



**SPECIAL MEETING
OF THE TOWN COUNCIL**

Tuesday, December 14, 2021

6:00 PM

Little Elm Town Hall

100 W Eldorado Parkway, Little Elm, TX 75068

1. **Call to Order Special Meeting at 6:00 p.m.**
 - A. Invocation.
 - B. Pledge to Flags.
2. **Reports and Requests for Town Council Consideration.**
 - A. Present, Discuss, and Consider Action on **Resolution No. 1214202102, Casting 65 Votes for a Candidate for Appointment to the Denton Central Appraisal District Board of Directors.**
 - B. Present, Discuss, and Consider Action on **Resolution No. 1214202101 Canvassing the Returns and Declaring the Results of a Special Runoff Election held on Tuesday, December 7, 2021, to Elect One (1) Town Council Member from Place 1 for an Unexpired Term Ending May 7, 2022; Finding that All Matters Set Forth Herein are True and Correct; and Providing for an Immediate Effective Date.**
3. **Presentations.**

- A. Present and Issue the **Certificate of Election to Jamell Johnson, Council Member Place 1.**
- B. Present and Administer the **Statement of Officer and Oath of Office for Jamell Johnson, Council Member Place 1.**
- C. **Presentation from the Town Manager.**

4. **Convene in Executive Session pursuant to Texas Government Code:**

- Section 551.071 for private consultation with the Town Attorney to discuss the COVID-19 pandemic and municipal authority to respond to the COVID-19 outbreak and 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.
- Section 551.072 to discuss certain matters regarding real property.
- Section 551.074 of the Texas Government Code to discuss and deliberate personal matters to evaluate performance duties, of a public officer or employee(s).
- Section 551.076 to discuss security matters.
- Section 551.087 to discuss Economic Development.

5. **Reconvene into Open Session**

Discussion and consideration to take any action necessary as the result of the Executive Session:

- COVID-19 Pandemic and the Town's response thereto, including the consideration of an emergency declaration ordinance.
- Section 551.071 for private consultation with the Town Attorney to discuss the COVID-19 pandemic and municipal authority to respond to the COVID-19 outbreak and 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.
- Section 551.072 to discuss certain matters regarding real property.
- Section 551.074 of the Texas Government Code to discuss and deliberate personal matters to evaluate performance duties, of a public officer or employee(s).
- Section 551.076 to discuss security matters.
- Section 551.087 to discuss Economic Development.

6. **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 214-975-0452 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 Town's website this 9th day of December 2021 before 5:00 p.m.



Date: 12/14/2021
Agenda Item #: 2. A.
Department: Administrative Services
Strategic Goal: Ensure strong relationship within the community and region
Staff Contact: Kate Graham, Assistant to the Town Manager

AGENDA ITEM:

Present, Discuss, and Consider Action on **Resolution No. 1214202102, Casting 65 Votes for a Candidate for Appointment to the Denton Central Appraisal District Board of Directors.**

DESCRIPTION:

Each voting unit for the Denton County Appraisal District Board must cast its vote by written resolution and submit it to the Chief Appraiser before December 15th. The unit may cast all its votes for one candidate or may distribute the votes among any number of candidates. The Town of Little Elm has 65 votes. When a voting unit casts its votes, it must cast the votes for a person that was nominated and is named on the ballot. There is no provision for write-in candidates. The Tax Code does not permit the Chief Appraiser to count votes cast for someone not listed on the official ballot. The five nominees receiving the most votes will become the Denton CAD Board of Directors.

At the November 16, 2021 Town Council Meeting, Council directed staff to create a resolution providing all 65 votes for David Terre. Staff has since been notified that David Terre has enough votes to be on the board and is requesting direction from Council on casting votes for a different nominee. At the December 7, 2021, Town Council Meeting, Town Council directed staff to table the item until the December 14, 2021, Special Meeting in order to review the nomination options.

BUDGET IMPACT:

There is no budget impact for this item.

RECOMMENDED ACTION:

Staff requests direction from Town Council.

Attachments

Resolution No. 1214202102

TOWN OF LITTLE ELM, TEXAS

RESOLUTION NO. 1214202102

A RESOLUTION OF THE TOWN OF LITTLE ELM, TEXAS, CASTING 65 VOTES FOR A CANDIDATE FOR APPOINTMENT TO THE DENTON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, each year, the Denton Central Appraisal District appoints persons to the Appraisal District Board of Directors, submitting the nominees to each governmental entity for it to cast its votes for board membership; and

WHEREAS, the Town of Little Elm, Texas, has 65 votes to cast based on the DCAD formula, and the Town has been requested to cast its votes for one or more nominees.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LITTLE ELM, TEXAS:

SECTION 1. The Town Council of the Town of Little Elm, Texas, does hereby cast 65 votes for NAME for appointment to the Board of Directors of the Denton Central Appraisal District.

