

**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, September 16, 2014 - 6:00 PM  
Town Hall Center---Council Conference Room & 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  - A. Items to be withdrawn from Consent Agenda.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. 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.
  - E. 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: Rev. James M. 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. Presentation:

A. Proclamation: Mayor Hillock to read and present proclamation to representative of the Clothe-a-Child Campaign designating October as Clothe-a-Child month in the Town of Little Elm, Texas. (David Hillock-Mayor)

B. Certificate: Mayor Hillock to present Certificate of Recognition to the 10U Rampage Team that took 2nd place at the USSSA World Series. Consisting of: Head Coach Shane Burkhart, Asst. Coaches Tommy Anderson and Dave Curtis, and players Dillon Burkhart, Zack Anderson, Nick Anderson, Jacob McCulley, Ian Cardenas, Zane Box, Christopher Kirchmeyer, Christopher Guerra, Kellen Curtis, Ashton Bohn, Eli Hollifield, and Jackson Simersky. (David Hillock-Mayor)

C. Proclamation: Mayor Hillock to read and present proclamation to Fire Department proclaiming October 5-11, 2014 as Fire Prevention Week in the Town of Little Elm, Texas. (David Hillock-Mayor)

D. Presentation: LEISD Acting Superintendent Matthew Gutierrez to address Council on the "State of the District". (Matthew Gutierrez-LEISD)

6. Annexations:

A. Discussion and Action to adopt Ordinance No.1230 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 owner and inhabitants thereof shall be entitled to the rights and privileges of other citizen and should 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 a for amending and correcting the official boundaries of the Town as heretofore adopted; correcting the official Town maps; assigning a council district; providing a savings clause; providing a severability clause; providing a repealer clause; and providing an

effective date. (ROW Tracts near Union Park & Navo School) (Dusty McAfee-Community Services Manager)

- B. Discussion and Action to adopt Ordinance No.1231 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 owner and inhabitants thereof shall be entitled to the rights and privileges of other citizen and should 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 a for amending and correcting the official boundaries of the Town as heretofore adopted; correcting the official Town maps; assigning a council district; providing a savings clause; providing a severability clause; providing a repealer clause; and providing an effective date. (Valencia on the Lake) (Dusty McAfee-Community Services Manager)
7. Public Hearing regarding a request to zone approximately 34.663 acres of land from Extra-Territorial Jurisdiction (ETJ) to Office district (O), generally located along Fishtrap Road and Navo Road, east of Navo Road, within Little Elm's ETJ. 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). (Dusty McAfee-Community Services Manager)
- A. Staff Report.
  - B. Open Public Hearing.
  - C. Receive Public Comments.
  - D. Close Public Hearing.
  - E. e. Discussion and Action to adopt Ordinance No. 1232 an Ordinance of the Town of Little Elm, Texas, amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, by zoning approximately 34.663 acres of land, Office District (O), generally located along Fishtrap Road and Navo Road, and east of Navo Road; providing a savings clause; correcting the official zoning map; providing a penalty; providing a severability clause; providing a repealer clause; and providing an effective date.

8. Public Hearing regarding a request to zone approximately 447.942 acres of land from Extra-Territorial Jurisdiction (ETJ) to Planned Development-Single Family district (PD-SF), generally located west of FM 423, along Doe Creek Road, between Doe Branch and Panther Creek waterways, within Little Elm's ETJ. 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). (Dusty McAfee-Community Services Manager)

A. Staff Report.

B. Open Public Hearing.

C. Receive Public Comments.

D. Close Public Hearing.

E. Discussion and Action to adopt Ordinance No. 1233 an Ordinance of the Town of Little Elm, Texas , amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, by zoning approximately 447.942 acres of land, to Planned Development Single Family District (PD-SF), generally located west of FM 423, along Doe Creek Road, between Doe Branch and Panther Creek waterways, 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.

9. 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.

