

MEETING
Town of Little Elm
100 W Eldorado Parkway
Little Elm, Texas 75068-5060

214-975-0404
<http://www.littleelmtx.us>

Public Hearing & Regular Council

Tuesday, February 5, 2008 - 7:00 PM
Town Hall Center---Council Chambers---100 W Eldorado Parkway

1. **Roll Call/Call to Order Public Hearing and Regular Town Council Meeting.**
2. **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.
3. **1st Public Hearing: on proposed Strategic Partnership Agreement between the Town of Little Elm, Texas and Denton County Fresh Water Supply District No. 8-B.**
4. **Close 1st Public Hearing**
5. **2nd Public Hearing: on proposed Strategic Partnership Agreement between the Town of Little Elm, Texas and Denton County Fresh Water Supply District No. 8-B.**
6. **Close 2nd Public Hearing**
7. **Discussion and Action to approve the Strategic Partnership Agreement between the Town of Little Elm, Texas, and Denton County Fresh Water Supply District No. 8-B, and to authorize the Town Manager to execute the agreement of behalf of the Town. (Town Attorney)**

8. **Public Hearing: to consider amendment to Chapter 106 (Zoning Ordinance) of the Code of Ordinances to amend the use chart and definitions to allow for a Farmers' Market as well as create a new section for Farmers' Market regulations, guidelines, permit requirements and enforcement provisions.**
9. **Close Public Hearing**
10. **Discussion and Action to adopting Ordinance No. 880 an Ordinance of the Town of Little Elm, Texas, amending the Code of Ordinances by amending Section 106-6 Use of Land and Buildings to update the use chart; amending Section 106-7 Special Definitions and Explanations noted in Use Regulation to add a definition; adopting Ordinance No. 880 of Chapter 106 of the Zoning Ordinance to provide for the operation and regulation of Farmers' Markets within the Town of Little Elm; providing a purpose; providing definitions; providing enforcement provisions; providing guidelines; prescribing permit requirements; providing a saving clause; providing a severability clause; providing a penalty not to exceed the sum of two thousand dollars (\$2000) for each offense and by which a separate offense shall be deemed committed each day during or on which a violation occurs or continues; providing for publication; and providing for an effective date. (Planning Director)**
11. **Presentation: Sam's Club to make presentation to the Little Elm Public Library.**
12. **Presentation: Charlena Peach to make presentation to the Little Elm Police and Fire Department.**
13. **Proclamation: Proclaiming February 22, 2008 as Christian Community Action Day. (Mayor)**
14. **Presentation and Announcement:**
Persons may address the Town Council on any issue. This is the appropriate time for citizens to address Council on any concern whether on this agenda or not. Please observe the time limit of three (3) minutes. 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.
15. **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 January 15, 2008 Regular Council Meeting
 - B. Minutes of the January 15, 2008 Pre-Council Meeting
 - C. Minutes of the January 22, 2008 Work Session & Special Meeting
 - D. Approval of Resolution No. 02050801 regarding a Joint Election of the Town of Little Elm and the Little Elm Independent School District to be held on Saturday May 10, 2008 in a shared polling place
 - E. Approval of Joint Election Agreement between the Town of Little Elm and the Little Elm Independent School District for the May 10, 2008 election
 - F. Approval of Resolution No. 02050802 approving an Interlocal Agreement between the Town of Little Elm, Texas and the County of Denton, Texas for rental of voting machines & equipment, and the purchase of voting supplies, authorizing the Town Manager to execute the agreement on behalf of the Town. (estimated amount \$3000)
 - G. Acceptance of Storm Water Detention Easement from Paloma Creek/380, Ltd (Town Engineer)
 - H. Acceptance of resignation from Kasey Carver from the Planning and Zoning Commission (Planning Director)
 - I. Resolution No. 02050803 a Resolution setting a date, time and place for two public hearings on the proposed annexation of certain property by the Town of Little Elm, Texas, authorizing and directing the Planning Director to public notice of such public hearing and direct Planning Director and staff to develop at Service Plan. (McCord/Walker Property) (Planning Director)
 - J. Discussion and Action to approve the reclassification of the Administrative Assistant II to a Planning Technician and modification of the Salary Table to add Planning Tech to the Grade 1. (Planning Director)
16. **Reports and requests for Town Council consideration and appropriate action:**
- A. Discussion and Action on Petition of Oncor Electric Delivery Company to modify street lighting service tariffs, pursuant to the Federal Energy Policy Act of 2005. (Town Manager)

