

**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, April 4, 2017 - 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. Invocation: Pastor Mark Crawford Friendship Church.
  - B. Items to be withdrawn from Consent Agenda.
  - C. Emergency Items if posted.
  - D. Request by the Town Council for items to be placed on a future agenda for discussion, and recognition of excused absences.
  - 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. 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.

5. 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 March 21, 2017 Workshop, Public Hearings and Regular Meeting.  
(Town Secretary Kathy Phillips)

B. Final Plat Lakeside Estates at Paloma on approximately 72.3 acres comprised of 214 single family residential lots and four (4) HOA maintained lots generally located west of South Paloma Creek Boulevard and south of West University Drive (U.S. 380), currently zoned Single Family 1 (SF-1) within the town limits of Little Elm.  
(Skye Thibodeaux Planning & Community Services Manager)

C. Conveyance Plat for the Brazos Stonebrook Substation on approximately 15.4 acres generally located on the north side of King Road, approximately 750 feet east of Witt Road, currently zoning Planned Development-Light Commercial (PD-LC) within the town limits of Little Elm. (Skye Thibodeaux Planning & Community Services Manager)

D. Final Plat for the Brazos Stonebrook Substation on approximately 7.0 acres generally located on the north side of King Road, approximately 750 feet east of Witt Road, currently zoned Planned Development-Light Commercial PD-LC) within the town limits of Little Elm. (Skye Thibodeaux Planning & Community Services Manager)

E. Adopt Resolution No. 04041713 a Resolution of the Town Council of the Town of

Little Elm, Texas, hereby authorizing the Town Manager of the Town of Little Elm, Texas, to execute a Voluntary Interlocal Cooperation Agreement by and between the City of Frisco and the Town of Little Elm for the Operation and Maintenance of three (3) traffic signals owned by the Town of Little Elm. (Town Engineer Kimberly Brawner)

- F. Approve 2nd Amendment to Development Agreement and Performance Agreement between the Little Elm Economic Development Corporation and Mansfield Consolidated LLC., and authorize the Town Mayor to execute for the same. (Executive Director of Economic Development Corporation Jennette Killingsworth)
  
- G. Adopt Resolution No. 04041710 a Resolution of the Town of Little Elm suspending the April 21, 2017 effective date of ONCOR Electric Delivery Company's requested rate change to permit the Town time to study the request and to establish reasonable rates; approving cooperation with the Steering Committee of Cities served by ONCOR to hire legal and consulting services and to negotiate with the Company and direct any necessary litigation and appeals; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and Legal Counsel for the Steering Committee. (Deputy Town Manager Doug Peach)
  
- H. Authorize purchase of Trash Pump from Smith Pump Company, Inc. for an amount not to exceed \$56,580.00 and the estimated outfitting from various vendors in an amount of \$50.00. (Purchasing Agent Dawn Berry)
  
- I. Final Acceptance of Union Park Phase 2A. (Town Engineer Kimberly Brawner)
  
- J. Appointments to Planning and Zoning and Board of Adjustments: Chris Morris re-appointed to position #1 on BOA term expiring 02-28-19, John Ekes re-appointed to position #3 on the BOA term expiring 02-28-19, Robert Martin appointed to position #4 on the BOA term expiring 02-28-19, and Seth Gwartney appointed to position #5 on BOA term expiring 02-28-19. Ronald Trees appointed to Alternate Panel position #8 term expiring 02-28-20. Stephen Horn re-appointed to position #3 on the P&Z term expiring 02-28-20 and Daniel Segreto appointed to position #6 on P&Z term expiring 02-28-20 (Skye Thibodeaux Planning & Community Services Manager)
  
- K. Award bid 2017-85 (Green Mound) to replace the screening wall at Eldorado Estates Phase 1 North in amount not to exceed \$161,350.00 and authorize the Town Manager to execute agreement. (Purchasing Agent Dawn Berry)
  
- L. Approve the Perpetual and Irrevocable License Agreement for Hart's Branch Trail with the Eldorado Estates West Homeowners Association and authorize the Town

Manager to execute a contract for the same. (Director of Development Services Jason Laumer)

M. Approve Concession Agreement between the Town of Little Elm and Keith Buffin, aka Up In Smoke BBQ, LLC for the operation of the Little Elm Park Beach Concession. (Parks and Recreation Director Chad Hyde)

6. Public Hearing on the request for a Specific Use Permit for use of electric substation on approximately 7.0 acres generally located on the north side of King Road, approximately 750 feet east of Witt Road currently zoned Planned Development-Light Commercial (PD-LC). All interested citizens are welcome to attend the hearing and participate in same. (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. 1384 an Ordinance of the Town of Little Elm, Texas, amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, herefore amended, by issuing a Specific Use Permit for Electric Substation use on approximately 7.00 acres of land currently zoned Planned Development District (PD), generally located on the north side of King Road, approximately 750 feet east of Witt Road, providing that this Specific Use Permit is established subject to certain conditions as set forth herein; providing a savings clause; correcting the official zoning map; providing for a penalty; providing a severability clause; providing a repealer clause; and providing for an effective date.

7. Public Hearing on the request for a Specific Use Permit for concrete/asphalt batching plant, on approximately 1.03 acres, generally located on the north side of Rockhill Parkway, approximately 5,070 feet west of Doe Creek Road currently zoned Planned Development-Single Family 4 (PD-SF4). All interested citizens are welcome to attend the hearing and participate in same. (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 Resolution No. 04041701 a Resolution by the Town of Little Elm allowing for a temporary Concrete/Asphalt Batching Plant on approximately 1.03 acres of land, currently zoned Planned Development-Single Family (PD-SF), generally located north of Rockhill Parkway and east of Otos Drive, Little Elm, Denton County, Texas; providing an effective date.

