

**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, January 18, 2011 - 7:00 PM
Town Hall Center---Council Chambers---100 W Eldorado Parkway**

1. Roll Call/Call to Order Regular Town Council Meeting.
2. Opening Prayer: Pastor Zach Miller-The Crossing Church.
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. 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.
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 January 4, 2011 Regular Council Meeting.

- B. Minutes of the January 4, 2011 Pre-Session Meeting.
- C. Minutes of the January 11, 2011 Council Work Shop.
- D. Construction Project Change Order #2 to add an additional seventy-five (75) days to the Town's Witt-Woodlake Connector Improvements Project to Weir Bros., Inc. of Dallas, Texas and authorize the Town Manager to execute the same. (Town Engineer)
- E. Final Plat application for Sunset Pointe, Phase 21, from Dowdy Anderson and Associates, generally located northwest of the intersection of Sunflower and Marlin Drive. (Community Development)
- F. Resolution No. 01181102 a Resolution authorizing the Town to establish a deferred compensation plan with Nationwide Retirement Solutions, Inc. for public employees. (Finance Director)
- G. Resolution No. 01181103 a Resolution of the Town of Little Elm suspending the February 14, 2011, effective date of ONCOR Electric Delivery Company's requested rate change to permit the Town time to study the request and to establish reasonable rates; approving cooperation with the Steering Committee or Cities served by ONCOR to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring such notice of this Resolution to the Company and Legal Counsel for the Steering Committee. (Town Manager)
- H. Authorize Town Staff to purchase (1) F-550 utility body crane truck and (1) F-250 utility body truck with hydraulic lift gate from Philpott Motor Company of Nederland, Texas in the amount of \$113,527.00. (This is a Buy board purchase and with funding approved in the 2010/2011 budget) (Public Works Director)
- I. Accept the offer of \$30,197.00 from the Texas Department of Transportation for Parcel No. 26 as identified on the official right-of-way map for the FM 423 Project and authorize the Town Manager to execute all necessary documents to convey said property. (Public Works Director)
- J. Approve grant application for Expert Systems Technologies Criminal Justice Applications. (Police Chief)

- K. Approve grant application for Electronic Crime and Digital Evidence Recovery FY 2011. (Police Chief)
 - L. Approve grant application for Firehouse Subs Public Safety Foundation Equipment Funding (Select Communities). (Police Chief)
6. Reports and requests for Town Council consideration and appropriate action:
- A. Presentation by Charter Review Committee: Discussion and Action on recommended changes/amendments to the Little Elm Town Charter, as provided by the Town of Little Elm Charter Review Committee. (Dan Jaworski)
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. Raymundo Hernandez Dispute
 - 2. Section 551.071, section (2): Consultation with Town Attorney to obtain legal advice regarding matters listed below with respect to which the attorney(s) have the duty to advise the client confidentially, pursuant to the Attorney-Client Privilege and The Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas:
 - a. The authority of the Town Manager, pursuant to the Town's Charter, Code of Ordinances and applicable law, to authorize investigations, deal with personnel issues and take disciplinary actions with respect to employees of the Town.
 - 3. Section 551.087 of the Texas Government Code to deliberate regarding commercial or financial information that the Town of Little Elm has received from a business prospect(s), and to deliberate the offer of a financial or other incentive to a business prospect(s) regarding a development at FM 423 and Little Elm Parkway.
8. 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. Raymundo Hernandez Dispute

B. Section 551, section (2): The authority of the Town Manager, pursuant to the Town's Charter, Code of Ordinances and applicable laws, to authorize investigations, deal with personnel issues and take disciplinary actions with respect to employees of the Town.

C. Section 551.087 of the Texas Government Code to deliberate regarding commercial or financial information that the Town of Little Elm has received from a business prospect(s), and to deliberate the offer of a financial or other incentive to a business prospect(s) regarding a development at FM 423 and Little Elm Parkway.

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

A. Community Development Monthly Report for December 2010.

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. **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 14th day of January 2011.