

## **Notice Regarding Public Participation and Town Council/Town Staff Attendance**

Due to the COVID-19 (coronavirus) public health emergency, and in an effort to reduce in-person meetings that assemble large groups of people, Governor Greg Abbott has granted a temporary suspension of certain rules to allow for (1) town council members and town employees to participate in a town council meeting via videoconference call or other remote electronic means without a physical quorum of council members being present at the site of the meeting; and (2) the use of videoconferencing and other remote means to allow the public to observe the meeting and, when required, to participate in the public meeting.

In an effort to reduce the spread of the virus, for the September 1, 2020, Town Council meeting, individuals will be able to address the Council on any topic through submission of the web form below. Forms received will be recorded into the record and be given to the Town Council.

To access the videoconference online, follow these instructions:

- To join the Zoom meeting, click <https://zoom.us/j/92278418823>.
- To view the live stream meeting, click <https://www.littleelm.org/1258/Agendas-Minutes-Videos>

Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a public hearing item, they may register at the following link:

<https://www.littleelm.org/FormCenter/Administration-5/LE-Town-Council-Presentation-and-Announc-87>

Individuals who wish to speak to Town Council directly must register prior to the meeting. Please include in the comment box that you will be logging onto the meeting through the Zoom link above to speak to Town Council. If you have any questions, please email [cbiggs@littleelm.org](mailto:cbiggs@littleelm.org).

Individuals wishing to speak on a non-public hearing item, they may address the Council by submitting the online form at the following link:

<https://www.littleelm.org/FormCenter/Administration-5/LE-Town-Council-Presentation-and-Announc-87>.

Note: A physical quorum of the Town Council may not be present during the meeting as some Council Members may choose to participate in the meeting remotely as permitted by Governor Abbott's suspension of various statutes that may be interpreted to require face-to-face interaction between members of the public and public officials.

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

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

**Virtual Public Hearing & Regular Council**

**Tuesday, September 1, 2020 - 6:00 PM  
Town Hall Center---Council Chamber---100 W Eldorado Parkway**

1. NOTICE REGARDING PUBLIC PARTICIPATION AND TOWN COUNCIL/TOWN STAFF ATTENDANCE.
  
2. Call to Order Council Work Shop at 6:00 p.m.
  - A. Invocation:
  
  - B. Items to be withdrawn from Consent Agenda.
  
  - C. Emergency Items if posted.
  
  - D. Request by the Town Council for items to be placed on a future agenda for discussion, and recognition of excused absences.
  
  - E. Discussion regarding water and wastewater utility rates. (Chief Financial Officer Kelly Wilson)
  
  - F. Discussion regarding Christmas in the Park. (Director of Community Services Chad Hyde)
  
  - G. Discussion regarding date for the Strategic Planning Retreat. (Assistant to the Town Manager Caitlan Biggs)

H. 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.

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

3. Roll Call/Call to Order Regular Town Council Immediately Following Council Workshop.

4. Public Comments: 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. Each member of the public who desires to address the Town Council regarding an item on an agenda for an open meeting of the Town Council shall have the right to address the Town Council on the item before the Town Council's consideration of the item. All speakers not requiring a translator are given 3 minutes to speak and may address the Council only once on each agenda item. Non-English Speakers who require a translator are given 6 minutes to speak and may address the Council only once on each agenda item. 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 551.042, 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 August 18, 2020 Workshop, Public Hearings and Regular Meeting. (Town Secretary Kathy Phillips)

B. Proclamation for National Payroll Week. (Mayor Hillock)

C. Appoint Michel Hambrick for the unexpired term, effective immediately through September 30, 2021 and Re-appoint Taylor Girardi to a term to continue through September 30, 2023. (Executive Director of EDC Jennette Espinosa)

- D. Re-appoint Edee Hansen and Ernestine Burtley to the CDC Board of Directors to complete the open two (2) year terming expiring August 2, 2020; and Appoint Eric Licker of the CDC Board of Directors to complete the open two (2) year term expiring August 2, 2020. (Director of Community Services Chad Hyde)
  
