

**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, August 15, 2017 - 6:00 PM
Town Hall Center---Council Chamber & Conference Room---100 W Eldorado Parkway**

1. Call to Order Council Work Shop at 6:00 p.m.
 - A. Invocation: Pastor Dewayne Brawner - Love Fellowship 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 - B. Items to be withdrawn from Consent Agenda.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. Discussion on proposed revisions to Utility Policy. (Chief Financial Officer Karla Stovall)
 - F. Discussion on Fee Chart. (Director of Development Services Jason Laumer)
 - G. Discussion regarding renaming of Clark Street. (Director of Development Services Jason Laumer)
 - H. Discussion regarding Amendment #5 to the Valencia on the Lake Development Agreement. (Director of Development Services Jason Laumer)
 - I. Amended and Restated Lakeside Estates Development Agreement. (Director of Development Services Jason Laumer)
 - J. Discuss Charter Review Committee. (Town Manager)

- K. 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.

 - L. 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. Presentation:
 - A. Little Elm Police Explorers to make presentation to Chief Harrison.

 - B. Mayor and Council to make presentation.

 - 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 August 1, 2017 Workshop, Public Hearings and Regular Meeting. (Town Secretary Kathy Phillips)
 - B. Replat (Service King) Holt Subdivision, Block A, Lots 2R & 3, approximately 17.038 acres of land situated in the J. Haynes Survey, Abstract No. 625, generally located on the south side of University Drive (US 380), approximately 1,800 feet west of Doe Creek Road comprised of two commercial lots with Little Elm's town limits. (Town Planner Skye Thibodeaux)
 - C. Appoint Sandy DeVault and Eva Hayes to fill vacancies on the Animal Shelter Advisory Board. (Animal Services Supervisor Therese Hoofnagle)
 - D. Agreement regarding Emergency Siren Funding between the Town of Little Elm and H4 Little Elm, L.P., and authorize the Town Manager to execute the same. (Town Engineer Kimberly Brawner)
 - E. Approve proposed operating budget for the Economic Development Corporation for FY 2017-2018. (Budget was approved by EDC Board of Directors). (Executive Director of EDC Jennette Killingsworth-Espinosa)
 - F. Resolution No. 08151706 a Resolution of the Town Council of the Town of Little Elm, Texas giving consent to the issuance of Unlimited Tax Bonds by Highway 380 Municipal Management District No. 1, a Conservation and Reclamation District located within the corporate boundaries of the Town. (Deputy Town Manager Doug Peach)
 - G. Minutes of the August 8, 2017 Budget Workshop. (Town Secretary Kathy Phillips)
 - H. Approve Amended and Restated 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)
7. Public Hearing regarding the Dissolution of a Public Improvement District within the Town of Little Elm, Texas for the Lakeside Estates Public Improvement District No. 1 and to accept public comments and discuss the petition (the "Petition"), filed by Little Elm Lakeside Development LP; (the Petitioner"), requesting that Little Elm dissolve the

Lakeside Estates 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. 08151702 a Resolution of the Town of Little Elm, Texas authorizing and dissolving the Lakeside Estates Public Improvement District 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.

8. Public Hearing regarding the Creation of a Public Improvement District and to accept public comments and discuss the petition (the “Petition”), filed by Little Elm Lakeside Development LP, (the Petitioner”), requesting that the Town create the Lakeside Estates 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. 08151703 a Resolution of the Town of Little Elm, Texas authorizing and creating the Little Elm Lakeside Estates 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.

9. Public Hearing to consider amending Ordinances No. 1371, 1255, and 1258 concerning Reinvestment Zone Number Five, Town of Little Elm, Texas, established pursuant to Chapter 311 of the Texas Tax Code, by amending and changing the boundaries and size of the Tax Increment Financing Reinvestment Zone Number Five, Town of Little Elm, Texas, to include within the zone an approximately 4.79 acre tract of land located within the Marsella Jones Survey, Abstract No. 662, Denton County, Texas , and an approximately 384.60 acres tract or tracts of land located within the Marsella Jones Survey, Abstract No. 662, Denton County, Texas. At the public hearing any interested person may speak for or against the Reinvestment Zone and the proposed amendments, its boundaries, or the concept of the Tax Increment Financing. Following the public hearing, the Town Council of the Town of Little Elm Texas, will consider adoption of an Ordinance amending the Reinvestment Zone. (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. 1406 an Ordinance of the Town Council of the Town of Little Elm, Texas, amending Ordinance Nos. 1255, 1258, and 1371 concerning Reinvestment Zone Number Five, Town of Little Elm, Texas established pursuant to Chapter 311 of the Texas Tax Code, by amending and changing the boundaries and size of Tax Increment Financing Reinvestment Zone Number Five, Town of Little Elm, Texas as described and depicted in Exhibit C of this Ordinance, which is attached hereto and incorporated herein for all purposes, to include within the zone tract of land of approximately 4.79 acres and 384.60 acres, both of which are located within the Marsella Jones Survey, Abstract No. 662, Denton County, Texas as described and depicted in Exhibits A and B of this Ordinance; providing a severability clause; and providing for an effective date. (Director of Development Services Jason Laumer)

10. Public Hearing to consider the advisability of an amendment to the creation Ordinance of Reinvestment one Number Five, Town of Little Elm, and amendment to the Project and Financing Plan of Reinvestment Zone Number Five, Town of Little Elm, pursuant to Chapter 311, Texas Tax Code. (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. 1410 an Ordinance of the Town Council of the Town of Little Elm, Texas, amending Ordinances Nos. 1256, 1259, and 1311, by approving an Amendment to the Reinvestment Zone Number Five, Town of Little Elm, Texas, Final Project and Financing Plan, by increasing the size of Tax Increment Financing Reinvestment Zone Number Five, Town of Little Elm, to include an approximately 4.79 acres tract of land an approximately 384.60 acre tract of tracts of land both of which are located within the Marsella Jones Survey, Abstract No. 662, Denton County, Texas, within said zone; providing a severability clause; providing a repealer clause; and providing for an immediate effective date.

