

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

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

REGULAR TOWN COUNCIL

Tuesday, August 19, 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. **Presentation of Certificates (Mayor and Town Manager)**
4. **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.
5. **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 August 5, 2008 Pre-Council Meeting
 - B. Minutes of the August 5 2008 Regular Council Meeting

- C. Minutes of the August 12, 2008 Work Session
 - D. Approval of FY08 Auditor's Extension Contract with Freemon, Story & Shapard Certified Accountants and authorize Mayor to execute the same. (Town Manager - Accounting-Budget Officer)
 - E. Authorize American Traffic Solutions to evaluate designated intersections determined by the Council; whereby a report and recommendation will follow for Council's review and discussion at a later date. (Police Chief)
 - F. Approval of Final Plat-004 Sunset Pointe Phase 19A (Planning Director)
 - G. Approval of Final Plat-005 Sunset Pointe Phase 20A (Planning Director)
 - H. Approval of Final Plat-006 Witt Tower Addition (Planning Director)
 - I. Approval of separation of Secret Santa of Little Elm, Texas, Inc. a non-profit corporation from the General Fund into the corporations account in the amount of \$17,065.32. (Town Secretary-Accounting/Budget Officer)
6. **Reports and requests for Town Council consideration and appropriate action:**
- A. Discussion and Action to adopt Ordinance No.906 an Ordinance of the Town of Little Elm, Texas amending the Code of Ordinance by repealing Ordinance No. 755 and Ordinance No. 831 and providing for the adoption of the International Fire Code, 2006 Edition; providing amendments to the International Fire Code, 2006 Edition; providing a severability clause; providing a repealing clause; providing a saving clause; providing a penalty for violation of this Ordinance not to exceed the sum of Two-Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date. (Fire Marshal)
 - B. 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)

- C. Discussion and Action to approve the Lakeshore Drive Construction Project Change Order #1 in the amount of \$39,141.87 for the Town's Lakeshore Drive Paving, Drainage, and Water Improvement Project to Quality Excavation, Ltd. of Aubrey, Texas and authorize the Town Manager to execute the same. (Public Work Director)
- D. Discussion and Action: review applicant pool for vacant Board and Commission positions and select candidates for interview. (Planning Director)
- E. Discussion and Action on re-appointment of existing members to the Planning and Zoning Commission and Board of Adjustment. (Planning Director)
- F. Discussion and Action to approve the budget amendment to increase professional service in the General Fund Town Attorney Department by \$100,000. (Town Manager)
- G. Discussion and Action to approve Resolution No. 08190801 a Resolution opposing the continued preemption of municipal regulation of certain Intra-State Gas Utilities; urging legislative action to permit greater local regulatory oversight; and providing an effective date. (Town Manager)
- H. Discussion and Action to approve Resolution No. 08190802 a Resolution of the Town of Little Elm commitment to establish and participate in an "Energy Reduction Program". (Town Manager)
- I. Discussion and Action to approve Resolution No. 08190803 a Resolution approving a Memorandum of Agreement with the Texas Commission of Environmental Quality regarding enforcement of Motor Vehicle Idling Restrictions. (Town Manager)
- J. Discussion and Action to reappoint Rudy Durham as the Town's representative to the Regional Transportation Council. (Town Manager)
- K. Discussion and Action to approve Council's charge to 2009-2014 Citizen's Bond Committee. (Town Manager)
- L. Discussion and Action to appoint members to the Citizen's Bond Committee. (Mayor)
- M. Traffic Update:

7. **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
 - 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 Town Center Property.
8. **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
- 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 for Town Center Property.
9. **FYI: (All matters are provided to the Town Council for informational purposes only)**
 - A. Department Monthly Reports
 - B. Acknowledgements:
10. **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 15th day of August 2008.