

**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, October 18, 2016 - 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 - A. Items to be withdrawn from Consent Agenda.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. 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.

4. Presentations:

A. North Texas Corporate Recycling Association-Superior Waste Minimization-Green3 Award presentation. (Public Works Director Kevin Mattingly)

B. Proclamation Proclaiming October as Clothe a Child Month. (Mayor Pro-tem McClellan)

C. Friends of the Library to make check presentation to the Little Elm Public Library. (Proceeds from the 2016 Trivia Night) (FOTL)

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. Minutes of the September 20, 2016 Workshop, Public Hearings and Regular Meeting. (Town Secretary Kathy Phillips)

B. Final Plat Paloma Creek Lakeview Phase 2 D2 from Jones and Carter, generally located along Lake Pine Drive and Lake Summit Drive, within Little Elm's ETJ. (Town Planner)

C. Resolution No. 10181602 a Resolution of the Town Council of the Town of Little Elm, Texas, approving an amendment to the Town's Investment Policy; Authorized Broker/Dealer; recording the annual review; and an effective date. (Chief Financial Officer Karla Stovall)

- D. Final Acceptance of Little Elm Park Phase 3. (Town Engineer Kimberly Brawner)
- E. Approve Professional Service Agreement between the Little Elm Economic Development Corporation (LEEDC) and the Town of Little Elm. (Executive Director of EDC Jennette Killingsworth)
- F. Approve the Little Elm Economic Development Board Corporation 2016-2017 Fiscal Year Budget. (Executive Director of EDC Jennette Killingsworth)
- G. Approve Service Agreement for Demand Response Transit Service (SPAN) (Deputy Town Manager Doug Peach)
- H. Amendment #1 for IT Managed Services with Technology Assets, LLC dba/Global Asset. (Purchasing Agent Dawn Berry)
- I. Award of construction contract for Witt Road Improvements in the amount of \$2,556,508.25 and Change Order #1 in the amount of \$377,936.55 to Quality Excavation, Ltd. of Aubrey Texas and authorize the Town Manager to execute a contract for the same. (Director of Development Services Jason Laumer)
- J. Award bid 2016-54 for water treatment chemicals at the unit process as listed. (Purchasing Agent Dawn Berry)
- K. Final Acceptance of 2016 Annual Street Maintenance Contract with Quality Excavation. (Town Engineer Kimberly Brawner)
- L. First Amendment to Tower Lease with T-Mobile West, LLC for the placement of antennas on the Walker Elevated Storage Tank Site and authorize the Town Manager to execute for the same. (Director of Development Services Jason Laumer)
- M. Resolution No. 10181603 a Resolution of the Town Council of the Town of Little Elm, Texas hereby authorizing the Town Manager to execute an Interlocal Cooperative Agreement by and between the Town of Little Elm and Denton County Commissioners Court to amend agreement to provide funding for certain street and roadway improvements on Witt Road, and providing an effective date. (Director of Development Services Jason Laumer)
- N. Escrow Agreement between the Town of Little Elm and TCB2, LLC regarding certain Rockhill Parkway Improvements and authorize the Town Manager to execute for the same. (Director of Development Services Jason Laumer)

- O. Resolution No. 10181604 a Resolution setting a Public Hearing under Sec. 311.003 of the Texas Tax Code for the Creation of a Tax Increment Reinvestment Zone within the Extraterritorial Jurisdiction of the Town of Little Elm, Texas; and authorizing the issuance of Notice by the Town Secretary of Little Elm, Texas, regarding the Public Hearing. (Director of Development Services Jason Laumer)
- P. Appoint Melissa Cowart as member from District 5 to the Comprehensive Plan Advisory Committee to fill vacant position. (CPAC). (Council)
- Q. Re-appoint Will Gentry, Bradley Elliott and Stephanie Shoemaker as members to the Little Elm Economic Development Board of Directors for a 3 year terms, expiring September 2019. Recommend Stephanie Shoemaker continue as the Council Liaison. (Jennette Killingsworth/Council)
7. Discussion and Action to approve the Lakeside Estates Development Agreement between the Town of Little Elm and Little Elm Lakeside Development, L.P. and authorize the Town Mayor to execute agreement for the same. (Director of Development Services Jason Laumer)
8. Public Hearing: Pursuant to Section 372.009(c) and (d) of the Texas Local Government Code, as amended (the "Act"), notice is hereby given that the Town Council of the Town of Little Elm, Texas (the "Town"), will hold a public hearing to accept public comments and discuss the petition (the "Petition"), filed by The Rudman Partnership, Ltd., MER Energy, Ltd., The Rudman Family Trust, and Phase 16 Investments, LP (collectively, the "Petitioner"), requesting that the Town create a public improvement district (the "District") to include property owned by the Petitioner.
- Time and Place of the Hearing. The public hearing will start at 6:00 p.m. October 18, 2016, at Little Elm Town Hall, 100 W. Eldorado Pkwy, Little Elm, Texas 75068.
- General Nature of the Proposed Authorized Improvements. The purposes of the District include the design, acquisition, construction, and improvement of public improvement projects authorized by the Act that are necessary for the development of the Property, which public improvements will include (collectively, the "Authorized Improvements"): landscaping, entryway features, water, wastewater, sidewalks, streets, roadways, off-street parking, drainage system improvements, trails, parks and open space; similar off-site projects that provide a benefit to the property within the District; special supplemental services for the improvement and promotion of the District; payment of costs associated with operating and maintaining the public improvements listed above; and payment of expenses incurred in the establishment, administration, and operation of the District. These Authorized Improvements shall promote the interests of the Town and confer a special benefit upon the Property.
- Estimated Cost of the Authorized Improvements. The Petitioner estimates that the cost to design, acquire, and construct the Authorized Improvements, together with bond

