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

214-975-0404  
http://www.littleelm mtx.us 

Work Shop, Public Hearing & Regular Council 

Tuesday, June 21, 2011 - 6:30 PM  
Town Hall Center---Council Conference Room and Chamber---100 W Eldorado Parkway 

1. Call to Order Council Work Shop at 6:30 p.m. 

   A. Items to be withdrawn from Consent Agenda. 

   B. Emergency Items if posted. 

   C. Request by the Town Council for items to be placed on the next regular council agenda for discussion, and recognition of excused absences. 

   D. Presentation of monthly updates from department heads concerning law enforcement activities, municipal court, customer service, emergency medical services, fire department response, fire prevention activities, emergency management, ongoing economic development projects, building permits, code enforcement activities, library activities, human resources updates, information technology report, revenue and expenditure report, street construction status, sanitation services, highway construction status, utility operations, parks and recreation activities, as well as facility and fleet updates. 

   E. Council to highlight items on the agenda needing further discussion or comments prior to the regular session. 

2. Adjourn Work Shop. 

3. Roll Call/Call to Order Public Hearing and Regular Town Council Meeting at 7:00 p.m. 

5. 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.

6. New Employee Introductions. (Chief Rhodes)

7. Discussion and action to approve Resolution No. 06211101 a Resolution of the Town
Council of the Town of Little Elm, Texas canvassing the returns and declaring the
results of the Run-Off Election held in the Town of Little Elm, Texas for the purpose of
electing one (1) Council member for District/Place 1 for a three (3) year term; making
other declarations and finding other matters in connection with the said elections as set
forth herein; finding that all matters set forth herein are true and correct; providing for
an effective date. (Town Attorney/Town Secretary)

(Mayor)

9. Statement of Elected Officer: newly elected officer will complete the Statement of
Elected Officer and Oath of Office. (Town Secretary)

10. Public Hearing and take any necessary action: regarding a request to rezone
approximately 17 acres of land from Heavy Industrial (HI) to Light Commercial (LC),
generally located at the northeast corner of FM 423 and Little Elm Parkway, within the
Town Limits of Little Elm, Denton County, Texas. All interested citizens are welcome
to attend the hearing and participate in same. (Please fill out speaker form on the table
outside the chambers and present to the Town Secretary prior to public hearing).

A. Staff Report.

B. Open Public Hearing.

C. Applicant and Public Comments.

D. Close Public Hearing.
E. Convene into Executive Closed Session pursuant to Section 551.071, Texas Government Code, in accordance with the authority contained in: Consultation with Town Attorney to receive legal advice concerning legal matters and/or contemplated litigations.

F. Reconvene into Open Session and take any action necessary as the result of the executive closed session.

G. Discussion and Action to adopt Ordinance No. 1055 an Ordinance of the Town of Little Elm, Texas, amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, hereinafter amended, by changing the zoning on approximately 17 acres of land generally located at the northeast corner of FM 423 and Little Elm Parkway from Heavy Industrial District (HI) to Light Commercial District (LC); providing for a saving clause; correcting the official zoning map; providing a penalty clause; providing a severability clause; providing a repealer clause; and providing for an effective date. (Planning Manager)

11. Presentation and Announcements: 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.

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 June 14, 2011 Work Shop and Regular Meeting. (Town Secretary)

B. Accept resignation from Amanda Parish as member on the Parks & Recreation Board. (Parks & Recreation Director)

C. Approve Task Order for testing on the Recreation Center and Senior Center Improvements between the Town of Little Elm and D&S Engineering Lab for the estimated amount of $21,817.50 and authorize the Town Manager to execute a contract for the same. (Director of Development Services)
D. Authorize final payment of $72,868.69 to Quality Excavation, Ltd. of Aubrey, Texas close out the Main Street-West (Phase 1) Improvements, and authorize the Town Manager to execute the same. (Director of Development Services)

E. Approve the purchase of various Right of Way and Easements for the Witt Road Bridge Project between the Town of Little Elm and Frisco Molidor, L.P. for the amount of $45,000.00 and authorize the Town Manager to close purchase. (Director of Development Services)

F. Approve the Mitigation Credit Sales Agreement for the Witt Road Bridge project between the Town of Little Elm and Wetland Management, L.P. for the estimated amount of $16,200.00 and authorized the Town Manager to execute a contract for the same. (Director of Development Services)

13. Reports and requests for Town Council consideration and appropriate action:

A. Presentation: Kevin Mattingly to present Council with the Greater DFW Recycling Alliance 2011 Recycling Leadership Awards “Outstanding Environmental Youth Education and Outreach Program”. (Public Works Director)

B. Discussion and Action on Parks and Recreation Board recommendation that Town Council approve co-sponsoring of “Woofstock” to be held a Little Elm Park on October 2, 2011. (Parks & Recreation Director)

C. Presentation: with Kimley-Horn & Associates, Inc. for Park Master Plans for the Town of Little Elm. (Parks & Recreation Director/Director of Development Services)

D. Discussion and Action to approve the Construction Project Change Order #1 in the amount of $79,390.00 for the Town’s 2011 Annual Street Maintenance Project to Quality Excavation, LTD of Aubrey, Texas for the addition of Bayridge Estates street improvements, and authorize the Town Manager to execute a contract for the same. (Town Engineer)

E. Discussion and Action to designate a voting representative to the North Central Texas Council of Governments. (Council)

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. Tri Dal, LTD v Town of Little Elm.

   2. Town of Little Elm v Griffin.

   3. Cause Nos. 2011-20148-158 Yes Companies, LLC v Town of Little Elm and CV-2011-01309; CV-2011-01314 Town of Little Elm v YES Companies, LLC. Compromise and Settlement Agreement.

15. Reconvene into Open Session: Discussion and consideration to take any action necessary as the result of the Closed (executive) session.

A. Section 551.071:

   1. Tri Dal, LTD v Town of Little Elm.

   2. Town of Little Elm v Griffin.

   3. Cause Nos. 2011-20148-158 Yes Companies, LLC v Town of Little Elm and CV-2011-01309; CV-2011-01314 Town of Little Elm v YES Companies, LLC. Compromise and Settlement Agreement.

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

A. Town Secretary Monthly Report for May 2011.


C. Acknowledgement Letter to Fire Department and Police Officer.

D. Thank You note to 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,

[Signature]

Town Secretary

This is to certify that the above notice was posted on the bulletin board at the Town Hall Center this 17th day of June 2011.