MEETING
Town of Little Elm
100 W Eldorado Parkway
Little Elm, Texas  75068-5060
214-975-0404
http://www.littleelmtx.us

Work Shop and Regular Town Council Meeting

Tuesday, August 2, 2011 - 6:30 PM
Town Hall Center---Council Conference Room and Chamber---100 W Eldorado Parkway

1. Call to Order Work Shop 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   A. Items to be withdrawn from Consent Agenda.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. Discussion on American Legion Post 182’s “Fallen Soldiers Program” presentations in Little Elm. (Council member Roebken)

   E. 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.

   F. Council to highlight items on the agenda needing further discussion or comments prior to the regular session.

2. Roll Call/Call to Order Regular Meeting at 7:00 p.m.


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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: Certificate of Merit to Keep Little Elm Beautiful. (Public Works Director)

6. Presentations and announcement: 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.

7. 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 July 19, 2011 Work Shop and Regular Meeting. (Town Secretary)

   B. Approve Quarterly Investment Report for period ending June 30, 2011. (Finance Director)

   C. Receive Budget Report for period ending June 30, 2011. (Finance Director)

   D. Approve Replat application for Arbor Creek Addition, from Pogue Engineering, generally located south of Mark Tree Lane, west of Arbor Creek subdivision, and east of Preston on the Lake mobile home park. (Planning Manager)

   E. Approve of an Interlocal Agreement between the Town of Little Elm and Denton County for Tax Collections for a term of one (1) year beginning October 1, 2011 through September 30, 2012 with an automatic renewal of an additional one (1) year term at the discretion of the County and the Town. (Finance Director)
F. Approve Task Order for Construction Material Testing on King’s Crossing Lift Station Expansion between the Town of Little Elm and Alliance Geotechnical Group for the estimated amount of $9,117.00 and authorize the Town Manager to execute a contract for the same. (Director of Development Services)

G. Award construction project change order #1 to change the existing street lighting to LED for the Streetscape and Gateways Improvements in the amount of $38,265.00 to Site Planning Site Development, Inc. (S.P.S.D.) of Arlington, Texas and authorize the Town Manager to execute a contract for the same. (Director of Development Services)

H. Approve Resolution No. 08021101 appointing Allen Harris as member to the Board of Managers of the Dencio Area 9-1-1 District. (Town Secretary)

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

A. Discussion and Action to adopt Ordinance No 1062 an Ordinance authorizing the issuance of Town of Little Elm, Texas, General Obligation Refunding Bonds, Series 2011; in the aggregate principal amount not to exceed $7,950,000; levying a continuing direct annual ad valorem tax for payment of said Bonds; and resolving other matters incident and related to the issuance, sale, payment, and delivery of said Bonds; establishing procedures for the sale and delivery of said Bonds; and delegating matters relating to the sale and issuance of the Bonds to an authorized Town official. (Finance Director)

B. Discussion and Action to approve an Architectural Services Agreement for Consulting Services for the Library Expansion between the Town of Little Elm and Hidell and Associates for the amount of $108,950.00 and authorize the Town Manager to execute a contract for the same. (Director of Development Services)

C. Discussion and Action to approve Boundary Adjustment Agreement between the Municipalities of the Town of Little Elm and City of Oak Point, Texas. (Town Manager)

D. Discussion and Action to adopt Ordinance No. 1061 an Ordinance of the Town of Little Elm, Texas, granting to Denton County Electric Cooperative, Inc., D/B/A CoServ Electric, its successors and assigns, the Non-Exclusive Right to use and occupy Rights-Of-Way within the Town of Little Elm for the construction and operation of an Electric Transmission and Distribution System; prescribing conditions governing the use of the public Rights-of-Way; providing for
compensation therefor; providing for an effective date and a term of said Franchise; providing for written acceptance of this Franchise; finding that the meeting at which this Ordinance is passed is open to the public; and providing for severability. (Town Manager/Town Attorney)

E. Discussion and Action to adopt Ordinance No. 1063 an Ordinance of the Town Council of the Town of Little Elm, Texas, ("Town") approving the negotiated resolution between the ATMOS Cities Steering Committee ("ACSC") or "Steering Committee") and ATMOS Energy Corp., Mid-Tex Division ("ATMOS Mid-Tex" or "Company") regarding the Company’s Fourth Annual Rate Review Mechanism ("RRM") filing in all cities exercising original jurisdiction; declaring existing rates unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; requiring the Company to reimburse Cities' reasonable ratemaking expenses; repealing conflicting Resolutions or Ordinances; determining that this Ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a saving clause; declaring an effective date; and requiring delivery of this Ordinance to the Company and the Steering Committee’s legal counsel. (Town Manager/Town Attorney)

9. 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. Town of Little Elm v Griffin (Witt).

   2. Tri Dal, LTD v Town of Little Elm.

   3. CoServ Franchise Agreement.

10. 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. Town of Little Elm v Griffin (Witt).
2. Tri Dal, LTD v Town of Little Elm.

3. CoServ Franchise Agreement.

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


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,

[Signature]

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 July 2011.