

**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 6, 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 - A. Items to be withdrawn from Consent Agenda.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. Discussion regarding Friends of the Library request to conduct alcohol sales at the Recreation Center during Trivia Night. (Park Director Chad Hyde)
 - 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. 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. CWD Municipal Coordinator Robert Medigovich represented the STAR Award to council.

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 November 15, 2016 Workshop, Public Hearings and Regular Meeting. (Town Secretary Kathy Phillips)

B. Appointment of Bevin Brock as member for the Little Elm Community Development Corporation through August 2, 2018. (Parks Director Chad Hyde)

C. Award bid 2016-79 Swim Beach Improvements to Denco Construction Services, Inc. in an amount not to exceed \$247,777.00 and authorizing the Town Manager to execute the agreement. (Purchasing Agent Dawn Berry)

D. Award bid 2016-41 for Villages of Woodlake Fence Reconstruction Project to Texas Traditions Construction in an amount not to exceed \$122,414.25 and to authorize the Town Manager to execute the agreement. (Purchasing Agent Dawn Berry)

- E. Approve Extraterritorial Jurisdiction Development Agreement on the Cooper Property with Don and Susan Cooper and authorize the Town Mayor to execute agreement for the same. (Director of Development Services Jason Laumer)

- F. Appointment of Shane Davis as Alternate for the Planning and Zoning Commission and Board of Adjustments through February 28, 2018. (Town Engineer Kimberly Brawner)

- G. Re-appointment of Chip Norman Place #5, Nick Musteen Place #6 Stephanie Shoemaker Place #7, Ron Marchant Place #8, and Ben Reed Place #9 to the TIRZ #3 Board of Directors for two (2) year term expiring December 31, 2018. (Town Secretary Kathy Phillips)

- H. Adopt Resolution No. 12061605 a Resolution setting a Public Hearing under Sec. 372.009 of the Texas Local Government Code for the Creation of a Public Improvement District within 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)

- I. Approve the Chapter 380 Economic Development Agreement between the Town of Little Elm and Knottinghill Place, LLC and authorize the Town Manager to execute agreement for the same. (Director of Development Services Jason Laumer)

- J. Approve Amendment #1 to the Construction Manager at Risk contract for a Guaranteed Maximum Price for the Town's Fire Station #3 in the amount of \$4,995,939.00 between the Town of Little Elm and Starling Richardson and authorize the Town Manager to execute a contract for the same. (Director of Development Services Jason Laumer)

- K. Approve Denton County Interlocal Cooperative Agreement for Fire Protection Services and authorize Fire Chief to execute agreement for the same. (Fire Chief Brian Roach)

- L. Approve Denton County Interlocal Cooperative Agreement for Ambulance Services and authorize the Fire Chief to execute agreement for the same. (Fire Chief Brian Roach)

- 7. Public Hearing on the request rezone approximately 42.788 acres of land from Single Family district (A2) to Planned Development-Office District (PD-O) to allow for bus parking/storage/repair and modifications to architecture, generally located on the

southwest corner of West Eldorado Parkway and French Settlement Road, within Little Elm's town limits. (Bus Barn) 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). (Director of Development Services Jason Laumer)

A. Staff Comments:

B. Open Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Ordinance No. 1355 an Ordinance of the Town of Little Elm, Texas, amending the Comprehensive Zoning Ordinance of the Town of Little Elm, as amended, by zoning approximately 42.788 acres of land from Single Family District (A2) to Planned Development-Single Family District (PD-A2) to allow for Bus Parking/Storage/Repair and Administrative Offices; generally located on the Southwest corner of West Eldorado Parkway and French Settlement 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 on request to amend PD 1188 and PD 1329 for Union Park, generally located on the north side of US 380 and east of Navo Road to the north, within Little Elm's Town Limits). (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). (Director of Development Services Jason Laumer)

A. Staff report:

B. Open Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Ordinance No. 1361 an Ordinance of the Town of Little Elm, Texas, amending Ordinance No. 1188 (Project 13-PD-005, Union Park) and Ordinance No. 1329 to modify the Development Standards, Concept Plan, and other Exhibits for PD 005, the development project commonly known as Union Park located on approximately 1,082.54 acres of land in the Town of Little Elm; providing a saving clause; providing a penalty; providing a severability clause; providing a repealer clause; and providing an effective date.