8. Public Hearing on request for a Specific Use Permit for the use of child care center on approximately 3.5 acres generally located at the southwest corner of West University Drive (U.S. 380) and Navo Road, currently zoned Light Commercial (LC) within the U.S. 380 Overlay within the town limits of Little Elm. (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. 1385 an Ordinance of the Town of Little Elm, Texas, amending the Comprehensive Zoning Ordinance of the Town of Little Elm, herefore amended, by issuing a Specific Use Permit for Child Care Center Use on approx. 3.5 acres of land currently zoned Light Commercial District (LC), generally located at the southwest corner of West University Drive (U.S. 380) and Navo Road, providing that this Specific Use Permit is established subject to certain conditions as set forth herein, 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 Hearing regarding the Dissolution of a Public Improvement District and to accept public comments and discuss the petition (the "Petition"), filed by CADG Lincoln Park LLC; (the Petitioner"), requesting that Little Elm dissolve the Hillstone Pointe Public Improvement District (the "District") to include property owned by the Petitioner. and further described herein (the "Property") (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 Resolution No. 04041708 a Resolution of the Town of Little Elm, Texas authorizing and dissolving the Hillstone Pointe Public Improvement District No.1 in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date, and authorizing the Town Mayor to execute for the same.

10. Public Hearing regarding the Creation of a Public Improvement District and to accept public comments and discuss the petition (the "Petition"), filed by CADG Lincoln Park LLC, a Texas limited liability company (the Petitioner"), requesting that the Town create the Hillstone Pointe Public Improvement District No. 2 (the "District") to include property owned by the Petitioner. (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 Resolution No. 04041709 a Resolution of the Town of Little Elm, Texas authorizing and creating the Hillstone Pointe Public Improvement District No. 2 in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date, and authorizing the Town Manager to execute for the same.

11. 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 Comments:

B. Continue Public Hearing:

C. Receive Public Comments:

D. Close 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. (Director of Development Services Jason Laumer)

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

A. Discussion and Action to adopt Resolution No. 04041702 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. 04041703 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. 04041704 a Resolution of the Town of Little Elm, Texas approving the Rudman Tract Public Improvement District Phase #1 Improvements Construction, Funding, and Acquisition 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 Construction, Funding, and Acquisition; and providing an effective date. (Director of Development Services Jason Laumer)
- D. Discussion and Action to adopt Resolution No. 04041707 a Resolution of the Town of Little Elm, Texas approving the Rudman Tract Public Improvement District Phase #2 Major Improvements Construction, Funding, and Acquisition with OPLE Prairie Oaks Development, Inc., authorizing and directing the Mayor of the Town to execute the Rudman Tract Public Improvement Phase #2 Major Improvements Construction, Funding, and Acquisition; and providing an effective date. (Director of Development Services Jason Laumer)
- E. Discussion and Action to adopt Resolution No. 04041705 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; and containing other matters related thereto. (Director of Development Services Jason Laumer)
- F. Discussion and Action to approve the Amended and Restated Rudman Tract Development Agreement, Public Improvement District Agreement, and Tax Increment Reinvestment Zone Agreement between the Town of Little Elm and OPLE Prairie Oaks Development and authorize Town Mayor to execute agreement for the same. (Director of Development Services Jason Laumer)
- G. Discussion and Action to adopt Resolution No. 04041711 a Resolution of the Town of Little Elm, Texas authorizing the execution of continuing disclosure agreement relating to certain bonds issued by the Public Finance Authority; and containing other matters related thereto; and providing for an effective date. (Chief Financial Officer Karla Stovall)
- H. Discussion and Action to adopt Resolution No. 04041712 a Resolution of the Town of Little Elm, Texas determining the cost of certain authorized improvements to be financed by the Hillstone Pointe Public Improvement District No. 2; approving a Preliminary Service Plan and Assessment Plan, including proposed assessment roll; calling a meeting and noticing a Public Hearing for April 18, 2017 to consider an Ordinance levying assessments on property located within the Hillstone Pointe Public Improvement District No. 2; directing the filing of the proposed assessment roll with the Town Secretary to make available for a public inspection; directing staff to publish and mail notice of said public hearing; and resolving other matters incident and related thereto. (Director of Development Services Jason Laumer)



- I. Discussion and Action to approve a request for a major waiver to existing Town Center District (TC) zoning on approximately 0.34 acre located at the southwest corner of Clark Street and Main Street, currently zoned Town Center District (TC). (Director of Development Services Jason Laumer)

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 551.076 to discuss security matters.
- D. 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.

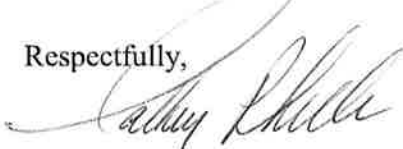
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- B. Section 551.072 to discuss certain matters regarding real property.
- C. Section 551.076 to discuss security matters.
- D. Section 551.087 to discuss Economic Development.

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,

A handwritten signature in cursive script, appearing to read "Cathy Shull".

Town Secretary

**This is to certify that the above notice was posted on the bulletin board at the Town Hall Center this 31st day of March 2017.**