WORKSHOP & REGULAR MEETING
OF THE TOWN COUNCIL

Tuesday, July 20, 2021
6:00 PM
Little Elm Town Hall
100 W Eldorado Parkway, Little Elm, TX 75068

1. Call to Order Council Workshop 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   C. Items to be Withdrawn from Consent Agenda.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.
   G. Town Council to Highlight Items on the Agenda Needing Further Discussion or Comments Prior to the Regular Session.

2. Workshop.
   A. Present and Discuss an Update on Residential Speed Limit Signs and Speed Bumps.

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

4. Presentations.
   A. Present a Proclamation to Recognize June 15, 2021, as Rare Blount’s Disease Awareness Day.
B. Presentation of Military Banner to Specialist Ryan Taylor Agan, United States Army Soldier.

5. 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.

6. 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. Consider Action to Approve the Minutes from the July 6, 2021, Regular Town Council Meeting.

   B. Consider Action to Approve the Minutes from the July 9, 2021, Special Town Council Workshop.

   C. Consider Action to Approve an Interlocal Agreement between the Town of Little Elm and Denton County for Tax Collections for a Term of One (1) Year beginning October 1, 2021, through September 30, 2022, with an Automatic Renewal of an Additional One (1) Year Term at the Discretion of the County and the Town.

   D. Consider Action to Approve Ordinance No. 1621 Amending Various Sections within Chapter 46 of the Code of Ordinances.

7. Public Hearings.

   A. Continue a Public Hearing, Present, Discuss, and Consider Action on the Withdrawal Request to Rezone Approximately 4.4 acres of Land from Lakefront (LF) w/ Specific Use Permit for Child Care Center to Planned Development-Lakefront (PD-LF) to Allow for the Use of Mixed-Use and Commercial with Modified Development Standards, Generally Located at the Southwest Corner of Eldorado Parkway and Hillside Drive, within Little Elm’s Town Limits.

      Public Hearing Continued:
      Receive Public Comments:
      Close Public Hearing:
      Take Action on Withdrawal Request:

8. Reports and Requests for Town Council Consideration.

9. Convene in Executive Session pursuant to Texas Government Code:

   • Section 551.071 for private consultation with the Town Attorney to discuss the COVID-19 pandemic and municipal authority to respond to the COVID-19 outbreak and 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.

   • Section 551.072 to discuss certain matters regarding real property.
• Section 551.074 of the Texas Government Code to discuss and deliberate personal matters to evaluate performance duties, of a public officer or employee(s).
• Section 551.076 to discuss security matters.
• 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:

• COVID-19 Pandemic and the Town’s response thereto, including the consideration of an emergency declaration ordinance.
• Section 551.071 for private consultation with the Town Attorney to discuss the COVID-19 pandemic and municipal authority to respond to the COVID-19 outbreak and 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.
• Section 551.072 to discuss certain matters regarding real property.
• Section 551.074 of the Texas Government Code to discuss and deliberate personal matters to evaluate performance duties, of a public officer or employee(s).
• Section 551.076 to discuss security matters.
• Section 551.087 to discuss Economic Development.

11. **Adjourn.**

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 214-975-0452 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 Town’s website this 15th day of July 2021 before 5:00 p.m.
AGENDA ITEM 2.A.

Date: 07/20/2021
Agenda Item #: 2.A.
Department: Administrative Services
Strategic Goal: Provide a safe and welcoming environment for Little Elm residents and visitors
Staff Contact: Doug Peach, Deputy Town Manager

AGENDA ITEM:
Present and Discuss an **Update on Residential Speed Limit Signs and Speed Bumps.**

DESCRIPTION:
Deputy Town Manager Doug Peach and Police Chief Rodney Harrison will give an update to the Town Council regarding residential speed limit signs and speed bumps.

BUDGET IMPACT:
There is no budget impact for this item.

RECOMMENDED ACTION:
Information only, no action required.
Date: 07/20/2021
Agenda Item #: 4.A.
Department: Administrative Services
Strategic Goal: Ensure strong relationship within the community and region
Staff Contact: Caitlan Biggs, Director of Administrative Services/Town Secretary

AGENDA ITEM:
Present a Proclamation to Recognize June 15, 2021, as Rare Blount's Disease Awareness Day.

DESCRIPTION:
This proclamation provides an opportunity to increase awareness about Blount's Disease.

