



MEETING
Town of Little Elm
100 W Eldorado Parkway
Little Elm, Texas 75068
214-975-0404
<http://www.littleelmtx.us>

PUBLIC HEARING
AND
REGULAR TOWN COUNCIL MEETING
Tuesday – June 5, 2007 – 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 and indivisible.
3. **Public Hearing:** To discuss and receive comments on proposed amendment to the Zoning Ordinance, Section 106 of the Code of Ordinances, to create a new 380 Overlay Zoning District. All interested citizens are welcome to attend the hearing and participate in same. (Planning Director)

Close Public Hearing.

Discussion and consideration to adopt Ordinance No. 835 an Ordinance of the Town of Little Elm, Texas, amending Chapter 106 of the Code of Ordinances of the Town by adding a new Section 106-32.5 relating to an Overlay District in the 380 Corridor; providing a General Purpose and Description of the District; establishing a boundary; establishing uses regulations; establishing height and setback requirements; adding signage, landscaping and lighting requirements; providing a saving clause; providing a severability clause; and providing for an effective date.

4. **Presentations and announcement:** Persons may address the Town Council 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.
5. **Presentation of appreciation:** To Capital One for their sponsorship in all festival events of the Town. (Festival Committee)
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 May 15, 2007 Regular Council Meeting
 - b. **Minutes** of the May 15, 2007 Pre-Council Meeting
 - c. **Minutes** of the May 22, 2007 Work Session
 - d. **To allow** the use of the Town Logo to the Little Elm Food Bank for promotional purposes.
 - e. **Resolution No. 06050702** a Resolution setting a date, time and place, for two public hearings on the proposed annexation of certain property by the Town of Little Elm, Texas, authorizing and directing the Planning Director to publish notice of such public hearings and direct the Planning Director and staff to develop a Service Plan. (Phase 6 of Lewisville Lake) (Planning Director)
 - f. **Resolution No. 06050705** a Resolution setting a date, time and place, for two public hearings on the proposed annexation of certain property by the Town of Little Elm, Texas, authorizing and directing the Planning Director to publish notice of such public hearings and direct the Planning Director and staff to develop a Service Plan. (US 380 ROW) (Planning Director)
7. **Reports and request for Town Council consideration and appropriate action:**
 - a. **Discussion and consideration to approve Resolution 06050701** a Resolution of the Town Council of the Town of Little Elm, Texas, appointing a Mayor-Pro-tem for a one year term of office, providing for an effective date. (Council)

- b. **Discussion and consideration to approve Resolution 06050703** a Resolution of the Town Council of the Town of Little Elm, Texas, establishing prohibited parking locations pursuant to 98-101 (C) of the Town of Little Elm Code of Ordinances; and providing for an immediate effective date. (Police Chief)
 - c. **Discussion and consideration to approve** Boundary Adjustment Agreement between the Towns of Little Elm and Prosper. (Town Manager)
 - d. **Discussion and consideration to approve Ordinance No. 836** an Ordinance of the Town of Little Elm, Texas providing for a reduction of Impact Fees as described herein for certain property located within the Town; providing a saving clause; providing a severability clause; providing an effective date. (Lakeside Dental, PA) (Public Work Director)
 - e. **Discussion and consideration** on approval of budget amendment to increase Hart Road Widen to Four Lane Project (850-6729-01) in the amount of \$21,450 and decrease ending fund balance by \$21,450. (Public Works Director)
 - f. **Discussion and consideration** on staff recommendation to amend the 2006-2007 budget by increasing the Wastewater Collections budget in Fund 612 by \$76,350 and decreasing Fund 612 Undesignated Net Assets. (Public Works Director)
- Discussion and consideration** on staff recommendation to amend the 2006-2007 budget by increasing the Eldorado Gravity Line Replacement in Fund 819 by \$37,500 and decreasing the Fund 612 Undesignated Fund Balance by \$37, 500. (Public Works Director)
- Discussion and consideration** to approve quote from Siemens Water Technologies for the installation of chemical additive equipment for Sunset Pointe Lift Station and Eldorado Estates Lift Station, purchase of Bioxide a Hydrogen Sulfide reducing agent and approval of Task Order 07-05 an exhibit to the Agreement for Professional Engineering Services dated December 21, 2004 with TRC Solutions in the amount of \$37,500 for the design of Sanitary Sewer System Improvements. (Public Work Director)
- g. **Receive nominations** for appointment to the Little Elm (4B) Community Development Corporation. (Town Council)
 - h. **Discussion and consideration** on reappointment of members to the Little Elm (4A) Economic Development Corporation.

- i. **Consideration and or action** on appointments to 4A (EDC) Corporation Board of Directors.
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:

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

- a. Spiritas Ranch
- b. Khosrow Sadeghian and Johnny Houston (809 Hillside Beach Drive)

Section 551.072 Discussion and deliberation on the purchase, exchange, lease, or value of real property.

- a. Land acquisition

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

- a. Spiritas Ranch
- b. Khosrow Sadeghian and Johnny Houston (809 Hillside Beach Drive)
- a. **Resolution No. 06050704** a Resolution of the Town Council of the Town of Little Elm, Texas declaring the necessity to acquire fee simple title to approximately 2.480 acres situated as Lot 2, Block A, of Elmwood Apartments, Phase One, an addition to the Town of Little Elm, Denton County, Texas, for proposed Community Center and other related governmental purposes; determining the public necessity for such acquisition; authorizing the acquisition of property rights necessary for the Community Center Project; appoint an appraiser and negotiator as necessary; authorizing the Town Manager of the Town of Little Elm, Texas to establish just compensation for the property rights to be acquired; authorizing the Town Manager to take all steps necessary to acquire the needed property rights in compliance with all applicable laws and resolutions; and authorizing the Town Attorney to institute condemnation proceedings to acquire the property if purchase negotiations are not successful. (Parks Director)

8. **FYI:** (All matters are provided to the Town Council for informational purposes only)
 - a. Monthly Report for April 2007 CWD
 - b. TML Legislative Update for May 11, 2007

9. **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. BRAILLE 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 1st day of June 2007.