- E. Authorizing the Town Manager to execute any and contract documents associated with the renewal of employee benefits including Blue Cross Blue Shield of Texas, Superior Vision and Mutual of Omaha. (Director of Human Resources Deidre Hale)
  
- F. Award of the primary Depository Banking Services contract to Independent Bank. (Purchasing Manager Rebecca Hunter)
  
- G. Approval of Resolution No. 0901202001 a Resolution of the Town Council of the Town of Little Elm, Texas approving certain Tax Increment Reinvestment Zone Number 3 Project Expenditures; providing a severability clause; and providing for an effective date. (Chief Financial Officer Kelly Wilson)
  
- H. Approval of Interlocal Cooperation Agreement for Shared Governance Communication and Dispatch Services System. (Chief of Police Rodney Harrison)
  
- I. Approve Resolution No. 0901202002 a Resolution of the Town Council of the Town of Little Elm, Texas, approving a negotiated settlement between the ATMOS Cities Steering Committee (“ACSC”) and ATMOS Energy Corp., Mid-Texas Division regarding the company’s 2020 Rate Review Mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest ; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC’s reasonable ratemaking expenses; determining that his Resolution 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 Resolution to the Company and the ACSC’s legal counsel. (Deputy Town Manager Doug Peach)
  
- J. Approval of Interlocal Agreement between the Town of Little Elm and Little Elm Independent School District. (Director of Community Services Chad Hyde)
  
- K. Approval of Resolution No. 0901202003 a Resolution of the Town Council of the Town of Little Elm, Texas, establishing and amending school zone locations and

times in the Town of Little Elm, pursuant to Ordinance No. 1284 of the Town of Little Elm Code of Ordinances, amending Exhibit “A” the comprehensive list of school zones, and providing for an immediate effective date. (Director of Public Works Jason Shroyer)

L. Proclamation proclaiming September as LIVE UNITED month. (Mayor Hillock)

M. Approve waiver of mixed beverage permit fee for Flix Brewhouse. (Director of Development Services Fred Gibbs)

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

A. Discussion and Action to consider all matters incident and related to the issuance and sale of “Town of Little, Texas, Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2020” including the adoption of Ordinance No. 1569 authoring the issuance of such certificates of obligation. (Chief Financial Officer Kelly Wilson)

B. Discussion and Action to approve the Development Agreement for RTI between the Town of Little Elm and Retractable Technologies Inc., and authorize the Town Manager to execute. (Director of Development Services Fred Gibbs)

C. Discussion and Action to approve and execute the updated lease for Little Elm Park and Cottonwood Park with the Department of the Army. (Director of Community Services Chad Hyde)

7. Council will convene in Executive Session pursuant to Texas Government Code:

A. Executive Session with Town Attorney under Texas Government Code Section 551.071 (Consultation with Attorney) to discuss the COVID-19 pandemic and municipal authority to respond to the COVID-19 outbreak.

B. Section 551.071 for private consultation with the Town Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the Town Attorney has a duty under the Texas Rules of Discipline and Professional conduct regarding confidential communication with the Town Council.

C. Section 551.072 to discuss certain matters regarding real property.

- D. Section 551.076 to discuss security matters.
  - E. Section 551.087 to discuss Economic Development.
8. Reconvene into Open Session: Discussion and consideration to take any action necessary as the result of the Executive Session.
- A. Reconvene into open session to discuss and take action, if deemed appropriate, on the COVID-19 pandemic and the Town's response thereto, including the consideration of an emergency declaration ordinance.
  - B. Section 551.071 for private consultation with the Town Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the Town Attorney has a duty under the Texas Rules of Discipline and Professional conduct regarding confidential communication with the Town Council.
  - C. Section 551.072 to discuss certain matters regarding real property.
  - D. Section 551.076 to discuss security matters.
  - E. Section 551.087 to discuss Economic Development.
9. Adjourn Work Shop 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.  
**BRaille 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 27th day of August 2020.**