

**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, December 17, 2013 - 6:00 PM**  
**Town Hall Center---Conference Room & Council Chamber---100 W Eldorado Parkway**

1. Call to Order Council Work Shop at 6:00 p.m.
  - A. Items to be withdrawn from Consent Agenda.
  - B. Emergency Items if posted.
  - C. Request by the Town Council for items to be placed on a future agenda for discussion, and recognition of excused absences.
  - D. Discussion of Little Elm Park Project.
  - 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.
2. Roll Call/Call to Order Regular Town Council Immediately Following Council Workshop.
3. Opening Prayer: Pastor James Hutchins-New Life Community Church.

4. 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.

5. Presentations: Certificate of Achievement for Excellence in Financial Reporting Program (CAFR) through the National Governmental Finance Officers Association. This is the 3rd year in a row for this recognition to the Little Elm Finance Department.

6. Continue Public Hearing to consider proposed assessment to be levied against the assessable property within the Valencia of the Lake Public Improvement District No. 1 (the "District") pursuant to the provisions of Chapter 372 of the Texas Local Government Code, as amended (the "Act"). The general nature of the proposed improvements authorized by the Act to be undertaken and financed for the benefit of the property within the District (the "Authorized Improvements") include, but are not limited to, landscaping, entryway features, water, wastewater, sidewalks, streets, roadways, off-street parking, draining system, trails, parks and open space. The proposed Authorized Improvement to be under taken at this time (the "2014 Improvements") include sanitary sewer improvements, storm drainage improvements, road improvements, and water improvements. The total cost of the 2014 Improvements is approximately \$16,625,000. The estimated cumulative cost of subsequent phases is \$28,375,000. The boundaries of the District are described in Exhibit A attached to notice and made a part hereof for all purposes. All written and oral objections on the proposed assessment within the District will be considered at the public hearing. A copy of the Proposed Major Improvements and Phase 1 Assessment Roll relating to the 2014 Improvements, which include the assessments to be levied against each parcel in the District, is available for public inspection at the office of the Town Secretary, 100 W. Eldorado Parkway, Little Elm, Texas, 75068. All interested citizens are welcome to attend the hearing and participate is same. (Please fill out form on table outside of council chambers if desire to comment and present to the Town Secretary prior to meeting)

A. Receive Public Comments:

B. Continue Public Hearing until the January 23, 2014 Special Meeting.

7. Continue Public Hearing on the creation of a Reinvestment Zone and its benefits to the

Town of Little Elm, and its property within the proposed Reinvestment Zone, which consists of approximately 447.942 acres generally located in the Extraterritorial Jurisdiction of the Town of Little Elm, Denton County, Texas, located south of Doe Creek Road, west of Gee Road and on the shore of Lake Lewisville, and more particularly described by metes and bounds establish in Public Hearing notice. At the Public Hearing, any interested person may speak for or against the creation of the Reinvestment Zone, its boundaries, or the concept of Tax Increment Financing, following the Public Hearing, Little Elm Town Council will consider adoption of an Ordinance creating the Reinvestment Zone. (Please fill out form on table outside of council chambers if desire to comment and present to the Town Secretary prior to meeting)

A. Receive Public Comments:

B. Close Public Hearing.

C. Discussion and Action to adopt Ordinance No. 1185 an Ordinance of the Town Council of the Town of Little Elm, Texas designating a contiguous geographic area within the Extraterritorial Jurisdiction of the Town as a Reinvestment Zone pursuant to Chapter 311 of the Texas Tax Code, to be known as Tax Increment Reinvestment Zone Number Four, Town of Little Elm, Texas; describing the boundaries of the zone; creating a Board of Directors for the Zone; establishing a Tax Increment Fund for the Zone; containing findings related to the creation of the Zone; providing a date for the termination of the Zone; providing that the Zone take effect immediately upon passage of the Ordinance; providing a severability clause; and providing an effective date.

8. Discussion and Action to adopt Ordinance No. 1192 an Ordinance of the town of Little Elm, Texas, annexing adjacent and contiguous territory, as described in the attached legal description and as depicted in the attached location map, to the Town of Little Elm, Texas; finding that all necessary and required legal conditions have been satisfied; providing that such area shall become a part of the Town and that the owners and inhabitants thereof shall be entitled to the rights and privileges of other citizens and be bound by the Acts, Ordinances, Resolutions and Regulations of the Town of Little Elm now in effect and to be hereafter adopted; approving and adopting a Service Plan for the annexed area; further providing for and amending and correcting the official boundaries of the Town as heretofore adopted; providing a saving clause; correcting the official Town Maps; providing a severability clause; providing a repealer clause; and providing an effective date. (Community Services Manager)

9. Public Hearing on request to rezone approximately 757.04 acres of land from Light Industrial with 380 Overlay District (LI-380) and Extra-Territorial Jurisdiction (ETJ) to Planned Development district (PD) to allow for Single Family Residential and Mixed

Use, generally located north of US Highway 380, east of Navo Road, along Fishtrap Road, partly within the Little Elm town limits and partly in Little Elm's ETJ; and to consider amending the Future Land Use Plan (FLUP) of the 2008 Comprehensive Plan to categorize approximately 265.2 acres of land as Low Density Residential, generally located east of Bryan Road, north of Fishtrap, and west of FM 1385. All interested citizens are welcome to attend the hearing and participate in same. (Please fill out form on table outside of council chambers if desire to comment and present to the Town Secretary prior to meeting) (Community Services Manager)

