

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

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

**Regular**

**Tuesday, February 16, 2010 - 7:00 PM  
Town Hall Center---Council Chambers---100 W Eldorado Parkway**

1. **Roll Call/Call to Order Regular Town Council Meeting.**
2. **Opening Prayer : Denise Peckham, Button Memorial United Methodist Church.**
3. **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.
4. **Presentation and Announcement:**

Persons may address the Town Council on any issue. This is the appropriate time for citizens to address 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.
5. **Discussion and Action on recommendation from the Keep Little Elm Beautiful Committee to appoint Kimberly Wilson as regular member term expiring 02-16-2012 and Melanie Martin as alternate member with term expiring 02-16-2012. (KLEB Chairman)**

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 2, 2010 Pre-Session.
- B. Minutes of the February 2, 2010 Regular Council Meeting.
- C. Minutes of the February 9, 2010 Work Session.
- D. Resolution No. 02161001 approving an Interlocal Agreement between the Town of Little Elm, Texas and the County of Denton, Texas for Rental of Voting Machines & Equipment, and purchase of voting supplies for the May 8, 2010 General Election and authorizing the Town Manager to execute the same. (Estimated amount \$2,500)  
(Town Secretary)
- E. Resolution No. 02161002 approving an Interlocal Agreement between the Town of Little Elm and the Board of Trustees of the Little Elm Independent School District and calling for a Joint Election between the same. (Town Secretary)
- F. Acceptance of resignation from Charles R. Luther from the Planning and Zoning Commission. (Community Development Director)
- G. Acceptance of the 2009 Racial Profiling Report as presented. (Police Chief)
- H. Appointment of Deleon English to fill Place 2 on the Planning & Zoning Commission to fill the remainder of this term with anticipated reappointment after the term expires on 2/28/10. (Community Development Director)

7. **Reports and requests for Town Council consideration and appropriate action:**

- A. Discussion and Action to approve Resolution No. 02161003 a Resolution of the Town Council of the Town of Little Elm, Texas, hereby conditionally releasing certain portions of its extraterritorial jurisdiction in such a manner that would allow portions of Denton County Fresh Water Supply District No. 9 and adjacent land to incorporate, and providing an effective date. (Town Manager)

- B. Discussion and Action to adopt Ordinance No. 1002 an Ordinance of the Town of Little Elm, Texas amending Chapter 18, entitled “Animals,” of the Code of Ordinances of the Town of Little Elm, Texas, revising the procedures relative to Dangerous Dogs; providing a repealer clause of conflicting ordinances; providing a severability clause; and providing an effective date. (Police Chief)
- C. Recognition and Acceptance of resignation of Council Member Brenda Mills, Place 6; declaration of vacancy in Place 6. (Town Attorney)
- D. Discussion and Action to adopt Ordinance No. 1003 of the Town Council of the Town of Little Elm, Texas, ordering a General and Special Election to be held on Saturday May 8, 2010 for the following purposes: elect one (1) Town Council member from Place 2 for a three (3) year term, elect (1) Town Council member from Place 4 for a three (3) year term, elect one (1) Town Council Member from Place 6 for the remainder of an unexpired three (3) year term; providing for election of officers; designating the place and manner of holding said election; designating the early voting polling place; designating the early voting clerk; providing for the posting and publication of notice; providing a severability clause; and providing for an immediate effective date. (Town Secretary)
- E. Discussion and Action on staff recommendation to approve Design Change Order #2 for Consulting Services for Lobo Lane Improvements between the Town of Little Elm and Cobb Fendley & Associates, Inc. for the amount of \$149,580.00 and authorize the Town Manager to execute a contract for the same once Denton County has approved and executed the Interlocal Agreement. (Town Engineer)
- F. Discussion and Action on staff recommendation to void the construction contract for Main Street-West (Phase 1) Improvements in the amount of \$1,545,496.15 with Gilco Contracting, Inc. of Benbrook, Texas and award of the construction contract for Main Street West (Phase 1) Improvements in the amount of \$1,545,496.15 to Quality Excavation, Ltd. of Aubrey, Texas and authorize the Town Manager to execute a contract for the same. (Town Engineer)
- G. Discussion and Action on staff recommendation to approve a Task Order for Lakeside Lane Improvements between the Town of Little Elm and Teague Nall and Perkins, Inc. for the amount of \$20,000.00 and authorize the Town Manager to execute a contract for the same. (Town Engineer)

- H. Discussion and Action to adopt Ordinance No. 999 an Ordinance of the Town of Little Elm, Texas adopting New Personnel Policies and repealing all prior Ordinances, Resolutions, and Council actions related to same; and providing an effective date. (Town Manager)
  
- 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. Pending litigation – Town of Little Elm, Texas, v. Raymundo Hernandez; Cause No. 2009-50897-367, in the 367th Judicial District Court of Denton County, Texas.
  
- 9. **Reconvene into Open Session and take any action necessary as the result of the Closed (executive) session.**
  - A. Section 551.071:
    - 1. Town of Little Elm, Texas, v. Raymundo Hernandez; Cause No. 2009-50897-367, in the 367th Judicial District Court of Denton County, Texas.
  
- 10. **FYI: (All matters are provided to the Town Council for informational purposes only)**
  - A. Town Secretary Monthly Report of January 2010.
  - B. Community Development Report for January 2010.
  
- 11. **Adjourn.**

**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 12th day of February 2010.**