

**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, June 3, 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. **Certificate of Election: Mayor Kastner to issue Certificate of Election to newly elected Council member David Hillock Place 1.**
4. **Swearing In: The Town Secretary will swear in newly elected Council member David Hillock Place 1. (Statement of Elected Officer and Oath of Office)**
5. **Public Hearing: to receive public comment concerning the amendment of Land Use Assumptions and a Capital Improvements Plan and the imposition of an impact fee for Water, Wastewater and Thoroughfares. (Public Works Director)**
6. **Close or Continue Public Hearing.**
7. **Discussion and Action on staff recommendation to approve the Land Use Assumptions for Impact Fees prepared by Freese and Nichols and reviewed and recommended for approval by the Capital Improvements Advisory Committee. (Public Works Director)**

8. **Discussion and Action on staff recommendation to approve the Water and Wastewater Capital Improvements Report, Water and Wastewater Impact Fee Study, and Roadway Impact Fee Update prepared by Freese and Nichols and reviewed and recommended for approval by the Capital Improvements Advisory Committee. (Public Works Director)**
9. **Discussion and Action on staff recommendation to establish new Water, Wastewater, and Thoroughfare Impact Fee Rates and direct the Town Attorney to develop a new Impact Fee Ordinance for Town Council consideration. (Public Works Director)**
10. **Presentation: Tina Hager, Library Director to present Certificate of Appreciation to Laurie McKee (Reference/Technical Services Librarian) in recognition of 2 years of dedicated service to the Town of Little Elm Library.**
11. **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.
12. **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 20, 2008 Pre-Council Meeting
  - B. Minutes of the May 20, 2008 Regular Council Meeting
  - C. Authorize payment of \$75,000 in sales tax rebate to Lowe's Home Center, Inc. (Finance Director)
  - D. Acceptance of minimum offer of \$1,000.00 from the Texas Department of Transportation for Parcel No. 02 as identified on the official right-of-way map for FM 423 and authorize the Town Manager to execute all necessary documents to convey said property. (Public Works Director)
13. **Reports and requests for Town Council consideration and appropriate action:**

- A. Receive Update: from Developer on the status of Valencia on the Lake Development.
- B. Presentation: On results of the Joint Use Public Safety Facility. (Fire and Police Chief)
- C. Discussion and Action to adopt Ordinance No. 898 an Ordinance of the Town of Little Elm, Texas amending the adopted budget for the Town of Little Elm, Texas for the Fiscal Year Period of October 1, 2007 through September 30, 2008; providing for Intra-Fund Transfers; providing for a severability clause providing for publication of the caption of this ordinance and providing and effective date. (Finance Director)
- D. Discussion and Action to award construction contract for Lakeshore Drive Paving, Drainage, and Water Improvement Project in the amount of \$1,725,918.61 to Quality Excavation, Ltd. of Aubrey, Texas and authorize Town Manager to execute a contract for the same. (Public Works Director)
- E. Discussion and Action to approve the letter of agreement between the Town of Little Elm and AT&T in the estimated amount of \$65,580.65 for the relocation of AT&T communication infrastructure on King Road, and authorize the Town Manager to execute the same. (Public Works Director)
- F. Discussion and Action to authorize the Mayor to sign a lease agreement with Crimes allowing the department to begin entering data as soon as possible. (Police Chief)
- G. Discussion and Action to adopt Ordinance No. 900 an Ordinance of the Town of Little Elm, Texas amending Ordinance No.658, Section 1, Table 9, establishing a Comprehensive Fee Schedule for Fire Department related-separate or in addition to other fees, providing a saving/repealing clause of conflicting ordinances, providing a penalty, providing a severability clause, providing for an effective date. (Fire Chief)
- H. Discussion and Action on Park & Recreation Board recommendation to appoint Charles Platt as a regular member of the Parks and Recreation Board. (Parks Director)
- I. Discussion: regarding Eldorado Parkway (FM720) Median Improvements. (Parks Director)

- J. Update: receive brief report on the progress of Cottonwood Park. (Parks Director)
  - K. Discussion: and seek Council direction regarding Town Center Zoning District. (Planning Director)
  - L. Discussion and Action regarding Little Elm Night at the Frisco Roughriders Ballpark. (Mayor/Town Manager)
  - M. Discussion and Action to consider a motion, pursuant to Chapter 311.003 (e) of the Texas Tax Code, authorizing the issuance of letters to all taxing jurisdictions that levy taxes in the areas proposed to be included in Tax Increment Reinvestment Zone numbers One and Two, providing notice of the Town's intent to create two zones, requesting designation of representative, and requesting a waiver of the 60 notice period. (Pam Mundo/Bill Calderon)
  - N. Discussion and Action to designate a Voting Representative to the North Central Texas Council of Governments. (the voting representative must be an elected official from the governing body of the member government)
  - O. Discussion and Action to approve Resolution No. 06030801 a Resolution nominating one member to the Board of Managers of the Denco Area 9-1-1 District.
  - P. Discussion and Action to set additional workshop dates for June and July.
  - Q. Discussion Only: Forming of a 2009 Bond Committee.
  - R. Discussion Only: Forming of a Charter Review Committee.
  - S. 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
  - T. Traffic Update.
14. **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 Hill, LP v. Town of Little Elm
  3. Town vs. Ajro Real Estate Investment
  4. Town vs. Anchor Boat Storage
- B. Section 551.072 Discussion and deliberation on the purchase, exchange, lease, or value or real property.
1. Land acquisition
  2. Land Sale-TxDot for Eldorado Parkway and FM 423
- C. Section 551.087 Discussion and deliberate 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 and with which the Board is conducting economic development negotiations, and to deliberate the offer of financial or other incentive to such business prospect.
15. **Discussion and consideration to take any action necessary as the result of the Closed (executive) session.**
- A. Section 551.071
1. Proposed Settlement Offer: Sadeghian et al. vs Little Elm: Case NO. 4:07cv159
  2. Absolute Development, LLC PMR/WHM, Ltd., and Frisco Hill, LP v. Town of Little Elm
  3. Town vs. Ajro Real Estate Investment
  4. Town vs. Anchor Boat Storage
- B. Section 551.072
1. Land acquisition
  2. Land Sale-TxDot for Eldorado Parkway and FM 423

- C. Section 551.087 Including the offer of a financial or other incentive to a business prospect that the EDC Board seeks to have locate or expand in the Town of Little Elm.

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

- A. Atmos 2007 Rate Case and RRM status update
- B. Atmos Energy Rider GCR – Rate Filing for June 2008 billing period
- C. Letter of exemplary service by the Department of Public Works
- D. Acknowledgement Letter-Fire Department

17. **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 30th day of May 2008.**