10. 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. Accept Minutes of the September 2, 2014 Workshop Public Hearing and Regular Meeting. (Kathy Phillips-Town Secretary)

- B. Final Plat Palladium USA International Addition from Landmark Surveyors, LLC, generally located at the southeast corner of Main Street and Clark Street, within the Little Elm Town limits. (Dusty McAfee-Community Services Manager)
  - C. Interlocal Cooperative Agreement for Shared Governance Communication & Dispatch Services System for 2014-2015.(Waylan Rhodes-Chief of Police)
  - D. Agreement for McCord Park between the Town of Little Elm and North West Ranch Ltd. and authorize Town Manager to execute agreement for the same. (Jason Laumer-Director of Development Services)
  - E. Award construction contract for Signal on Walker Lane at Woodlake Parkway in the amount of \$212,989.20 to Roadway Solutions, Inc. and authorize the Town Manager to execute a contract for the same. (Jason Laumer-Director of Development Services)
11. Reports and requests for Town Council consideration and appropriate action:
- A. Discussion and Action to adopt Ordinance No. 1229 an Ordinance of the Town of Little Elm, Texas, amending the Code of Ordinances of the Town of Little Elm, Texas, by repealing the existing combined Water Conservation and Drought Contingency Plans and adopting a combined Water Conservation and Water Resource Management Plan for the Town of Little Elm to promote responsible use of water and to provide penalties and/or disconnection of water service for noncompliance with provisions of the Water Conservation and Water Resource Management Plan; providing for the repeal of conflicting ordinances; providing a savings and a severability clause; providing for an effective date. (Andrew Figueroa-Water Supervisor)
  - B. Discussion and Action to Approve/Deny/Table Preliminary Sunset Pointe Phase 29 from Dowdey, Anderson and Associates, generally located along Twin Oaks and Spicewood Court, within the Little Elm town limits (Dusty McAfee-Community Services Manager)
  - C. Discussion and Action to Approve/Deny/Table Final Plat Sunset Pointe Phase 29 from Dowdey, Anderson and Associates, generally located along Twin Oaks and Spicewood Court, within the Little Elm town limits (Dusty McAfee-Community Services Manager)
  - D. Discussion and Action to adopt Ordinance No. 1227 an Ordinance of the Town of Little Elm, Texas amending Chapter 34, Entitled "Court" by adding Section 34-176

entitled "Deferred Disposition Administrative Fee" to Article V, entitled "Municipal Court Fees" of the Code of Ordinances of the Town; providing for an amendment to impose an administrative fee for cases granted a deferred disposition in Municipal Court; providing a savings and repealer clause; providing a severability clause; providing for a engrossment and enrollment; providing for publication; and providing an effective date. (Alan Dickerson-Finance Director)

- E. Discussion and Action Ordinance No. 1234 an Ordinance of the Town Council of the Town of Little Elm, Denton County, Texas, setting and levy the Municipal Ad Valorem Taxes for the Fiscal Year 2014-2015 beginning October 1, 2014 and ending September 30, 2015 at a rate of \$0.664971 per one hundred dollars (\$100) assessed valuation on all taxable property within the corporate limits of the Town of Little Elm as of January 1, 2014; to provide revenue for the payment of current expenses; providing for an Interest and Sinking Fund for all outstanding debt of the Town of Little Elm; providing for due and delinquent dates together with penalties and interest; providing a severability clause; providing a repealing clause; and providing for an effective date. (Alan Dickerson-Finance Director)
  
- F. Discussion and Action to adopt Ordinance No. 1235 an Ordinance of the Town of Little Elm, Texas, approving and adopting the Budget for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015; providing that expenditures for said fiscal year shall be made in accordance with said budget; appropriating and setting aside the necessary funds out of the general and other revenues for said fiscal year for Maintenance and Operation of the various funds and departments for various activities and improvements in the Town; amending the current budget as revised; authorizing the Town Manager to make Interfund Transfers as appropriated; authorizing the Town Manager to make purchase; providing for a repealing clause; providing for a severability clause; and providing for an effective date. (Alan Dickerson-Finance Director)
  
- G. Discussion and Action to amend the 2013-2014 budget and approve the 2014-2015 Community Development Corporation's Budget. (Alan Dickerson -Finance Director)
  