9. Public Hearing on the request rezone approximately 4.917 acres of land from Ranchette Estates (A-RE) to Planned Development (PD-RE), generally located at 2621 West Eldorado Parkway, within the town limits of Little Elm. (Knotting Hill Place) 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). (Director of Development Services Jason Laumer)

A. Staff Comments:

B. Open Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Ordinance No.1362 an Ordinance of the Town of Little Elm, Texas, amending the Comprehensive Zoning Ordinance of the Town of Little Elm, as amended, by zoning approximately 2.50 acres of 4.917 acres of land from Single Family District Ranchette Estates (A-RE) to Planned Development-Single Family District Ranchette Estates (PD-A-RE) to allow for an event center to host weddings, corporate, charity and school events; generally located at 2621 West Eldorado Parkway; 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.

10. Public Hearing on the request for a replat of 30.004 acres known as Navo Middle School Addition, generally located east of Navo Road and west of Union Park Boulevard for purposes of modifying property lines. 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). (Director of Development Services Jason Laumer)

A. Staff report:

B. Open Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to approve proposed replat of 30.004 acres known as Navo Middle School Addition generally located east of Navo Road and west of Union Park Boulevard for purposes of modifying property lines.

11. Discussion and Action to adopt Ordinance No. 1363 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 amending and correcting the official boundaries of the town as heretofore adopted; correcting the official Town Maps; assigning a Council District; providing a saving clause; providing a severability clause; providing a repealer clause; and providing for an effective date. (Rudman Tract)
(Director of Development Services Jason Laumer)
12. Discussion and Action to adopt Ordinance No. 1364 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 amending and correcting the official boundaries of the town as heretofore adopted; correcting the official Town Maps; assigning a Council District; providing a saving clause; providing a severability clause; providing a repealer clause; and providing for an effective date. (Cooper Tract)
(Director of Development Services Jason Laumer)
13. Public Hearing regarding a request to rezone approximately 147.51 acres of land from Agriculture (AG) to Planned Development (PD), generally located on the northeast corner of Oak Grove Parkway and Lloyds Road, within the Town of Little Elm.

(Rudman Tract) 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). (Director of Development Services Jason Laumer)

A. Staff report:

B. Open Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Ordinance No. 1368 an Ordinance of the Town of Little Elm, Texas, amending the Comprehensive Zoning Ordinance, herefore amended, by changing the zoning on approximately 147.51 acres of land from Agricultural District (AG) to Planned Development (PD) to allow for the development of Prairie Oaks Subdivision, generally located on the northeast corner of Oak Grove Parkway and Lloyds 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.

14. Public Hearing: on request to rezone approximately 30.55 acres of land from Agriculture (AG) to Office (O), east of Oak Grove Parkway and approximately 1,100 feet north of Lloyds Road, within the Town of Little Elm. (Cooper Tract) 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). (Director of Development Services Jason Laumer)

A. Staff Comments.

B. Open Public Hearing.

C. Receive Public Comments.

D. Close Public Hearing.

E. Discussion and Action to adopt Ordinance No. 1369 an Ordinance of the Town of Little Elm, Texas, amending the Comprehensive Zoning Ordinance of the Town of

Little Elm, by zoning approximately 29.16 acres of land from Agriculture (AG) to Office (O), generally located east of Oak Grove Parkway (FM 720) and approximately 1,100 feet north of Lloyds Road, within Little Elm's Town Limits; 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.