BUDGET IMPACT:
There is no budget impact for this item.

RECOMMENDED ACTION:
Staff recommends approval.

Attachments
Proclamation - Rare Blount's Disease
AGENDA ITEM:
Presentation of Military Banner to Specialist Ryan Taylor Agan, United States Army Soldier.

DESCRIPTION:
On July 3, 2017, Ryan Taylor Agan reported to Fort Sill, OK, for Basic Combat Training followed by Advanced Individual Training in 13 Bravo, Cannon Crewmember. After graduation from both, he reported to Fort Polk, LA, where he has been stationed since November 2017. He did serve one tour of duty for 5 months on the Texas Border to assist the Border Patrol.

It is with great honor to announce that Specialist Ryan Taylor Agan, United States Army Soldier, completed his 3-year commitment on November 5, 2020, and will be serving in the Reserves for the next 5 years while attending college.

BUDGET IMPACT:
There is no budget impact for this item.

RECOMMENDED ACTION:
N/A
Date: 07/20/2021
Agenda Item #: 6.A.
Department: Administrative Services
Strategic Goal: Maintain operational integrity and viability
Staff Contact: Caitlan Biggs, Director of Administrative Services/Town Secretary

AGENDA ITEM:
Consider Action to Approve the Minutes from the July 6, 2021, Regular Town Council Meeting.

DESCRIPTION:
The minutes from the regular Town Council meeting on July 6, 2021, are attached for approval.

BUDGET IMPACT:
There is no budget impact for this item.

RECOMMENDED ACTION:
Staff recommends approval.

Attachments
Minutes - July 6, 2021
Date: 07/20/2021
Agenda Item #: 6.B.
Department: Administrative Services
Strategic Goal: Maintain operational integrity and viability
Staff Contact: Caitlan Biggs, Director of Administrative Services/Town Secretary

AGENDA ITEM:
Consider Action to Approve the Minutes from the July 9, 2021, Special Town Council Workshop.

DESCRIPTION:
The minutes from the special Town Council workshop on July 9, 2021, are attached for approval.

BUDGET IMPACT:
There is no budget impact for this item.

RECOMMENDED ACTION:
Staff recommends approval.

Attachments
Minutes - July 9, 2021
AGENDA ITEM:
Consider Action to Approve an Interlocal Agreement between the Town of Little Elm and Denton County for Tax Collections for a Term of One (1) Year beginning October 1, 2021, through September 30, 2022, with an Automatic Renewal of an Additional One (1) Year Term at the Discretion of the County and the Town.

DESCRIPTION:
In 2015, the Town signed its first multi-year Interlocal Agreement with the County for tax billing and collections. Due to several legislative changes, the County is updating the Interlocal Collection Agreement accordingly. This agreement will supersede the agreement signed in 2015.

Denton County provides tax collection services in a very professional and efficient manner. The Town has not had any issues in regard to collections, reporting, and receipts of Town funds. The Town’s tax collection rate on its current levy is 98.37% as of June 30th. The Tax Office’s tax service is at a price per parcel of $1.00. Statements are mailed in October each year and late notices are mailed after February each year.

The agreement will renew automatically unless terminated by either party.

BUDGET IMPACT:
Finance budgets this every year in the General Fund’s Finance Department’s operating budget.

RECOMMENDED ACTION:
Staff recommends approval.

Attachments
Interlocal Cooperative Agreement for Property Tax Assessment and Collection between Denton County, Texas and Town of Little Elm, Texas.
Date: 07/20/2021
Agenda Item #: 6.D.
Department: Development Services
Strategic Goal: Promote and expand Little Elm’s identity
Staff Contact: Fred Gibbs, Director of Development Services

AGENDA ITEM:
Consider Action to Approve Ordinance No. 1621 Amending Various Sections within Chapter 46 of the Code of Ordinances.

DESCRIPTION:
The purpose of this proposed ordinance amendment is to clarify and centralize existing tree maintenance language that is currently spread throughout the Town’s Code of Ordinances. It will allow staff to better communicate to property owners the minimum required clearances over and along sidewalks, streets, fire hydrants, street signs, and street lights, in regards to vegetative growth.

Most clearances are already in the Town’s code of ordinances, but they’re scattered throughout the zoning ordinance, fire code, and environmental nuisance sections. Additionally, some of the language is outdated and ambiguous.