A. Staff Comments.

B. Open Public Hearing.

C. Receive Public Comments.

D. Close Public Hearing.

E. Discussion and Action to adopt Ordinance No. 1188 an Ordinance of the Town of Little Elm, Texas amending the Future Land Use Plan of the 2008 Comprehensive Plan to categorize as Low Density Residential an approximately 265.2 acre tract out of a 757.040 acre tract generally located north of US Highway 380, east of Navo Road, and along Fishtrap Road; amending the official zoning map of the Town to zone said 757.040 acre property, including changing the zoning on a portion of the property from Light Industrial with 380 Overlay District (LI-380), to a Planned Development District (PD) for Single Family Uses and Mixed Use Development; approving a Concept Plan and Development Standards for said 757.040 acre property; 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.

10. Public Hearing on proposed amendments to the Zoning Ordinance, 106-28 (Use Chart) and 106-35 (Conditional Uses) in order to create standards for commercial kiosks. All interested citizens are welcome to attend the hearing and participate in same. (Please fill out form on table outside of council chambers if desire to comment and present to the Town Secretary prior to meeting) (Community Services Manager)

A. Staff Comments.

B. Open Public Hearing.

C. Receive Public Comments.

D. Close Public Hearing.

E. Discussion and Action to adopt Ordinance No. 1189 an Ordinance of the Town of Little Elm, Texas, amending the Code of Ordinances of the Town, by amending Chapter 106 (Zoning), by amending Sections 28 (Use Chart) and 35 (Conditional Uses), in order to create standards for Commercial Vending Kiosks; providing a savings clause; providing a penalty; providing a severability clause; providing a repealer clause; and providing an effective date. (Community Services Manager)

11. Public Hearing regarding a Town-initiated request to rezone approximately 7.51 acres of land from Light Commercial District (LC) and Extra Territorial Jurisdiction (ETJ) to Office District (O), approximately 1.38 acres of land from Extra-Territorial Jurisdiction (ETJ) to Light Commercial District (LC), and approximately 5.06 acres of land from Extra Territorial Jurisdiction (ETJ) to Single Family District (SF4), generally located north of FM 720 along Edgewood Place, Crestwood Place, Greenwood Drive, and Oakland Place, partly within Little Elm town limits and partly in Little Elm's ETJ; and to consider amending the Future Land Use Plan (FLUP) of the 2008 Comprehensive Plan to re-categorize approximately 7.51 acres of land from Medium Density Residential to Retail/Office, generally located north of FM 720 and south of Oakland Place, and between Edgewood Place and Greenwood Drive. All interested citizens are welcome to attend the hearing and participate is same. (Please fill out form on table outside of council chambers if desire to comment and present to the Town Secretary prior to meeting) (Community Services Manager)

A. Staff Comments.

B. Open Public Hearing.

C. Receive Public comments.

D. Close Public Hearing.

12. 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. Please observe the time limit of three (3) minutes. 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.

13. 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 December 3, 2013 Meeting. (Town Secretary)

B. Minutes of the December 10, 2013 Meeting. (Town Secretary)

C. Final Plat-(Starbucks) Cottonwood Crossing Lot 7, Block A from Kimley-Horn & Associates generally located west of FM 423 and south of Little Elm Parkway, within Little Elm town limits. (Community Services Manager)

D. Resolution No. 12171301 a Resolution of the Town Council of the Town of Little Elm, Texas, approving an amendment to the Town's Investment Policy; recording the annual review; and providing an effective date. (Finance Director)

E. Task Order for Construction Material Testing on the Marion Drive Reconstruction between the Town of Little Elm and Alliance Geotechnical Group, Inc. for the estimated amount of \$19,079.00 and authorize the Town Manager to execute a contract for the same. (Director of Development Services)

F. Task Order for Construction Material Testing on the Walker Lane and Hart Road Lighting Improvements between the Town of Little Elm and D&S Engineering Labs, PLLC for the estimated amount of \$2,390.00 and authorize the Town Manager to execute a contract for the same. (Director of Development Services)

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

A. Discussion and Action to approve Development and Performance Agreement between the Town of Little Elm, Little Elm Economic Development Corporation, and Mansfield Consolidated, Inc. and authorize the Town Mayor to execute agreement for the same. (Director of Development Services/EDC Director)

B. Discussion and Action to adopt Ordinance No. 1191 an Ordinance of the Town of Little Elm, Texas, providing for Refuse Rates; providing for a repealing clause; providing a severability clause; and providing an effective date. (per rate request of Community Waste Disposal) (Finance Director)

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

A. Monthly Reports for November 2013:

1. Town Secretary.
2. Fire Department.
3. Development Services.
4. Parks, Recreation and Library.
5. Public Works.

16. 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.

1. a. Project located in the general area of Eldorado Parkway west of Lobo Lane.

2. a. Project located in the general area of Eldorado Parkway east of Lobo Lane.

17. 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.

1. Project located in the general area of Eldorado Parkway west of Lobo Lane.

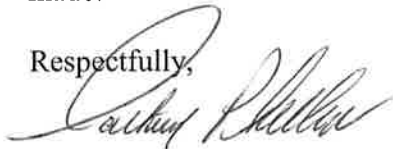
2. Project located in the general area of Eldorado Parkway east of Lobo Lane.

18. 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 13th day of December 2013..**