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

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

Workshop, Public Hearing and Regular Council Meeting

Tuesday, November 1, 2011 - 6:30 PM
Town Hall Center---Council Chamber---100 W Eldorado Parkway

1. Call to Order Council 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   A. Items to be withdrawn from Consent Agenda.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. 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 Public Hearing and Regular Town Council Meeting at 7:00 p.m.

3. Opening Prayer:  Curtis Cornelious-Praise Fellowship Worship Center.

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: Representative from Point Bank to make presentation to Friends of the Library.

6. Public Hearing and Action: to consider adoption of an Ordinance establishing a municipal drainage utility system and drainage rates/fees, as set forth. All interested citizens are welcome to attend the hearing and participate in the same. (Please fill out form on table outside chamber doors and present to the Town Secretary prior to the meeting, if desire to speak.)

A. Staff Report.

B. Open Public Hearing.

C. Receive Public Comments.

D. Close Public Hearing.

E. Discussion and Action to adopt Ordinance No.1087 an Ordinance of the Town of Little Elm, Texas, amending Chapter 102 the Code of Ordinances adding Article X to be entitled "Municipal Drainage and Utility System" establishing the Town's Drainage System as a public utility; establishing drainage service; establishing billing for service; establishing the authority to levy charges; establishing exemptions; establishing rates and a fee schedule; providing a process for appeals for billing and payment disputes; establishing penalties; providing a saving clause; providing a severability clause; and providing an effective date. (Director of Development Services)

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 October 18, 11 Work Shop and Regular Meeting. (Town Secretary)

B. Approve Sunset Pointe Phase 22 Final Plat, from Dowdey Anderson and Associates, generally located on the north side of Sunflower Drive between Dewdrop Drive and Sunbeam Drive. (Planning Manager)

C. Authorize Town Staff to purchase two (2) Chevrolet Tahoe’s from Reliable Chevrolet of Richardson, Texas in the amount of $51,207.00. (Police Chief)

D. Approve the Task Order for Construction Material Testing on the Witt Road Bridge Improvements between the Town of Little Elm and Alliance Geotechnical Group for the estimated amount of $79,349.00 and authorize the Town Manager to execute a contract for the same. (Director of Development Services)

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

A. Discussion and Action to approve recommendation from the Public Arts Committee regarding proposed sculpture for Town Hall. (Parks Director)

B. Discussion and Action to adopt Ordinance No. 1084 an Ordinance of the Town of Little Elm, Texas, dually designating the name of F.M. 720 between West Eldorado Parkway and Cottonwood Trail as Oak Grove Parkway (F.M. 720); providing for an effective date of this Ordinance; and providing for the publication of the caption hereof. (Assistant Town Manager)

C. Discussion and Action to approve the Main Street and Lakeshore Drive Parking Location Agreement between the Town of Little Elm and the Little Elm Independent School District. (Assistant Town Manager)

D. Discussion and Action to adopt Ordinance No. 1085 an Ordinance of the Town Council of the Town of Little Elm, Texas, amending Chapter 34 of the Code of Ordinances by adopting a new Article IV regarding the Little Elm Teen Court Program; establishing rules and regulations; providing for fees; repealing all
conflicting ordinances; providing a severability clause; and providing an effective date. (Town Manager)

E. Discussion and Action to approve Ordinance No. 1086 an Ordinance of the Town of Little Elm, Texas, creating a construction work zone for traffic and temporarily reducing the rate of speed therein, on F.M. 720 between Eldorado Parkway and Lobo Lane in the town limits of the Town of Little Elm defining the speed limit, requiring the placement of signs; declaring what may be a sufficient complaint in prosecutions hereunder and fixing a penalty therefor; with a saving clause and effective date. (Director of Development Services)

F. Discussion and Action to approve Development and Escrow Agreement for between the developer, 423 East, Ltd., Frisco Independent School District and Town of Little Elm and authorize the Town Manager to execute for the same. (Director of Development Services)

G. Discussion and Action to approve Development and Escrow Agreement for the design between the developer, 423 East Ltd., Frisco Independent School District and the Town of Little Elm and authorize the Town Manager to execute for the same. (Director of Development Services)

H. Discussion and Action to approve Declaration of Park Maintenance Obligations between the developer, 423 East, Ltd., 423 West Ltd., and the Town of Little Elm and authorize the Town Manager to execute for the same. (Director of Development Services)

I. Discussion and Action to approve Development and Escrow Agreement between developer, 423 East Ltd., and the Town of Little Elm and authorize the Town Manager to execute for the same. (Director of Development Services)

J. Discussion and Action to approve a Design Task Order for Smotherman Road Connector Improvements between the Town of Little Elm and TRC Engineers, Inc. for the amount of $77,000.00 and authorize the Town Manager to execute a contract for the same. (Director of Development Services)

K. Discussion and Action approve a Design Agreement for Traffic Signal on F.M. 423 at Smotherman Road between the Town of Little Elm and Lee Engineering, Inc. for the amount of $27,000.00 and authorize the Town Manager to execute contract for the same. (Director of Development Services)

L. Discussion and Action to approve the Interior Design and Fixtures, Furniture, and
Equipment (FFE) Design Agreement for Building Capital Improvements between the Town of Little Elm and the Gaines Group for the amount of $18,000.00 plus reimbursable expenses and authorize the Town Manager to execute a contract for the same. (Director of Development Services)

M. Discussion and Action to approve Change Order #2 to the Guaranteed Maximum Price Amendment #1 to the Construction Manager at Risk Agreement for the Public Safety Center between the Town of Little Elm and Adolfson & Peterson in the amount of $490,000.00 and authorize the Town Manager to execute for the same. (Director of Development Services)

N. Discussion and Action to approve a Design Agreement for Traffic Signal Warrant Study on F.M. 423 at Sunland Park between the Town of Little Elm and Lee Engineering, Inc. for the amount of $3,000.00 and authorize the Town Manager to execute a contract for the same. (Director of Development Services)

O. Discussion and Action to approve the Construction Project Change Order # 3 in the amount of $58,889.40 for the Town’s Witt-Woodlake Connector Improvements Project to Quality Excavation, Ltd. of Aubrey, Texas and authorize Town Manager to execute the same. (Director of Development Services)

P. Discussion and Action to approve Construction Project Change Order #2 in the amount of $1,158,552.06 for the Town’s Lobo Lane Improvement Project to Quality Excavation, Ltd. of Aubrey, Texas and authorize Town Manager to execute the same. (Director of Development Services)

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. Tri Dal, LTD v Town of Little Elm.


1. Annual Evaluation of the Town Secretary.

2. Annual Evaluation of the Town Manager.
3. Fourth Amendment to Langford Employment Agreement.

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. Tri Dal, LTD v Town of Little Elm.

   B. Section 551.074:

      1. Discussion and take any Action regarding the Annual Evaluation of the Town Secretary.

      2. Discussion and take any Action regarding the Annual Evaluation of the Town Manager.

      3. Discussion and take any Action regarding the Fourth Amendment to Langford Employment Agreement.


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

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This is to certify that the above notice was posted on the bulletin board at the Town Hall Center this 28th day of October 2011.