- B. Discussion and Action to adopt Ordinance No. 882 an Ordinance of the Town Council of the Town of Little Elm (“Town”) approving a settlement agreement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “The Company”) regarding the Company’s Statement of Intent to change gas rates in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the Settlement Agreement and find the rates to be set by the attached tariffs to be just and reasonable; adopting a saving clause; determining that this Ordinance was passed in accordance with the requirements of the Texas Open Meeting Act; declaring an effective date; and requiring delivery of this Ordinance to the Company and legal counsel. (Town Attorney)

- C. Discussion and Action to adopt Ordinance No. 883 an Ordinance of the Town Council of the Town of Little Elm, Texas ordering a General Election to be held on the 10th day of May, 2008, to elect a Town Council Member for Places 1 and 6, to three (3) year terms of office, to the eligible voters of the Town of Little Elm, Texas, designating the entire Town as one election precinct; designating the place and manner of holding said election; designating a polling place within said Town; designating the early voting polling place; designating the early voting clerk; establishing other procedures for the conduct of the election; providing for the posting and publication of notice; providing a severability clause; and providing for an immediate effective date. (Town Secretary)

- D. Discussion and Action to approve Development Agreement between the Town of Little Elm, Texas, and P.S. Royal Storage L.P. (Planning Director)

- E. Discussion and Action to approve Predevelopment Agreement with Centurion-American (Valencia on the Lakes) Development and the Town of Little Elm. (Town Manager)

- F. Discussion and Action to approve the ByLaws of the Little Elm Community Development Corporation (Parks Director)

- G. Discussion and Action to approve staff recommendation to remove and deny item #8 (2" Irrigation Registers) from all bids received on January 24th for the purchase of Radio Read Water Meters and approve bid for all remaining items for the purchase of Radio Read Water Meters from Ferguson Waterworks Supply. (Public Works Director)

- H. Discussion and consideration to set an alternate date for the March 4th council meeting. (due to Town Hall being used for the Primary Election) (Town Council)
 - I. Receive brief update on remaining 2004 Bond Fund Initiative:•Community Center•Hike and Bike Trails, Pavilions and Multi-Purpose Fields•King Road•Lakeshore Drive•Main Street•Witt Road
 - J. Traffic Update.
17. **The Town Council will hold a Closed (executive) session meeting pursuant to Chapter 551, Texas Government Code, Vernon's Texas Code Annotated, in accordance with the authority contained in:**
- A. Section 551.071 Consultation with Town Attorney to receive legal advice concerning legal matters and contemplated litigations.
 - 1. Khosrow Sadeghian and Johnny Houston (809 Hillside Beach Drive)
 - B. Section 551.072 Discussion and deliberation on the purchase, exchange, lease, or value or real property.
 - 1. Land acquisition
18. **Discussion and consideration to take any action necessary as the result of the Closed (executive) session.**
- A. Section 551.171 Khosrow Sadeghian and Johnny Houston (809 Hillside Beach Drive)
 - B. Section 551.072 Land Acquisition
19. **FYI: (All matters are provided to the Town Council for informational purposes only)**
- A. Municipal Recycling Report for December 2007
 - B. TML Update for January 23, 2008
 - C. Thank You Letter (Fire Department)
20. **Adjourn:**

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,

Town Secretary

This is to certify that the above notice was posted on the bulletin board at the Town Hall Center this 1st day of February 2008.