

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

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

Regular

Tuesday, August 5, 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. **Recognition of Employees: (Police Department)**
4. **Proclamation: 2008 National Marina Day. (Mayor Kastner)**
5. **Presentation : Bob Barnard with American Traffic Solutions (ATS) to
give presentation to the Town Council regarding Red Light Cameras.
(Police Chief)**
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 July 9, 2008 Emergency Meeting
- B. Minutes of the July 15, 2008 Regular Council Meeting
- C. Minutes of the July 15, 2008 Pre-Council Meeting
- D. Minutes of the July 24, 2008 Joint Work Shop
- E. Acceptance of Access, Utility, Drainage, Water and Fire Lane Easements for mutual access, future utilities, and fire lane in front of Independent Bank (Public Works)
- F. Approval of MYGOV Contract Agreement. (Planning Director)
- G. Approval of Contract with Freemon, Story & Shapard Certified Accountants for FY 2008 Auditing Services. (Budget Officer)

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

- A. Discussion and Action to approve Resolution No. 08050803 a Resolution of the Town of Little Elm, Texas adopting the Denton County, Texas Executive Order MH-08-01 (Burn Ban); authorizing the enforcement of the Resolution; providing a penalty for violation of the Resolution not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense; providing an effective and terminating date. (Fire Department)
- B. Discussion and Action on Notice of Intent to Increase Rates from Brown and Hofmeister, LLP. (Town Attorney)
- C. Discussion and Action to except the resignation of Melvin Mosley from the Little Elm Economic Development Board. (EDC Representative)
- D. Discussion and Action to appoint a member to the EDC Board to complete the unexpired term (07-16-07 -9-30-10) of Mr. Mosley. (EDC Representative)

- E. Discussion and Action to approve Construction Contract Change Order #1 for the Town's Main Street Elevated Tank Rehabilitation Contract to Gulf States Protective Coatings in the amount of \$8000.00 and authorize the Town Manager to execute the same. (Public Works)
 - F. Discussion and Action to approve Master Service Agreement for Consulting Services between the Town of Little Elm and Cobb Fendley & Associates and authorize the Town Manager to execute a contract for the same. (Public Works)
 - G. Discussion and Action to adopt Resolution No. 08050801 a Resolution appointing one member to the Board of Managers of the Denco Area 9-1-1 District.
 - H. Discussion and Action to approve Perkins & Will to provide architectural services for a site analysis for the location of the Community/Recreation center in the amount of \$7,500.00 (Parks Director)
 - I. Discussion and Action to approve Proposed Fuel Saving Policy. (Town Manager)
 - J. Discussion and Action to adopt Resolution No. 08050802 a Resolution authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of 5 cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation. (Town Manager)
 - K. Discussion and Action on the process for appointing members to the Citizens Bond Committee. (Town Manager)
 - L. Discussion Only: Review draft of Council's charge to the Citizens Bond Committee. (Town Manager)
 - M. Brief Update and Action: 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
 - 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 Hill, LP v. Town of Little Elm
 - 3. Town vs. Ajro Real Estate Investment
 - 4. Town vs. Anchor Boat Storage
 - 5. Frisco Ranch/Frisco Hills/ Preserve Vested Rights Deal Points Review

- 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 Fire Station Replacement, Eldorado Parkway and FM 423

- C. Section 551.087
 - 1. 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 and with which the Board is conducting economic development negotiations, and to deliberate the offer of financial or other incentive to such business prospect.
 - 2. Discussion and deliberation on Contract Proposal for the Shea Property.

- D. Section 551.074
 - 1. Discussion and deliberation on concurrence with the Town Manager's appointment of Alan Dickerson as the Town's Finance Director.

2. Discussion and deliberation concerning the salary and compensation provided to the Town Manager, Police Chief, Fire Chief, Finance Director, Public Works Director, Planning Director, Parks and Recreation Director, Library Director and Town Secretary.
10. **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
 5. Frisco Ranch/Frisco Hills/Preserve Vested Rights Deal Points Deal Review
 - B. Section 551.072
 1. Land acquisition
 2. Land Sale-TxDot for Fire Station Replacement, Eldorado Parkway and FM 423
 - C. Section 551.087
 1. 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.
 2. Discussion and Action on Contract Proposal on the Shea Property.
 - D. Section 551.074
 1. Discussion and possible action on concurrence with the Town Manager's appointment of Alan Dickerson as the Town's Finance Director.

2. Discussion and possible action concerning the salary and compensation provided to the Town Manager, Police Chief, Fire Chief, Finance Director, Public Works Director, Planning Director, Parks and Recreation Director, Library Director and Town Secretary.

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

- A. TML Legislative Update July 11, 2008
- B. CWD Monthly Report for June 2008
- C. Atmos Energy Rider GCR-Rating Filing applicable for August 2008
- D. Acknowledgment Letter from City of Frisco for Fire Department

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. **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 August 2008.