

Notice Regarding Public Participation and Town Council/Town Staff Attendance

Due to the COVID-19 (coronavirus) public health emergency, and in an effort to reduce in-person meetings that assemble large groups of people, Governor Greg Abbott has granted a temporary suspension of certain rules to allow for (1) town council members and town employees to participate in a town council meeting via videoconference call or other remote electronic means without a physical quorum of council members being present at the site of the meeting; and (2) the use of videoconferencing and other remote means to allow the public to observe the meeting and, when required, to participate in the public meeting.

In an effort to reduce the spread of the virus, for the August 4, 2020, Town Council meeting, individuals will be able to address the Council on any topic through submission of the web form below. Forms received will be recorded into the record and be given to the Town Council.

To access the videoconference online, follow these instructions:

- To join the Zoom meeting, click <https://zoom.us/j/92513508078>.
- To view the live stream meeting, click <https://www.littleelm.org/1258/Agendas-Minutes-Videos>

Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a public hearing item, they may register at the following link:

<https://www.littleelm.org/FormCenter/Administration-5/LE-Town-Council-Presentation-and-Announc-87>

Individuals who wish to speak to Town Council directly must register prior to the meeting. Please include in the comment box that you will be logging onto the meeting through the Zoom link above to speak to Town Council. If you have any questions, please email cbiggs@littleelm.org.

Individuals wishing to speak on a non-public hearing item, they may address the Council by submitting the online form at the following link:

<https://www.littleelm.org/FormCenter/Administration-5/LE-Town-Council-Presentation-and-Announc-87>.

Note: A physical quorum of the Town Council may not be present during the meeting as some Council Members may choose to participate in the meeting remotely as permitted by Governor Abbott's suspension of various statutes that may be interpreted to require face-to-face interaction between members of the public and public officials.

**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, August 4, 2020 - 6:00 PM
Town Hall Center---Council Chamber---100 W Eldorado Parkway**

1. NOTICE REGARDING PUBLIC PARTICIPATION AND TOWN COUNCIL/TOWN STAFF ATTENDANCE.

2. 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. 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.

 - F. Council to highlight items on the agenda needing further discussion or comments prior to the regular session.

3. Roll Call/Call to Order Regular Town Council Immediately Following Council

Workshop.

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 July 21, 2020 Workshop and Regular Meeting. (Town Secretary Kathy Phillips)

 - B. Approve Quarterly Investment Report ending June 30, 2020. (Chief Financial Officer Kelly Wilson)

 - C. Approve Quarterly Budget Report ending June 30, 2020. (Chief Financial Officer Kelly Wilson)

 - D. Town Staff recommends Town Council ratify the real estate contract for the purchase of 615 Lakefront Drive, Little Elm TXA0577 R. Hensworth Tr 15 (2.358 acres) Tr 16 (2.933 acres) and authorize the Town Manager to expend funds for the purchase and execute all necessary documents for the closing of the property. (Deputy Town Manager Doug Peach)

 - E. Approve Agreement for Lease of Town Facilities between the Town of Little Elm and the Little Elm Area Food Bank. (Deputy Town Manager Doug Peach)

 - F. Approve Ordinance No. 1561 an Ordinance of the Town Council of the Town of Little Elm, Texas, amending the Little Elm Code of Ordinances, by repealing Section 26-278, "Bond"; providing a severability clause; and providing for an

immediate effective date. (Director of Development Services Fred Gibbs)

G. Approve the initiation of the Bond Process related to “Spiritas” Phase One and MI PID Bond Issuances with the goal of closing funds prior to December 15, 2020. (Executive Director of EDC Jennette Espinosa)

6. Public Hearing on request to amend the Union Park Planned Development on approximately 549.00 acres of land, generally located on the north side of U.S. Highway 380 and east of Navo Road, within Little Elm’s town limits. (Director of Development Services Fred Gibbs) (Town Planner Skye Thibodeaux)

A. Staff Report:

B. Open Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Ordinance No. 1559 an Ordinance of the Town of Little Elm Texas, consolidating Ordinance No. 1188, Ordinance No. 1329, Ordinance No. 1361; amending Ordinance No. 1188, Ordinance No. 1329, Ordinance No. 1361, and Ordinance No. 1490 to modify the Development Standards and Exhibits for an approximately 430-acre portion of PD -005 (The Union Park Planned Development District) owned by H4 Little Elm, LP, UPH4 West, LP, Union Park Phase 2, LP, and Union Park Phase 2BCD, LP; providing a savings clause; providing a penalty; providing a severability clause; providing a repealer clause and providing an effective date.

7. Public Hearing on request for a specific use permit on approximately 0.08 acres of land to allow for the use of a stealth monopole communications tower, generally located on the south side of Eldorado Parkway approximately 710 feet east of Hart Road, within Little Elm’s town limits. (Director of Development Services Fred Gibbs) (Town Planner Skye Thibodeaux)

A. Staff Report:

B. Open Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Ordinance No. 1558 an Ordinance of the Town of Little Elm, Texas, amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, herefore amended, by issuing a Specific Use Permit for a Communication Tower approximately 0.08 area of land currently zoned Light Commercial (LC), generally located on the south side of Eldorado Parkway approximately 710 feet east of Hart Road, providing that this Specific Use Permit is established subject to certain conditions as set forth herein; providing a saving clause; correcting the official zoning map; providing a penalty; providing a severability clause; providing a repealer clause; and providing an effective date.

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

A. Discussion and Action to waive of all fees associated with the review, building permit, and building inspection, for an estimated total of \$6,060.05 for the construction of the Building Homes for Hero's project home being built by Highland Homes at 1016 Parkstone in Union Park. (Director of Development Services Fred Gibbs)

B. Discuss and accept the Town Manager's proposed budget of Programs and Services for the Fiscal year 2020-2021. (Town Manager Matt Mueller)

9. Council will convene in Executive Session pursuant to Texas Government Code:

A. Executive Session with Town Attorney under Texas Government Code Section 551.071 (Consultation with Attorney) to discuss the COVID-19 pandemic and municipal authority to respond to the COVID-19 outbreak.

B. 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.

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

D. Section 551.076 to discuss security matters.

- E. Section 551.087 to discuss Economic Development.
10. Reconvene into Open Session: Discussion and consideration to take any action necessary as the result of the Executive Session.
- A. Reconvene into open session to discuss and take action, if deemed appropriate, on the COVID-19 pandemic and the Town's response thereto, including the consideration of an emergency declaration ordinance.
 - B. 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.
 - C. Section 551.072 to discuss certain matters regarding real property.
 - D. Section 551.076 to discuss security matters.
 - E. Section 551.087 to discuss Economic Development.
11. 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 30th day of July 2020.