

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

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

Regular

Tuesday, May 20, 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. **Discussion and Action to approve Resolution No. 05200801 a Resolution of the Town Council of the Town of Little Elm, Texas canvassing the returns and declaring the results of the General Election held in the Town of Little Elm on May 10, 2008, for the purpose of election one (1) Council member for District/Place 1 for a three (3) year term; and one (1) Council member for District/Place 6 for a three (3) year term; making other declarations and finding other matters in connection with the said election set forth therein; finding that all matter set forth herein are true and correct; providing for an effective date. (Town Secretary)**
4. **Certificate of Election: Mayor Kastner to issue Certificate of Election to newly elected Council member(s).**
5. **Swearing In: The Town Secretary will swear in newly elected Council member(s) (Statement of Elected Officer and Oath of Office).**

6. **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.

7. **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 May 6, 2008 Pre-Council Meeting
 - B. Minutes of the May 6, 2008 Regular Council Meeting
 - C. Minutes of the May 13, 2008 Work Session
 - D. Acceptance of ten foot (10') Street, Utility, and Sidewalk Easement for a turn lane, future utilities, and sidewalk in front of Burger King/Popeye's (Town Engineer)

8. **Reports and requests for Town Council consideration and appropriate action:**
 - A. Discussion and Action on approval of the 2007 Annual Audit and (CAFR) as prepared by Freemon, Story and Shapard. (Finance Director)
 - B. Discussion and Action to authorize the Mayor to enter into an agreement with Prepaid Legal Services, Inc. (Finance Director)
 - C. Discussion and Action to approve Resolution No. 05200802 designating Retractable Technologies, Inc. as an eligible Enterprise Project in accordance with Chapter 2303, Subchapter F of the Texas Enterprise Zone Act. (Kim Lacy)
 - D. 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)

- E. Discussion and Action to adopt Ordinance No. 896 an Ordinance of the Town of Little Elm, Texas, providing for Residential and Commercial Water and Wastewater Fees and Rates, and amending certain Refuse Rates; providing for a repealing clause; providing for a severability clause; and providing an effective date. (Public Works Director)
- F. Discussion and Action to approve amendment Number One for Eldorado Parkway Wastewater Improvements Design Work Order (an exhibit to the Master Agreement to furnish consulting services between the Town of Little Elm and Stokes & Associates) for design of additional sanitary sewer redesign and authorize the Town Manager to execute an amendment for the same. (Public Works Director)
- G. Discussion and Action to adopt Ordinance No. 897 an Ordinance amending the existing Gas Franchise between the Town and Atmos Energy Corporation to provide for a different consideration; providing an effective date; providing for acceptance by Atmos Energy Corporation; and finding and determining that the meeting at which this Ordinance is passed is open to the public as required by law. (Town Manager)
- H. Discussion and Action on appointment of Kristie Mathis-Cavanaugh, Francine Kruzitiski and Shawn Crutcher to the Keep Little Elm Beautiful Committee; and setting terms of office for all committee members, including Bryan Sanders. (Council member Gerard)
- I. Discussion and Action on dissolving the Little Elm Public Relations Committee. (Council member Gerard)
- J. Discussion and Action on appointment of Council liaison to the Keep Little Elm Beautiful Committee. (Council member Gerard)
- K. Discussion and Action to approve staff recommendation to accept the minimum offer of \$1,000.00 from the Texas Department of Transportation for Parcel 35 as identified on the official right-of-way map for the Eldorado Parkway Project and authorize the Town Manager to execute all necessary documents to convey said property. (Public Works Director)
- L. Discussion and Action to approve staff recommendation to accept the minimum offer of \$1,000.00 from the Texas Department of Transportation for Parcel 38 as identified on the official right-of-way map for the Eldorado Parkway Project and authorize the Town Manager to execute all necessary documents to convey said property. (Public Works Director)

- M. Discussion and Action to set dates and times for Council Budget Work Sessions.
 - N. Traffic Update.
9. **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 551.072 Discussion and deliberation on the purchase, exchange, lease, or value of real property:
 - 1. Land acquisition
 - 2. Land Sale-TxDot for Eldorado Parkway and FM 423
10. **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. Land acquisition
 - E. Land Sale-TxDot for Eldorado Parkway and FM 423
11. **FYI: (All matters are provided to the Town Council for informational purposes only)**

- A. TML Legislative Update April 30, 2008
- B. Monthly Reports for April 2008
- C. Public Works Monthly Report for April 2008
- D. Financial Report for April 2008
- E. CWD Monthly Report for April 2008
- F. Letter from North Texas Municipal Water District

12. **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. **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 16th day of May 2008.