

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

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

Pre-Session and Regular Council Meeting

Tuesday, March 1, 2011 - 6:30 PM

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

1. Call to Order Pre-Session 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 - A. Items to be withdrawn from Consent Agenda.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. Roll Call/Call to Order Regular Town Council Meeting at 7:00 p.m.
3. Opening Prayer: Pastor Terry Hackworth-Gods Love 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 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.

- 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 February 15, 2011 Work Shop/Pre-Session and Regular Meeting.

 - B. Accept 2010 Racial Profiling Report (Police Chief)

 - C. Authorize the Town Manager to accept and approve the Subordination, Non-disturbance and Attornment Agreement between Cottonwood Creek Marina, Inc., the Town of Little Elm and the American Bank of Texas. (Parks Director)

 - D. Approve Assignment of the Concession Agreement and Amendment to the Concession Agreement between the Town, Ben Miller and Cottonwood Creek Marina, Inc. (Parks Director)

- 7. Reports and requests for Town Council consideration and appropriate action:
 - A. Discussion and Action to adopt Ordinance No. 1036 an Ordinance of the Town Council of the Town of Little Elm, Texas, ordering a General and Special Election to be held on Saturday May 14, 2011, for the following purposes: elect one Council Member from Place 1 for a three (3) year term, elect one Council Member from Place 6 for a three (3) year term, and voting "Yes" or "No" on Seven (7) proposed Home-Rule Charter Amendments; providing for appointment of election officers; providing for the designation of the places and manner of holding said election;

providing for the designation of the early voting polling places; providing for the designation of the early voting clerk; providing for the posting and publication of notice; providing a severability clause and conflict clause; and providing for an immediate effective date. (Town Attorney)

- B. Discussion and Action to adopt Ordinance No. 1037 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, so as to include therein certain adjustments which are for General Fund and Utility Fund appropriations and are not included in the current 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 approve the Design Change Order #3 for Consulting Services for the addition of a Championship Soccer Field at Little Elm Park to the Lobo Lane Improvement Design Contract between the Town of Little Elm and Cobb Fendley & Associates, Inc. for the amount of \$10,780.00 and authorize the Town Manager to execute a contract for the same. (Town Engineer)
- D. Discussion and Action to a Design Task Order for Smotherman Road Improvements between the Town of Little Elm and TRC Engineers, Inc. for the amount of \$23,405.00 and authorize the Town Manager to execute a contract for the same.
Road. (Town Engineer)
- E. Discussion and Action to approve a Task Order for the Cottonwood Creek Drainage Study between the Town of Little Elm and Freese and Nichols, Inc. for the amount of \$78,066.00 and authorize the Town Manager to execute a contract for the same.
(Town Engineer)
- F. Discussion and Action to approve the Tender Agreement for \$20,000.00 with North American Specialty Insurance Company and to assign the remaining contract to Quality Excavation in the amount of \$678,441.63 on the Town's Eldorado Parkway Wastewater Improvements-East Side Project and authorize the Town Manager to execute the same. (Town Engineer)
- G. Discussion and Action to select Bill Joplin's Compressor Services as Design-Build Consultant for the Town to use on the ARRA Consulting and Design Build Services (HVAC Improvements to Town Hall) and execute agreement for the amount of \$86,365.00 and authorize the Town Manager to execute contract for the same.
(Town Engineer)
- H. Discussion and Action to approve Change Order #2 in the amount of \$11,084.00 for

the Town's Emergency Generator Improvement Project to Intex Electrical Contractors, Inc. of Forney, Texas and authorize the town Manager to execute a contract for the same. (Town Engineer)

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 litigations.

1. Proposed Franchise Agreement with CoServ

B. Section 551.074: Deliberate the appointment, evaluation, reassignment, duties, or dismissal of the members of the Town's Economic Development Corporation Board."

9. 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. Proposed Franchise Agreement with CoServ

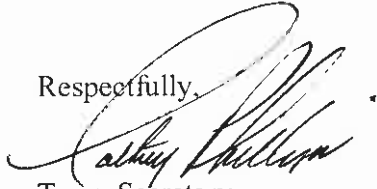
B. Section 551.074: Deliberate the appointment, evaluation, reassignment, duties, or dismissal of the members of the Town's Economic Development Corporation Board."

10. Adjourn 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,



Cathy Phillips
Town Secretary

This is to certify that the above notice was posted on the bulletin board at the Town Hall Center this 25th day of February 2011.