issuance costs, legal and financial fees, credit enhancement costs and costs incurred in the establishment, administration, and operation of the District is \$19,000,000.00.

Proposed District Boundaries. The District is proposed to include approximately 146 acres of land generally located North of Lloyds Road and East of FM 720 and within the extraterritorial jurisdiction of the Town, as more particularly described by a metes and bounds description available at Little Elm Town Hall and available for public inspection.

Proposed Method of Assessment. The Town shall levy assessments on each parcel within the District in a manner that results in imposing equal shares of the costs on property similarly benefited. All assessments may be paid in full at any time (including interest and principal) without penalty, and certain assessments may be paid in annual installments (including interest and principal). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed by the assessment, and must continue for a period necessary to retire the indebtedness of those Authorized Improvements (including interest).

Proposed Apportionment of Cost between the District and the Town. The Town will not be obligated to provide any funds to finance the Authorized Improvements, other than from assessments levied on the public improvement district property, and possible tax increment reinvestment zone revenue. No municipal property in the public improvement district shall be assessed. Petitioner may also pay certain costs of the improvements from other funds available to the Petitioner.

A. Staff Comments:

B. Open Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Resolution No.10181601 a Resolution of the Town of Little Elm, Texas authorizing and creating The Rudman Tract Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date. (Director of Development Services Jason Laumer)

9. Public Hearing on the request rezone approximately 70.185 acres of land from Single Family 1 (SF1) to Planned Development Single Family 4 (PD-SF4), generally located in the northwest corner of South Paloma Creek Boulevard and Rosson Road. All interested citizens are welcome to attend the hearing and participate in same. (Planner

Lisa Reich) (Lakeview Estates).

- A. Staff Comments:
 - B. Open Public Hearing:
 - C. Receive Public Comments:
 - D. Close Public Hearing:
 - E. Discussion and Action to adopt Ordinance No. 1354 an Ordinance of the Town of Little Elm, Texas, amending the Comprehensive Zoning Ordinance, herefore amended, by changing the zoning on approximately 70.185 acres of land from Single Family 1 (SF1) to Planned Development Single Family 4 (SF4), to allow for the development of Lakeside Estates Subdivision, generally located in the northwest corner of South Paloma Creek Boulevard and Rosson Road, 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 request for a replat of two open space lots on approximately 0.9121 acres of land, cumulatively, generally located east of Witt Road and Aft Heights, currently zoned Planned Development-Single Family district (PD-SF4). All interested citizens are welcome to attend the hearing and participate in same. (Town Planner Lisa Reich) (Replat Brentwood Phase 1)
- A. Staff Comments:
 - B. Open Public Hearing:
 - C. Receive Public Comments:
 - D. Close Public Hearing:
 - E. Discussion and Action to approve Replat for Brentwood Phase 1 to allow for development of Brentwood Phase 4. Generally located along Witt Road and Aft Heights, within Little Elm's town limits. (Town Planner Lisa Reich)
 - F. Discussion and Action to approve Final Plat Brentwood Phase 4 from Dowdey,

Anderson & Associates, generally located along Overlook Lane and Windward Drive, within Little Elm's town limits. (Town Planner)

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

A. Town Secretary Monthly Report for September 2016.

B. Development Services Monthly Report for September 2016.

C. Public Works Monthly Report for September 2016.

D. Police Department Monthly Reports for September 2016.

E. Fire Department Monthly Reports for September 2016.

F. Parks, Recreation and Library Monthly Reports for September 2016.

12. 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.

13. 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.

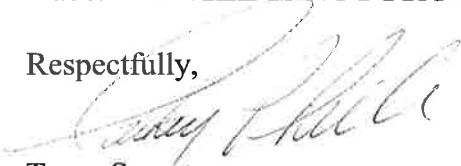
D. Section 551.087 to discuss Economic Development.

14. 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 14th day of October 2016.