

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

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

Public Hearing & Regular Council

Tuesday, June 2, 2009 - 7:00 PM
Town Hall Center---Council Chambers---100 W Eldorado Parkway

1. **Roll Call/Call to Order Public Hearing and Regular Town Council Meeting.**
2. **Opening Prayer: Curtis Cornelious, Praise Fellowship Worship Center.**
3. **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.
4. **Public Hearing: regarding a request to rezone approximately 5 acres of land from Single Family 1 and Agricultural (SF-1 & AG) to Single Family-Ranchette Estates (SF-RE), located at 4412 Dickson Lane approximately 800 feet west of the intersection of Dickson Lane & Eldorado Parkway, Little Elm, Denton County, Texas. 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)**
 - A. Close Hearing

- B. Discussion and Action to adopt Ordinance No. 956 Ordinance of the Town of Little Elm, Texas, amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, herefore amended, by changing the zoning on approximately 4.69 acres of land, generally located 800 feet west of the intersection of Dickson Lane and Eldorado Parkway, 4412 Dickson Lane, Little Elm, Denton County, Texas, from Single Family 1 & Agricultural (SF-1 & AG) to Single Family-Ranchette Estates (SF- RE); providing a saving clause; correcting the official zoning map; providing a penalty clause; providing a severability clause; and providing a repealing clause; and providing for an effective date. (Planning Director)
5. **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.
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 12, 2009 Special Meeting & Work Session
 - B. Minutes of the May 19, 2009 Public Hearing & Regular Meeting
 - C. Minutes of the May 19, 2009 Pre-Council Meeting
 - D. Approve application for the Bulletproof Vest Partnership and allow the police department to make the one-time purchase of numerous ballistic vests sharing the cost with the Bulletproof Vest Partnership Program (Police Chief)
 - E. Final Plat- Humes Addition (Planning Director)
 - F. Approve Task Order for Construction Material Testing for WWTP Expansion Project between the Town of Little Elm and CHA, Inc. for the estimated amount of \$43,135.00 and authorize the Town Manager to execute a contract for the same. (Town Engineer)

7. **Reports and requests for Town Council consideration and appropriate action:**
- A. Discussion and Action on staff recommendation to re-appoint Stephanie Shoemaker, Julie Lawson, and Jeanette Westenhoeffer to the Community Development Corporation (CDC). (Parks Director and CDC President)
 - B. Discussion and Action on staff recommendation to authorize the Town Manager to purchase Microsoft Enterprise software licensing through the State of Texas Department of Information Resources (DIR) contract with SHI Government Solutions for an amount not to exceed \$51,797 annually. (Finance Director and IT Manager)
 - C. Discussion and Action on staff recommendation to authorize Town Officials, Financial Advisor (Southwest Securities) and Bond Counsel (Fulbright & Jaworski) to proceed with the issuance process and sale of General Obligations Bonds, Series 2009. (Finance Director)
 - D. Discussion and Action on staff recommendation to approve Resolution No. 06020905 declaring expectation to reimburse expenditures with proceeds of future debt. (Finance Director)
 - E. Discussion and Action to appoint voting representative to the North Texas Council of Governments General Assembly. (Town Manager)
 - F. Discussion and Action on staff recommendation to award construction contract for the 2009 Annual Street Maintenance Project in the amount of \$694,295.55 to Quality Excavation Ltd. of Aubrey, Texas and authorize the Town Manager to execute a contract for the same. (Town Engineer)
 - G. Discussion and Action on staff recommendation to award contract for Cottonwood Park Irrigation Well Improvements in the amount of \$255,118.85 to ET Water Services of Bowie, Texas and authorize the Town Manager to execute a contact for the same. (Town Engineer)
 - H. Discussion and Action on staff recommendation to approve the addition of one Public Works Inspector position to provide increased inspection services to the Town and authorize funding from the utility CIP Budget. (Town Engineer)