The minimum clearances listed below have been established and suggested by the following organizations: the International Fire Code; Texas Department of Transportation (TXDOT); The National Arbor Day Foundation; and the International Society of Arboriculture.

Some of the factors/reasons for maintaining vegetative clearances are:

- Ensures fire trucks, ambulances, school buses, and garbage trucks are able to navigate streets and operate safely
- Vegetative obstructions can delay emergency response time—street sign, hydrant, and address obstructions
- Untrimmed trees can damage large vehicles
- Ensures sidewalks are free and clear for pedestrians

Text amendments to the various sections of Chapter 46 are as follows:

Chapter 46 - ENVIRONMENT
ARTICLE V. - PUBLIC TREES - TREES AND OTHER VEGETATIVE GROWTH

Sec. 46-141. - Tree care.

There is hereby created and established a tree care program to provide full power and authority over the care of all trees, plants, and shrubs located within and adjacent to public rights-of-way, parks, and public places; and to aid in the proper growth of a landscape program to enhance the beauty of the town.

Sec. 46-142. - Maintenance responsibility.

(b) Every owner of any tree or shrub overhanging any street or right-of-way within the town shall, in accordance to industry pruning guidelines, prune the branches so that such branches shall not severely obstruct the light from any street lamp or obstruct the view of any street intersection; will not obstruct the passage of pedestrians on sidewalks; will not obstruct vision of traffic signs; and will not obstruct the view of any street or alley intersection. If the property owner fails to do so, the development services director and/or his designee shall give ten days' notice to the property owners to take action, otherwise the development services director shall have the right to remove or prune any tree or shrub on private property which threatens the safety of those who may use a town street or town street or town park. A fee shall be assessed for this service on an hourly basis. Fees will be based on the current hourly wages of town maintenance workers:

It shall be the duty of an owner of property within the town to keep the area from the property line of the owner's property to the curb line adjacent to it or if there is no curb line, then to the centerline of any adjacent unpaved street or the edge of the pavement of such street free of vegetative growth obstructions. The owner shall maintain trees, shrubs, or any vegetative growth within, next to, along or overhanging any public right-of-way, sidewalk, driveway, fire lane, parking lot, or access easement to:

(1) Ensure a minimum vertical clearance of fourteen (14) feet over any street, driveway, parking lot, fire lane, or access easement, starting at the curb line. If there is no curb line, then at the beginning of the pavement.
(2) Ensure a minimum vertical clearance of eight (8) feet over the entire width of any sidewalk.
(3) Ensure a minimum clearance of three (3) feet on all sides of any street lamp, traffic sign, or fire hydrant.

(c) If property within the town is in violation of this article, the town's Community Integrity Department shall give notice and, if necessary, abate the violation in accordance with section 46-25. Any unabated violations, and expenses incurred by the town, shall be enforced in accordance with Sections 46-27 – 46-29.

BUDGET IMPACT:
There is no budget impact for this item.

RECOMMENDED ACTION:
Staff recommends approval.

Ordinance No. 1621

Attachments

https://destinyhosted.com/print_all.cfm?seq=357&reloaded=true&id=54885
Date: 07/20/2021
Agenda Item #: 7.A.
Department: Administrative Services
Strategic Goal: Promote and expand Little Elm’s identity
Staff Contact: Fred Gibbs, Director of Development Services

AGENDA ITEM:
Continue a Public Hearing, Present, Discuss, and Consider Action on the Withdrawal Request to Rezone Approximately 4.4 acres of Land from Lakefront (LF) w/ Specific Use Permit for Child Care Center to Planned Development-Lakefront (PD-LF) to Allow for the Use of Mixed-Use and Commercial with Modified Development Standards, Generally Located at the Southwest Corner of Eldorado Parkway and Hillside Drive, within Little Elm’s Town Limits.

Public Hearing Continued:
Receive Public Comments:
Close Public Hearing:
Take Action on Withdrawal Request:

DESCRIPTION:
At the May 18, 2021 meeting, Town Council gave staff direction to table this public hearing until staff was comfortable moving forward with the planned development.

On July 8, 2021, the applicant emailed staff and withdrew this request.

BUDGET IMPACT:
There is no budget impact for this item.

RECOMMENDED ACTION:
Staff recommends acceptance of withdrawal.