance being approved.

8. Public Hearing on request to amend the ASCO Planned Development (Planned Development Ordinance No. 1242), zoned Planned Development-Light Industrial/380 Overlay District on approximately 16.623 acres of land, generally located at the southwest corner of US Highway 380 and FM 1385, within Little Elm town limits.

A. Staff Report:

B. Open Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Ordinance No. 1530 an Ordinance of the Town of Little Elm, Texas, amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, herefore amended, by amending Planned Development Light Industrial District with 380 Overlay (PD-LI-380 Ordinance No. 1242) on approximately 16.6 acres of land to allow for heavy equipment sales and leasing with modified standards, generally located at the southwest corner of University Drive and F.M. 1385; 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.

9. Public Hearing to discussion proposed revisions to various section of the Town's Subdivision Ordinance.

A. Staff Report:

B. Open Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

- E. Discussion and Action to adopt Ordinance No. 1531 an Ordinance of the Town of Little Elm, Texas amending Chapter 107, "Subdivision", of the Town's Code of Ordinances through textural changes to various section of the Subdivision Ordinance; providing a penalty, providing a severability clause; providing a repealer clause; and providing an effective date.
10. A Public Hearing will be held by Town Council of the Town of Little Elm, Texas, on Tuesday, November 19, 2019, at 6:00 PM to (1) establish guidelines and criteria for the Tax Abatement Reinvestment Program, (2) create and adopt an ordinance to establish the Tax Abatement Reinvestment Zone 4, (3) discuss and act on a proposed Tax Abatement Agreement by and between Associated Supply Company, Inc. (applicant) and the Town of Little Elm. The applicant for said tax abatement agreement is Cuyler Lawrence of Associated Supply Company, Inc. Said tax abatement reinvestment zone is Tax Abatement Reinvestment Zone Number Four generally located on an approximately 14.172-acre tract or tracts of land in the Jose Gonzales Survey, Abstract No. 447, Town of Little Elm, Denton County, Texas, and located at 27500 E. University Drive, Aubrey, Texas, and owned by Texaplex Properties, LLC. The applicant will construct or cause to be constructed approximately 48,000 square foot retail building for an estimated cost of \$2,225,000 of Personal Property Improvements and \$10,750,000 of Real Property Improvements. All interested citizens are welcome to attend the hearings and participate in same. The public hearing will be held at Town Hall located at 100 West Eldorado Parkway. For information, please call the Town of Little Elm, Town Secretary at (214) 975-0404. (EDC Executive Director Jennette Espinosa)
- A. Staff report:
- B. Open Public Hearing.
- C. Receive Public Comments:
- D. Close Public Hearing.
- E. Discussion and Action to adopt Resolution No. 11191901 a Resolution of the Town Council of the Town of Little Elm, Texas, adopting Tax Abatement Guidelines and Criteria; providing a severability clause; and providing for an immediate effective date and authorizing the Town Mayor to execute for the same.
- F. Discussion and Action to adopt Ordinance No. 1522 an Ordinance of the Town Council of the Town of Little Elm, Texas, designating a certain area as Tax Abatement Reinvestment Zone No. 4, for Commercial-Industrial Tax Abatement, within the Town of Little Elm, Denton County, Texas; establishing the boundaries thereof and other matters relating thereto; providing a severability clause; providing

a repealer clause; and providing for an immediate effective date.

G. Discussion and Action to adopt Resolution No. 11191902 approving a Tax Abatement Agreement by and between the Town of Little Elm, Texas, and Texaplex Properties, LLC, a Texas limited liability company. The said applicant for said tax abatement agreement is Cuyler Lawrence of Associated Supply Company, Inc. Said tax abatement reinvestment zone is Tax Abatement Reinvestment Zone Number Four generally located on an approximately 14.172 –acre tract or tracts of land in the Jose Gonzales Survey, Abstract No 447, Town of Little Elm, Denton County, Texas, and located at 27500 E. University Drive, Aubrey, Texas, and owned by Texaplex Properties, LLC. The applicant will construct or cause to be constructed approximately 48,000 square foot retail building for an estimated cost of \$2,225,000 of Personal Property Improvements and \$10,750,000 of Real Property Improvements.

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

A. Discussion and Action to approve the 2nd Amended and Restated Chapter 380 Economic Development Program and Agreement between the Town of Little Elm and Associated Supply Company, Inc. and authorize the Town Mayor to execute agreement for the same. (EDC Executive Director Jennette Espinosa)

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

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B. Section 551.072 to discuss certain matters regarding real property.

C. Section 551.076 to discuss security matters.

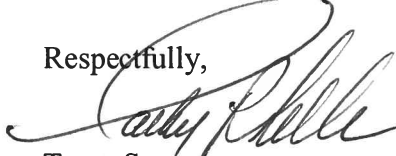
D. Section 551.087 to discuss Economic Development.

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,



Cathy Phille

Town Secretary

This is to certify that the above notice was posted on the bulletin board at the Town Hall Center this 14th day of November 2019.