

PUBLIC MEETING
Town of Little Elm
100 W Eldorado Parkway
214-975-0404
<http://www.littleelm.org>

PUBLIC HEARING
And
REGULAR TOWN COUNCIL MEETING

Tuesday December 16, 2008 – 7:00 p.m.
Town Hall Center – Council Chambers

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. **Opening Prayer:**
4. **Presentation:** Certificates of Recognition.
5. **Presentation:** Apple Orthodontics to make presentation to the Little Elm Food Bank (proceeds from the Autumn Fest Fun Race). (Gerry Beliveau)
6. **Public Hearing:** to discuss the adoption of the: (A) International Residential Code 2006 Edition, (B) International Building Code 2006 Edition, (C) International Energy Conservation Code 2006 Edition (D) International Gas Code 2006 Edition, (F) International Mechanical Code 2006 Edition (G) International Plumbing Code 2006 Edition, (H) International Property Maintenance Code 2006 Edition, (I) International Existing Building Code 2006 Edition, and (J) National Electric Code 2005 Edition, providing amendments to the various codes and standards. All interested citizens are welcome to attend the hearing and participate in same. (Please fill out speaker form on table in front of the council chambers and present to the Town Secretary prior to the meeting)

Close Hearing

7. **Discussion and Action to adopt Ordinance No. 929** an Ordinance of the Town of Little Elm, Texas adopting the following: (A) International Residential Code 2006 Edition, (B) International Building Code 2006 Edition, (C) International Energy Conservation Code 2006 Edition (D) International Gas Code 2006 Edition, (F) International Mechanical Code 2006 Edition (G) International Plumbing Code 2006 Edition, (H) International Property Maintenance Code 2006 Edition, (I) International Existing Building Code 2006 Edition, and (J) National Electric Code 2005 Edition, providing amendments to the various codes and standard adopted herein; repealing Ordinance No. 752 of the Town relating to International Residential Code 2003 Edition, International Building Code 2003 Edition, International Energy Conservation Code 2003 Edition, International Gas Code 2003 Edition, International Mechanical Code 2003 Edition, International Plumbing Code 2003 Edition, International Property Maintenance Code 2003 Edition, National Electric Code 2005 Edition, and Title 30, Texas Administrative Code, Chapter 285 regarding rules relating to On-Site Sewage Facilities; providing for enforcement; providing a savings clause; providing a penalty of not to exceed the sum of \$2,000.00 for each offense governing Fire Safety, Zoning, or Public Health and Sanitation and the sum of \$500.00 for all other offenses, and a separate offense shall be deemed committed each day during or on which a violation occurs or continues; providing a severability clause; providing an effective date. (Planning Department)
8. **Discussion and Action to adopt Ordinance No. 930** an Ordinance of the Town of Little Elm, Texas, repealing Ordinance No. 658 and 852 in their entirety adopting a Comprehensive Fee Schedule for Building and Development Permit related applications and processes; providing a savings clause; providing a severability clause; providing an effective date; and ordaining other provisions related to the subject matter hereof. (Planning Director)
9. **Presentations and announcement:** Persons may address the Town Council on any issue. This is the appropriate time for citizens to address the 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.
10. **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 December 2, 2008 Regular Council Meeting
 - b. **Minutes** of the December 2, 2008 Pre-Session

- c. **Minutes** of the November 11, 2008 Regular Council Meeting
- d. **Minutes** of the November 11, 2008 Pre-Session
- e. **Resolution** amending Authorized Representatives for TexPool (deleting Ryan Adams and adding Finance Director Alan Dickerson). (Finance Director)
- f. **Lone Star Libraries Grant** and authorize signature of contracts and budget amendment. (Library Director)
- g. **Site Selection** for the Community/Recreation Center at Town Center (Parks Director)
- h. **Interlocal Agreement** with the North Central Texas Council of Governments and the Town of Little Elm for digital aerial photography in the amount of \$3,839.83 and authorize the Town Manager to execute the same (Public Works Director)
- i. **Appointments** to the Eldorado/423/720 Design Overlay Advisory Committee: Dee Dee Lear, Brenda Mills, Beverly Hughes, Rod Luther, Michael McClellan, Pam Mundo, Gerry Beliveau, Brett Cochran, Becky Horn, Dr. Rick and Pam Linavong, David Cox, Bill Martin, Zeshan Z. Tabani, Cathy Patterson, and Brent Libby. (Planning Director)

