

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

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

Regular

Tuesday, May 6, 2008 - 7:00 PM
Town Hall Center---Council Chambers---100 W Eldorado Parkway

1. **Roll Call/Call to Order 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. **Presentation: to Sunset Storage Center for their contribution to the Little Elm Public Library and the Santa's Elves Program. (Library Director/Town Secretary)**
4. **Discussion and Action to adopt Resolution No. 05060801 a Resolution of the Little Elm Town Council acknowledging the week of May 18th thru May 23rd 2008 as National Public Works Week in the Town of Little Elm. (Public Works Director)**
5. **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.

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 April 8, 2008 Work Session and Special Meeting
- B. Minutes of the April 15, 2008 Pre-Council Meeting
- C. Minutes of the April 15, 2008 Public Hearings and Regular Council Meeting

7. **Reports and requests for Town Council consideration and appropriate action:**

- A. Presentation: Discussion and Action on 2007 Annual Audit (CAFR) as present by Freemon, Story and Shapard. (Finance Director)
- B. Discussion and Action to approve Fourth Amendment to Commercial and Residential Refuse and Recycling Service Contract with Community Waste Disposal. (Town Manager/Public Works Director)
- C. Discussion and Action to adopt Ordinance No. 896 an Ordinance of the Town Council of the Town of Little Elm, Texas providing for Residential and Commercial Water and Wastewater Fees and Rates; amending certain Refuse Rates, and establishing Courtesy Bulk Drop Site Rates; providing for a repealing clause; providing for a severability clause; and providing an effective date. (Public Works Director)
- D. Discussion and Action to approve the proposed Courtesy Bulk Drop Site Operational Policy. (Public Works Director)
- E. Discussion and Action on award of bid to Gulf States Protective Coatings in the amount of \$246,500.00 for the rehabilitation of the Main Street Elevated Water Tower (Tin Man) Project and authorize Town Manager to execute the same. (Town Engineer)
- F. Discussion and Action to approve the transfer of the Denton County Child Safety Grant money from the General Fund in the amount of \$8,244.93. (Police Chief)

- G. Discussion and Action to adopted Ordinance No. 885 an Ordinance of the Town Council of the Town of Little Elm, Texas, adopting changes to the Town's District Boundary Map for Place 3 and 5; adding land obtained by Boundary Adjustment Agreement to Place 3; adding land annexed by Ordinance No. 844 to Place 5; adding land annexed by Ordinance No. 862 to Place 5 and releasing land disannexed by Ordinance No. 867 from Place 5; providing a severability clause, providing a repealer clause; and providing for an effective date. (Town Secretary)
 - H. Discussion and Action to combine the Keep Little Elm Beautiful and the Public Relation Committees. (Council member Gerard)
 - I. Presentation, Discussion and Action: regarding committee report on Management and Maintenance of Cottonwood Park. (Council member Hillock)
 - J. 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
 - K. Traffic Update.
8. **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. Proposed Settlement Offer: Sadeghian et al. vs. Little Elm; Case No. 4:07cv159.
 - 2. Absolute Development, LLC PMR/WHM, Ltd, and Frisco Hills LP v. Town of Little Elm
 - 3. Town vs. Ajro Real Estate Investment
 - B. Section 551.071 (2) of the Texas Government Code. Consultation with Attorney to receive advice of legal counsel pursuant to a duty of an attorney to his client under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.
 - C. Section 551.072 Discussion and deliberation on the purchase, exchange, lease, or value or real property:

1. Land acquisition
 2. Discussion and deliberation on proposal to develop Town Center
 3. Land Sale-TxDot for Eldorado Parkway and FM 423
- D. Section 551.087 Discussion and deliberation regarding commercial or financial information that the EDC Board has received from a business prospect that the board seeks to have locate or expand in the Town of Little Elm with which the Board is conducting economic development negotiations, and to deliberated the offer of financial or other incentive to such business prospect.
1. First Amended and Restated Economic Development Agreement with Elm Place 1, LP
 2. Economic Development Agreement with Retractable Technologies, Inc.
9. **Discussion and consideration to take any action necessary as the result of the Closed (executive) session.**
- A. Proposed Settlement Offer: Sadeghian et al. vs. Little Elm; Case No. 4:07cv159
 - B. Absolute Development, LLC PMR/WHM, Ltd, and Frisco Hills LP v. Town of Little Elm
 - C. Town of Little Elm vs. Ajro Real Estate Investment
 - D. Regarding Section 551.071(2) Texas Government Code
 - E. Land acquisition
 - F. Proposal to develop Town Center
 - G. Land Sale-TxDot for Eldorado Parkway and FM 423
 - H. First Amended and Restated Economic Development Agreement with Elm Place 1, LP
 - I. Economic Development Agreement with Retractable Technologies, Inc.

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

- A. CWD Monthly Recycling Report for March 2008
- B. Acknowledgement Letter - Det. Dension
- C. Letter of Appreciation to Public Works Director Doug Peach
- D. Letter to Senator Nelson
- E. Thank You Card-Loving Family
- F. Thank You-City of Frisco

11. **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 2nd day of May 2008.