- H. Discussion and Action to amend the 2013-2014 budget and approve the 2014-2015 Economic Development Corporation's Budget. (Jason Olson-EDC President)
  
- I. Discussion and Action to adopt Ordinance No. 1236 an Ordinance amending the Town of Little Elm's Code of Ethics for elected and appointed officials and Town employees, as set forth in Article VI, Chapter 2, of the Town's Code of Ordinances; providing definitions; providing a policy and purpose; defining unethical activity; requiring disclosure of interest; providing penalties for the violation of the ordinance; adopting the State's conflict of interest statute; providing for

accumulative legal effect; repealing conflicting ordinances; providing a severability clause; and providing an effective date. (Robert Brown-Town Attorney)

- J. Discussion and Action to authorize the Town Manager to execute any and all contract documents associated with renewal of employee benefits with Blue Cross Blue Shield of Texas and other providers effective November 1, 2014. (Matt Mueller-Town Manager)
  
- K. Discussion and Action to approve Amendment #1 to Design Task Order for Beard Park Site Work Improvements between the Town of Little Elm and TRC Engineers, Inc. for the amount of \$18,500.00 and authorize the Town Manager to execute a contract for the same. (Jason Laumer-Director of Development Services)
  
- L. Discussion and Action to adopt Resolution No. 09161401 approving the First Amendment to the Valencia on the Lake Pre-Annexation Agreement, Development Agreement, Public Improvement District Agreement, and Tax Reinvestment Zone Agreement between the Town of Little Elm and Valencia on the Lake, L.P. and authorize the Town Manager to execute for the same. (Jason Laumer-Director of Development Services)
  
- M. Discussion and Action to adopt Resolution No. 09161402 determining the public necessity of acquiring real property owned by Spiritas Ranch Enterprises, which property is more specifically described as .084 acres located in the Thomas Navo Survey, Abstract No. 0964, Denton County, Texas ("Property"), and considering the use of eminent domain to condemn the Property for a drainage easement and temporary grading easement for a drainage and storm sewer line project. (Jason Laumer-Director of Development Services)
  
- N. Discussion and Action to approve Agreement between the Town of Little Elm and Denton Independent School District regarding the development of High School #4 and authorize the Town Manager to execute for the same. (Jason Laumer-Director of Development Services)
  
- O. Discussion and Action to approve Escrow Agreement between the Town of Little Elm and Denton Independent School District regarding future signal of High School #4 and authorize the Town Manager to execute for the same. (Jason Laumer-Director of Development Services)
  
- P. Discussion and Action to approve Proposal from Global Asset, Inc. for Information Technology-Server/Storage Virtualization in amount not to exceed \$200,413.00 and the issuance of a purchase order pending approval. (Joseph Florentino-Fire Chief/IT Director)

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

A. Town Secretary

B. Development Services

C. Parks, Recreation and Library

D. Public Works

E. Fire Department

F. Police Department

13. 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 551.074: of the Texas Government Code to discuss or deliberate personal matters to evaluate performance and duties, of a public officer or employee(s).

1. Annual evaluation of the Town Manager.

2. Annual evaluation of the Town Secretary.

D. Section 551.076 to discuss security matters.

E. Section 551.087 to discuss Economic Development.

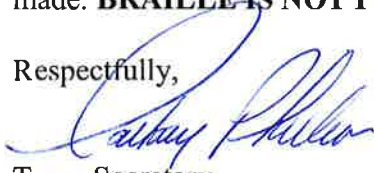


14. Reconvene into Open Session: Discussion and consideration to take any action necessary as the result of the Executive Session.
  - A. Section 551.071 for private consultation with the Town Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters 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 551.074: of the Texas Government Code to discuss or deliberate personal matters to evaluate performance and duties, of a public officer or employee(s).
    1. Annual evaluation of the Town Manager.
    2. Annual evaluation of the Town Secretary.
  - D. Section 551.076 to discuss security matters.
  - E. Section 551.087 to discuss Economic Development.
15. 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 Phillips  
Town Secretary

**This is to certify that the above notice was posted on the bulletin board at the Town Hall Center this 11th day of September 2014.**