11. **Reports and Request for Town Council consideration and appropriate action:**

- a. **Discussion and Action** to approve Valencia on the Lake Pre-Annexation Agreement, Development Agreement, Public Improvement District Agreement and Tax Increment Reinvestment Zone Agreement relating to an approximately 448-acre tract of land owned by Valencia on the Lake, L.P. in the Town of Little Elm's extraterritorial jurisdiction. (Town Attorney)
- b. **Discussion and Action** to adopt Fifth Amendment to the commercial and residential refuse and recycling service contract with Community Waste Disposal. (Town Manager)
- c. **Discussion and Action** on staff recommendation to approve Re-chassis of Medic 621/Remount Brush Skid and new utility bed on old Brush Truck project as budgeted. (Fire Chief)
- d. **Discussion and Action** on staff recommends approval of funds for the purchase of a utility vehicle for the Fire Department; and approval of Ordinance No 932 amending the FY 2008-2009 Annual Budget by \$14,000. (Fire Chief)
- e. **Discussion and Action to adopt Ordinance No. 927** an ordinance of the Town of Little Elm, Texas establishing a Four-Way Stop Sign at the Intersection of Walker Lane and Woodlake Parkway, Little Elm, Denton County, Texas; providing for a penalty for the violation of this Ordinance;

providing for a repealing, savings, and severability clauses; providing for an effective date of this Ordinance and providing for the publication of the caption hereof. (Public Works Director)

- f. **Discussion and Action to adopt Ordinance No. 928** an ordinance of the Town of Little Elm, Texas establishing a Four-Way Stop Sign at the Intersection of Sunflower Drive and Sundance Drive, Little Elm, Denton County, Texas; providing for a penalty for the violation of this Ordinance; providing for a repealing, savings, and severability clauses; providing for an effective date of this Ordinance and providing for the publication of the caption hereof. (Public Works Director)
 - g. **Discussion and Action** on staff recommendation to approve Change Order No. 2 for the Main Street Elevated Water Tank Rehabilitation Project in the amount of \$8,250. (Public Works Director)
 - h. **Discussion and Action:** Conduct the annual review of investment policies and strategies and approve the “Investment Policies and Strategies for fiscal year 2008-2009”. (Finance Director)
 - i. **Discussion and Action:** Review and accept the Investment Report for Quarter ending September 30, 2008. (Finance Director)
 - j. **Discussion and Action to adopt Ordinance No. 931** 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 for an effective date. (Finance Director)
 - k. **Traffic Update:** regarding Toll Bridge over Lake Lewisville, the Eldorado/Garza and Eldorado/423 Expansion Projects. (Staff)
12. **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:

Section 551.071 Consultation with Town Attorney to receive legal advice concerning legal matters and contemplated litigations:

- a. Discussion with Town Attorney on litigation budget
- b. Plat Extension for Paloma Creek Phase 7
- c. Plat Extension for Paloma Creek Phase 8

Section 551.074 of the Texas Government Code-deliberation regarding the interviewing and appointment of applicant(s) to the Tax Increment Reinvestment Zone One (Resolution No. 12160801) and Tax Increment Board Zone Two (Resolution No. 12160802) and Economic Development Corporation.

13. **Discussion and consideration:** to take any action necessary as the result of the Closed (executive) session.

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Section 551.074 of the Texas Government Code-deliberation regarding the interviewing and appointment of applicant(s) to the Tax Increment Reinvestment Zone One (Resolution No. 12160801) and Tax Increment Board Zone Two (Resolution No. 12160802) and Economic Development Corporation.

14. **FYI:** (All matters are provided to the Town Council for informational purposes only will not be discussed by Council or Staff)

- a. Thanks and gratitude to the Fire Department
- b. CWD Municipal Recycling Report for October 2008
- c. Little Elm Food Bank Report
- d. Atmos Energy Rider GCR for December 2008
- e. TML Legislative Update for November 21, 2008
- f. Departmental Monthly Report for November 2008: Library, Planning and Development, Public Works Department

15. **Adjourn.**

Pursuant to the Texas Open Meeting Act, (Chapter 551, Texas Government Code), one or more of the above items may be considered in executive closed session to the public. Any decision on any item 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 at the Town Hall Center prior to 4:00 p.m. this 12th day of December 2008.