11. Public Hearing to consider proposed Zoning Ordinance, Chapter 106 (Zoning) of the Town's Code of Ordinances, which has been modified and reorganized in its entity. All interested citizens are encourage to attend and express their view to Council. (Town Planner Skye Thibodeaux)

A. Staff Comments:

B. Open Public Hearing:

C. Receive Public Comments:

D. Close Public Hearing:

E. Discussion and Action to adopt Ordinance No.1407 an Ordinance of the Town of Little Elm, Texas, repealing and replacing the current Comprehensive Zoning Ordinance and adopting a New Comprehensive Zoning Ordinance of the Town of Little Elm, Texas; providing a penalty; providing a severability clause; providing a repealer clause; and providing an effective date.

12. 1st Public Hearing on the Proposed Tax Rate for the Town of Little Elm for Fiscal Year 2018. All interested residents are welcome to attend and express their views and comments. (Chief Financial Officer Karla Stovall)

A. Staff Comments:

B. Open Public Hearing.

C. Receive Public Comments:

D. Announcement: “The Little Elm Town Council will consider the Ordinance to adopt the Tax Rate for the Town of Little Elm Fiscal Year 2018 at the September 12, 2017 Council meeting at 6:00 p.m. at the Town Hall located at 100 W. Eldorado Parkway, Little Elm, Texas 75068. Members of the public are encourage to attend hearing and express their views to the Mayor and Council”.

E. Close 1st Public Hearing:

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

A. Discussion and Action to adopt Resolution No. 08181701 a Resolution appointing one member to the Board of Managers of the Denco Area 9-1-1 District. (Town Secretary Kathy Phillips)

B. Discussion and Action to adopt Ordinance No. 1409 an Ordinance of the Town Council of the Town of Little Elm, Texas, amending Article IV, “Public Right-of-Way Use and Management,” of Chapter 90 of the Town’s Code of Ordinances, by (1) amending Section 90-147, “Definitions” by adding new definitions specifically related to Telecommunications and Wireless Service Providers, (2) adding a new section 90-162 Titled “Certified Telecommunication Providers,” to provide for regulations for use of the Town’s Rights-of-Way by certified Telecommunication Providers, in accordance with Chapter 283 of the Local Government Code, (3) adding new section 90-163 titled “Network Providers,” to provide regulations for use of the Town’s Rights-of-Way by Wireless Network providers in accordance with Chapter 284 of the Local Government code, (4) adopting a Public Right-of-Way Wireless Communication Facilities Design Manual, and (5) amending the Town’s Master Fee Schedule, to provide for new fees applicable to Network Providers; providing a repealing cause; providing a severability clause; providing a savings clause; providing for a penalty of fine not to exceed the sum of two thousand dollars (\$2,000) for each offense; and providing for an effective date. (Skye Thibodeaux)

C. Discussion and Action to approve Resolution No. 08151704 a Resolution of the Town of Little Elm, Texas determining the costs of certain authorized improvements to be financed by the Lakeside Estates 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 September 5, 2017 to consider an Ordinance Levying Assessments on the property located within the Lakeside Estates Public Improvement District No. 2; directing the filing of the proposed assessment roll with the Town Secretary to make available for public inspection; directing Town Staff to publish and mail notice of said public hearing; and resolving other matters incident and related thereto. (Director of Development Services Jason Laumer)

D. Discussion and Action to approve Resolution No. 08151707 a Resolution of the Town of Little Elm, Texas approving the Fifth Amendment with the Valencia on the Lake Pre-Annexation Agreement, Development Agreement, Public Improvement District Agreement and Tax Increment Reinvestment Zone Agreement between the Town of Little Elm and Valencia on the Lake L.P. and authorize the Town Mayor to execute the same. (Director of Development Services Jason Laumer)

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

A. Town Secretary Monthly Report for July 2017.

B. Development Services Monthly Report for July 2017.

C. Public Works Monthly Report for July 2017.

D. Police Department Monthly Reports for July 2017.

E. Fire Department Monthly Reports for July 2017.

F. Parks, Recreation and Library Monthly Reports for July 2017.

15. 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.

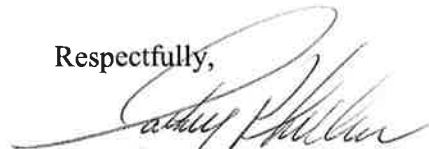
B. Section 551.072 to discuss certain matters regarding real property.

- C. Section 551.076 to discuss security matters.
 - D. Section 551.087 to discuss Economic Development.
16. 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.
17. 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 11th day of August 2017.