

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

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

Public Hearing & Regular Council

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

1. Roll Call/Call to Order Public Hearing and Regular Town Council Meeting.
2. Opening Prayer: Curtis Cornelious-Praise Fellowship Worship Center.
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. Proclamation: Proclaiming the Week of September 17-23, 2010 as Constitution Week in the Town of Little Elm. (Donna Adamo will be present to receive) (Mayor)
5. Presentation: to Dennis Morel of Water's Edge Café for Best All Around Restaurant. (Mayor)
6. Public Hearing to receive public comments on the proposed operating budget for the Town of Little Elm for Fiscal Year 2010-2011. (To address the council please fill out form located on table at entry to chambers and present to the Town Secretary prior to the hearing). (Finance Director)
7. Close Public Hearing.

8. 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.

9. 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 10, 2010 Joint Work Session with Economic Development Corporation.

 - B. Minutes of the August 17, 2010 Budget Work Session.

 - C. Minutes of the August 17, 2010 Regular Council Meeting.

 - D. Minutes of the August 31, 2010 Work Session.

 - E. Approve Preliminary Plat application from Kroger Market Place-Kimley-Horn and Associates, located at the northwest corner of FM 423 and Little Elm Parkway. (Community Development Director)

 - F. Approve Letter of Engagement for external audit services as presented by Rylander, Clay and Optiz, LLP for amount of \$60,000. (Finance Director)

 - G. Accept resignation from Shelley Stone from the Little Elm Economic Development Corporation (EDC member Stone)

 - H. Permission to apply for 2010 Staffing for Adequate Fire and Emergency Response Grant (SAFER) program through the U.S. Department of Homeland Security. (Fire Chief)

 - I. Approve Construction Project Change Order #2 adding forty-five (45) days to the Town's Eldorado Parkway Water and Wastewater Construction project to Tri Dal, Ltd. of Southlake, Texas and authorize the Town Manager to execute the same. (Town Engineer)

10. Reports and requests for Town Council consideration and appropriate action:
- A. Review with Discussion and Action on a conceptual site plan for Little Elm Plaza located at 407 Eldorado Parkway. (Community Development Director)
 - B. Discussion and Action to approve an amendment to the Economic Development Corporation's 2010 annual budget in an amount not to exceed \$40,250.00, as stated in the Economic Development Corporation's Performance Agreement with PointBank for the paving of a driveway access between PointBank and Woodlake Parkway. (EDC representative)
 - C. Discussion and Action to approve Change Order #1 in the amount of \$37,694.40 for the Town's Witt-Woodlake Connector Improvement Project to Weir Bros., Inc. of Dallas, Texas for the construction of a driveway access between PointBank and Woodlake Parkway, and authorize the Town Manager to execute the same. (Town Engineer)
 - D. Discussion and Action on request from Mary Gauer for the Town's vote in the election for Texas Municipal League Intergovernmental Risk Pool Board of Trustees Place 6, to cast vote for other candidates and authorize the Town Manager to execute Official Ballot for same. (Town Manager)
 - E. Discussion and Action to adopt Ordinance No. 1015 an Ordinance of the Town Council of the Town of Little Elm, Texas ("Town") approving a negotiated Resolution between ATMOS Cities Steering Committee ("ACSC" or "Steering Committee") and ATMOS Energy Corp., Mid-Tex Division ("ATMOS Mid-Tex" or "Company") regarding the Company's third Rate Review Mechanism ("RRM") filing in all Cities exercising original jurisdiction; declaring existing rates to be unreasonable; requiring the Company to reimburse Cities' reasonable ratemaking expenses; 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; approving ATMOS Mid-Tex's proof of revenues; extending the RRM process for two cycles and adopting a new RRM tariff; ratifying the Settlement Agreement, including cost recovery for a steel service line replacement program; adopting a savings clause; determining that this Ordinance was passed in accordance with the requirements on the Texas Open Meetings Act; declaring an effective date; and requiring delivery of this Ordinances to the Company and the Steering Committee's legal counsel. (Finance Director)
 - F. Discussion and Action to appoint members to a 2011 Charter Review Committee. (Council)

G. Discussion and Action on Step-Pay Increase for Town Employees. (Council)

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

A. Town Secretary Monthly Report for August 2010

B. Letter of Thanks to Little Elm Fire Department

12. 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 3rd day of September 2010.