

**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, February 18, 2020 - 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: Pastor Melissa Hatch - Button Memorial United Methodist Church.
 - 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 - C. Items to be withdrawn from Consent Agenda.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 January 28, 2020 Workshop/Special Meeting. (Town Secretary Kathy Phillips)

B. Minutes of the February 4, 2020 Workshop, Public Hearing and Regular Meeting. (Town Secretary)

C. Approval of Change Order #8 and Final Acceptance of the Wastewater Treatment Plant Expansion Project, and authorization for staff to release \$390,364.36 in retainage funds, and the remaining \$100,000 when the remaining punch-list items are completed by contractor. (Town Engineer Wesley Brandon)

6. Continue Public Hearing: Notice is hereby given that the Town Council of the Town of Little Elm, Texas (the "Town"), pursuant to Chapter 311.003 Texas Tax Code, as amended, (the "Act") will hold a public hearing at 6:00 p.m. on February 4, 2020, in the Little Elm Town Hall Center, 100 W. Eldorado Parkway, Little Elm Texas 75068, for the purpose of considering an amendment to the Creation Ordinance of Tax Increment Zone Number Five, and an amendment to the Final Project and Financing Plan for Tax Increment Zone Number Five, Little Elm, Texas. All persons are invited to attend the

hearing will be given the opportunity to appear and be heard at such public hearing. Written and oral statement will be considered. (EDC Executive Director Jennette Espinosa)

A. Staff Report:

B. Continue Public Hearing.

C. Receive Public Comments:

D. Close Public Hearing:

7. Public Hearing on request to amend the Lowes Addition Planned Development (Planned Development Ordinances No's. 642 & 662), generally located at the northwest corner of FM 423 and Eldorado Parkway, within Little Elm's town limits. (Director of Development Services Fred Gibbs)

A. Staff Report:

B. Open Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Ordinance No. 1540 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 the Lowe's Planned Development, currently zoned Planned Development-Heavy Commercial (existing Ordinances 642 & 662), on approximately 22.163 acres of land, generally located at the northwest corner of FM 423 and Eldorado Parkway; correcting the official zoning map; providing a saving clause; providing a severability clause; providing a penalty; and providing for an effective date.

8. Public Hearing to consider a request to rezone approximately 1.18 acres of land from Light Commercial (LC)/380 Overlay to Planned Development-Light Commercial (PD/LC)/380 Overlay District to allow for the use of a restaurant with modified development standards, generally located on the south side of US Highway 380, approximately 481 feet east of S. Paloma Creek Boulevard, within Little Elm's

town limits. (Director of Development Services Fred Gibbs)

A. Staff Report:

B. Open Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Ordinance No. 1541 an Ordinance of the Town of Little Elm, Texas amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, herefore amended, by rezoning approximately 1.18 acres of land from Light Commercial to Planned Development-Light Commercial (PD-LC), to allow for a restaurant with modified development standards, generally located on the south side of US 380, approximately 481 feet east of S. Paloma Creek Boulevard; correcting the official zoning map; providing a saving clause; providing a severability clause; providing a penalty; and providing for an effective date.

F. Discussion and Action to approve the Development Agreement for the Braum's Development between the Town of Little Elm and Retail Buildings, Inc. and authorize the Town Manager to execute agreement for the same subject to the Planned Development being approved.

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

A. Discussion and Action on receipt and acceptance of the Town's Independent Audit Report and the Comprehensive Annual Financial Statements for the fiscal year ended September 30, 2019. (Chief Financial Officer Kelly Wilson)

B. Presentation of the Town's "Financial Highlights Report" for the Fiscal Year ended September 30, 2019. (Chief Financial Officer Kelly Wilson)

C. Discussion and Action to authorize the Town's Financial Advisor to proceed with the issuance and sale of the "Town of Little Elm, General Obligation Refunding Bonds, Series 2020" if certain rates savings are achieved. (Chief Financial Officer Kelly Wilson)

D. Discussion and Action to appoint Town Council Member to the Planning and Zoning

Commission to serve as council liaison. (Council)

E. Discussion and Action to accept Certificate of Unopposed Candidates for Town Council. (Town Secretary Kathy Phillips)

F. Discussion and Action to adopt Ordinance No. 1545 an Ordinance of the Town of Little Elm Texas, canceling the May 2, 2020, General Election and Declaring the Unopposed Candidates Elected to Office; providing for incorporation of premises; providing a cumulative repealer clause; providing a severability clause; providing for engrossment and enrollment; providing for publication in the official newspaper; and providing an effective date. (Town Secretary Kathy Phillips)

10. 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.

11. 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.

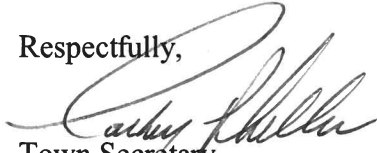
D. Section 551.087 to discuss Economic Development.

12. 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,



Cathy Kille
Town Secretary

This is to certify that the above notice was posted on the bulletin board at the Town Hall Center this 13th day of February 2020.