

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

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

Work Shop/Pre-Session and Regular Council Meeting

Tuesday, February 15, 2011 - 6:00 PM

Town Hall Center---Council Conference Room and Chamber---100 W Eldorado Parkway

1. Call to Order Work Shop/Pre-Session **at 6:00 p.m.** The Work Shop will suspend at 7:00 p.m. for Regular Meeting; then reconvene after Regular Meeting ends.
 - A. Presentation by Eldorado Estates Section V homeowners regarding erosion problems adjacent to their homes along Cottonwood Creek.
 - B. Building Inspector Dale McKendrick and Fire Marshal Brian Roach will address the Council on most recent editions of the model building and related codes with regional and local amendments.
 - C. Items to be withdrawn from Consent Agenda.
 - D. Emergency Items if posted.
 - E. Request by the Town Council for items to be placed on the next regular council agenda for discussion, and recognition of excused absences. (Excuse absences of Charles Platt for the December 21, 2010 meeting and Curtis Cornelious for the January 18, 2011 meeting).
 - F. 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

- G. Council to highlight items on the agenda needing further discussion or comments prior to the regular session.
 - H. Presentation: proposal to replace older water meter registers for the purpose of making all meter registers compatible town wide for the purpose of capturing data for billing and meter testing purposes. (Finance Director)
 - I. Discussion and direction regarding proposal from Denton County Fresh Water Supply District #10.
2. Roll Call/Call to Order Regular Town Council Meeting at 7:00 p.m.
 3. Opening Prayer: Pastor Richard Stevens-Living Word Baptist Church.
 4. 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.
 5. Presentation: Certificates of Appreciation to members of the Citizen Charter Review Committee. (Mayor)
 6. Presentation: Community Waste Disposal (CWD) annual recycling presentation. (Robert Medigovich)
 7. 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.
 8. 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 18, 2011 Regular Council Meeting.
- B. Minutes of the January 18, 2011 Pre-Council Meeting.
- C. Minutes of the January 26, 2011 Work Shop.
- D. Resolution No. 02151101 requesting improvements to Interstate 35 East as designed by the Texas Department of Transportation to be fully funded and implemented for the full project length from Interstate Highway 635 Dallas County to U.S. Highway 380 in Denton County. (Town Manager)
- E. Approve Cash and Investment Report for quarter ending December 31, 2010. (Finance Director)
- F. Receive Quarterly Budget and Financial Report for quarter ending December 31, 2010. (Finance Director)
- G. Approve and authorize the Town Manager to negotiate and execute a participation agreement with JP Morgan Chase for procurement card services. (Finance Director)
- H. Approve Replat for Northshore Communities, consisting of 7 lots; the property is generally located at southwest corner of U.S. Highway 380 and Savannah Road. (Interim Director of Planning)
- I. Reappoint Michael McClellan to regular member position 1 on the Planning and Zoning Commission for a 2 year term, expiring 02-28-2013. Reappoint Ann Brooks to regular member position 3 on the Planning and Zoning Commission for a 2 year term, expiring 02-28-2013. Reappoint Charlie Davis to regular member position number 5 on the Planning and Zoning Commission for a 2 year term, expiring 02-28-2013. Reappoint Robert Anderson to regular member position 5 on the Board of Adjustment for a 2 year term, expiring 02-28-2013. Reappoint Brian Rawlins to alternate member position 7 serving both the Planning and Zoning Commission and the Board of Adjustment for a 2 year term, expiring 02-28-2013. (Interim Director of Planning)
- J. Approve Amendment No. 2 to Amendment No. 1 to Assignment, Assumption, Release, and Restatement of Sanitary Sewer System Extension and Wholesale Waste Water Collection Agreement between Denton County Fresh Water Supply District 8-

C and the Town of Little Elm. (Town Engineer)

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

A. Discussion and Action to adopt Ordinance No. 1033 an Ordinance of the Town of Little Elm, Texas, providing for Residential and Commercial Water and Wastewater Fees and Rates, and amending certain Commercial Refuse Rates; providing for a repealing clause; providing a severability clause; and providing for an effective date. (Finance Director)

B. Discussion and Action to adopt Ordinance No. 1034 an Ordinance of the Town of Little Elm, Texas amending the Town's Budget for the Fiscal Year, October 1, 2010 through September 30, 2011, adding a Traffic Safety Fund and related revenues and expenditures in accordance with the Photographic Traffic Signal Enforcement Program and which said revenues and expenditures are not included in the current fiscal year budget; providing that expenditures from said fiscal year budget shall be made in accordance with said amended budget; and providing for an effective date. (Finance Director)

C. Discussion and Action to award construction contract for the Main Street Irrigation Well Improvements in the amount of \$380,007.00 to Central Texas Water Well of Bowie, Texas and authorize the Town Manager to execute contract for same. (Town Engineer)

D. Discussion and Action to adopt Ordinance No. 1035 an Ordinance of the Town of Little Elm, Texas, amending the Code Of Ordinances of the Town, by amending Chapter 54 (Flood Control and Prevention), Sections 54-30 (Basis for Establishing the areas of Special Flood Hazard), and 54-59 (Designation of the Floodplain Administrator), to revise floodplain regulations: providing a savings clause; providing a penalty; providing a severability clause; providing a repealer clause; and providing an effective date. (Town Engineer)

E. Discussion and Action to approve Joint Election Agreement and Contract for Election Services with Denton County. (Town Secretary)

F. Discussion and Action to approve Proposed Charter Amendment Propositions for the May 2011 Charter Amendment Election. (Town Attorney)

10. 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. 802 East Eldorado Parkway

2. Village of Woodlake Homeowner Association Dispute

3. Proposed assignment of Cottonwood Creek Marina concession agreement and related documents

4. Town of Little Elm v Sharon Ann Griffin. Executrix of Witt estate

B. 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:

1. 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.

11. 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. 802 East Eldorado Parkway

2. Village of Woodlake Homeowner Association Dispute

3. Proposed assignment of Cottonwood Creek Marina concession agreement and related documents

4. Town of Little Elm v Sharon Ann Griffin. Executrix of Witt estate

B. 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:

1. 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.

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

A. Community Development Monthly Report for January 2011

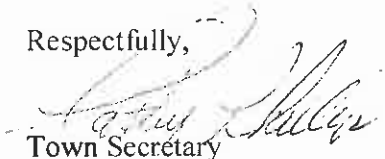
B. Town Secretary Monthly Report for January 2011

13. Adjourn Work Shop/Pre-Session and Regular Meeting.

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 11th day of February 2011.