- I. Discussion and Action on staff recommendation to approve a Master Service Agreement for Consulting Services and Task Order for Witt-Woodlake Connector Improvements between the Town of Little Elm and Graham Associates, Inc. for the amount of \$143,460.00 and authorize the Town Manager to execute a contract for the same. (Town Engineer)
 - J. Discussion and Action on staff recommendation to approve a Master Service Agreement for Consulting Services and Task Order for Emergency Generator Improvements between the Town of Little Elm and 3rd Generation Engineering, Inc. for the amount of \$22,753.00 and authorize the Town Manager to execute a contract for the same. (Town Engineer)
 - K. Discussion and Action on staff recommendation to approve the Design Change Order for Consulting Services for Lobo Lane Improvements between the Town of Little Elm and Cobb Fendley & Associates, Inc. for the amount of \$284,685.00 and authorize the Town Manager to execute a contract for the same. (Town Engineer)
 - L. Discussion and Action on staff recommendation to approve a Master Service Agreement for Consulting Services and Task Order for Eldorado Parkway Signal Improvements between the Town of Little Elm and Nathan D. Maier Consulting Engineers, Inc. in the amount of \$67,109.00 and authorize the Town Manager to execute a contract for the same. (Town Engineer)
 - M. Discussion and Action to approve Resolution No. 06020901 a Resolution of the Town Council of the Town of Little Elm, Texas, appointing a Mayor Pro-tem for a one year term of officer, providing for an effective date. (Town Council)
 - N. Discussion Only: regarding placement of the food bank in the old fire station or community center after new facilities constructed. (Council)
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:**
- A. Section 551.071 Consultation with Town Attorney to receive legal advice concerning legal matters and contemplated litigation.
 - 1. Potential litigation concerning portable building standards

- B. Section 551.072 Discussion and deliberation on the purchase, exchange, lease, or value or real property.
 - 1. Main Street, Lakeshore Drive Realignment, LEISD, and properties in the area.
 - 2. Resolution No. 06020902 a Resolution of the Town Council of the Town of Little Elm, Texas determining the public necessity of acquiring the hereinafter described real property owned by Michael E. and Jackie Carroll and authorizing its condemnation and/or appropriation for public use for sewer line construction and improvements in the Town of Little Elm, Texas; providing an immediate effective date.
 - 3. Resolution No. 06020903 a Resolution of the Town Council of the Town of Little Elm, Texas determining the public necessity of acquiring the hereinafter described real property owned by Perfecto A. and Patricia H. Prieto and authorizing its condemnation and/or appropriation for public use for sewer line construction and improvements in the Town of Little Elm, Texas; providing an immediate effect date
 - 4. Resolution No. 06020904 a Resolution of the Town Council of the Town of Little Elm, Texas determining the public necessity of acquiring the hereinafter described real property owned by PDS Group, LLC, and authorizing its condemnation and/or appropriation for public use for sewer line construction and improvements in the Town of Little Elm, Texas; providing for an immediate effective date.
- C. Section 551.074 Conduct interview with applicants for director positions on the Little Elm TIRZ#1 And TIRZ #2 Board, LERA Board, and members to the Community Development Corporation (CDC).

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

- A. Section 551.071 Consultation with Town Attorney to receive legal advice concerning legal matters and contemplated litigation.
 - 1. Potential litigation concerning portable building standards
- B. Section 551.072 Discussion and deliberation on the purchase, exchange, lease, or value or real property.

1. Main Street, Lakeshore Drive Realignment, LEISD, and properties in the area.
 2. Resolution No. 06020902 a Resolution of the Town Council of the Town of Little Elm, Texas determining the public necessity of acquiring the hereinafter described real property owned by Michael E. and Jackie Carroll and authorizing its condemnation and/or appropriation for public use for sewer line construction and improvements in the Town of Little Elm, Texas; providing an immediate effective date.
 3. Resolution No. 06020903 a Resolution of the Town Council of the Town of Little Elm, Texas determining the public necessity of acquiring the hereinafter described real property owned by Perfecto A. and Patricia H. Prieto and authorizing its condemnation and/or appropriation for public use for sewer line construction and improvements in the Town of Little Elm, Texas; providing an immediate effect date
 4. Resolution No. 06020904 a Resolution of the Town Council of the Town of Little Elm, Texas determining the public necessity of acquiring the hereinafter described real property owned by PDS Group, LLC, and authorizing its condemnation and/or appropriation for public use for sewer line construction and improvements in the Town of Little Elm, Texas; providing for an immediate effective date.
- C. Section 551.074 Appointment of applicants for director position on the Little Elm TIRZ#1 And TIRZ #2 Board, LERA Board, and members to the Community Development Corporation (CDC).
10. **FYI: (All matters are provided to the Town Council for informational purposes only will not be discussed by Council or Staff)**
- A. Letter of thanks to the Fire Department
 - B. Police Department Quarterly Report
11. **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 29th day of May 2009.