15. Continue Public Hearing to consider proposed assessments to be levied against property within the Rudman Tract Public Improvement District pursuant to the provisions of Chapter 372 of the Texas Local Government Code, as amended. All written or oral objections on the proposed assessment within the District will be considered at the public hearing. (Director of Development Services Jason Laumer)

- A. Staff Report:

- B. Open Public Hearing:

- C. Public Comments:

- D. Cose Public Hearing:

- E. Discussion and Action to adopt Ordinance No. 1359 an Ordinance of the Town Council of the Town of Little Elm, Texas accepting and approving a Service and Assessment Plan and Assessment Rolls for the Rudman Tract Public Improvement District; making a finding of special benefit to property within the district; levying special assessments against property within the district and establishing a lien on such property; providing for payment of the assessment in accordance with Chapter 372, Texas Government Code, as amended; providing for the method of assessment and the payment of the assessments; providing for penalties and interest on delinquent assessments; providing for severability and providing an effective date.

16. Reports and request for Town Council consideration and appropriate action:

- A. Discussion and Action to adopt Resolution No. 12061601 a Resolution of the Town of Little Elm, Texas, approving the Rudman Tract Public Improvement District Phase #1 Improvements Reimbursement Agreement with OPLE Prairie Oaks Development, Inc.; authorizing and directing the Mayor of the Town to execute the Rudman Tract Public Improvement District Phase #1 Improvements Reimbursement Agreement; and providing for an effective date. (Director of Development Services Jason Laumer)

- B. Discussion and Action to adopt Resolution No. 12061602 a Resolution of the Town of Little Elm, Texas approving the Rudman Tract Public Improvement District Phase #2 Major Improvements Reimbursement Agreement with OPLE Prairie Oaks Development, Inc.; authorizing and directing the Mayor of the Town to execute the Rudman Tract Public Improvement District Phase #2 Major Improvements Reimbursement Agreement; and providing an effective date. (Director of Development Service Jason Laumer)

- C. Discussion and Action to adopt Resolution No. 12061604 a Resolution of the Town of Little Elm, Texas authorizing the execution of a Consent Letter relating to the Issuance of Certain Bonds by the Public Finance Authority (Wisconsin Public Finance Authority); and containing other matters related thereto. (Director of Development Services Jason Laumer)

- D. Discussion and Action to adopt Ordinance No. 1365 an Ordinance granting to ONCOR Electric Delivery Company LLC, its successors and assigns, an Electric Power Franchise to use the present and future streets, alleys, highways, public utility easements, public ways and public property of the Town of Little Elm, Texas, providing for compensation thereof, providing for an effective date and a term of said franchise, providing for written acceptance of this Franchise, providing for the repeal of all existing Franchise Ordinances to ONCOR Electric Delivery Company LLC, its predecessors and assigns, and finding that the meeting at which this Ordinance is passed is open to the public. (Town Attorney Robert Brown)

- E. Discussion and Action to adopt Ordinance No. 1366 an Ordinance of the Town Council of Little Elm, Texas (“Town”), authorizing certain Budget Amendments pertaining to the Fiscal Year 2015-2016 Budget; and providing an effective date. (Chief Financial Officer Karla Stovall/Town Manager Matt Mueller)

- F. Discussion and Action to adopt Ordinance No. 1367 an Ordinance of the Town Council of Little Elm, Texas (“Town”), authorizing certain Budget Amendments pertaining to the Fiscal Year 2016-2017 Budget; and providing an effective date. (Chief Financial Officer Karla Stovall/Town Manager Matt Mueller)

- G. Discussion and Action to adopt Ordinance No. 1370 an Ordinance of the Town of Little Elm, Texas, providing for Refuse Rates; providing for a repealing clause; providing for a severability clause; and providing an effective date. (Director of Public Works Kevin Mattingly).

- H. Discussion and Action to approve Interlocal Agreement for the Allocation and Boundary Adjustment Agreement between the Town of Little Elm and the Town of Lakewood Village and authorize the Town Mayor to execute an agreement for the

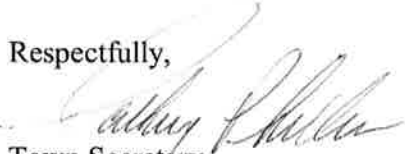
same. (Director of Development Services Jason Laumer)

17. 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.
18. 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.
19. 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 R. Miller

Town Secretary

This is to certify that the above notice was posted on the bulletin board at the Town Hall Center this 2nd day of December 2016.