SECTION 2. The Town Secretary is directed to send a copy of this Resolution to the Denton Central Appraisal District.

SECTION 3. This Resolution shall take effect upon its adoption.

PASSED, APPROVED AND ADOPTED on the 14th day of December, 2021.

ATTEST:

Cornelious Curtis, Mayor

Caitlan Biggs,

Town Secretary

SEAL



Date: 12/14/2021
Agenda Item #: 2. B.
Department: Administrative Services
Strategic Goal: Maintain operational integrity and viability
Staff Contact: Caitlan Biggs, Director of Administrative Services/Town Secretary

AGENDA ITEM:

Present, Discuss, and Consider Action on **Resolution No. 1214202101 Canvassing the Returns and Declaring the Results of a Special Runoff Election held on Tuesday, December 7, 2021, to Elect One (1) Town Council Member from Place 1 for an Unexpired Term Ending May 7, 2022; Finding that All Matters Set Forth Herein are True and Correct; and Providing for an Immediate Effective Date.**

DESCRIPTION:

On Tuesday, December 7, 2021, the Town of Little Elm held a Special Runoff Election to elect a Council Member for Place 1 for an unexpired term ending May 7, 2022.

Below is a summary of the results. The complete results will be available at the meeting and attached to the minutes, once approved.

Place 1:
Ken Eaken - 1,085
Jamell Johnson - 1,409

BUDGET IMPACT:

There is no budget impact associated with this item.

RECOMMENDED ACTION:

Staff recommends approval.

Attachments

Resolution No. 1214202101

TOWN OF LITTLE ELM, TEXAS

RESOLUTION NO. 1214202101

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LITTLE ELM, TEXAS CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A SPECIAL RUNOFF ELECTION HELD ON TUESDAY, DECEMBER 7, 2021, TO ELECT A COUNCIL MEMBER FOR PLACE 1 TO FILL AN UNEXPIRED TERM ENDING ON MAY 7, 2022; FINDING THAT ALL MATTERS SET FORTH HEREIN ARE TRUE AND CORRECT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, there was heretofore ordered and called for the Town of Little Elm, Texas (the “**Town**”) a Special Runoff Election to be held on December 7, 2021 for the purpose of electing one (1) Council Member for Place 1 to fill an unexpired term ending on May 7, 2022 (such election is herein referred to as the “**Election**”); and

WHEREAS, the appropriate authority of the Town caused to be posted and published, in accordance with applicable laws, notices for the Election; and

WHEREAS, the Election was duly and legally held on December 7, 2021, in the Town and in conformity with the Town Charter and the election laws of the State, and the results of the Elections, including early voting results, have been delivered by the presiding election judge in accordance with law and have been delivered to the Town Council as the canvassing authority in accordance with law; and

WHEREAS, The Town Council hereby canvasses the returns of the Election set forth herein and in accordance with law and takes such other actions regarding the results of the said Election as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LITTLE ELM, TEXAS:

Section 1. Canvass of the Election.

A. The returns of the Election, including the returns of early voting ballots, duly and legally made, showed that there were for the runoff election of officers held on December 7, 2021 the following votes:

Council Member, Place 1 (Unexpired Term ending May 7, 2022)

<u>Name of Candidate</u>	<u>Total Number of Early Voting Votes and Absentee Votes</u>	<u>Total Number of Votes on December 7, 2021</u>	<u>Total Number of Votes</u>
Ken Eaken	535	550	1,085
Jamell Johnson	1,045	364	1,409

B. As provided by subsection A. of Section 11.07 of the Town Charter and in accordance with Article 11, Section 11 of the Texas Constitution, candidates for Council Member, Place 1, who received a majority of all votes cast for the respective office shall be declared elected. Further, as provided by Section 2.028 of the Texas Election Code, if the candidates in a runoff election tie, an automatic recount shall be conducted in accordance with Chapter 216. If the recount does not resolve the tie, the tied candidates shall cast lots to determine the winner.

Council Member Place 1

In accordance therewith: **Jamell Johnson** having received the most votes for the office of Council Member, Place 1, is hereby declared elected to the office of Council Member Place 1 (unexpired term ending May 7, 2022).

Section 2. Matters True and Correct. All of the matter set forth herein, including the matters set forth in the recitals to this Resolution, are all true and correct and made a part of this Resolution.

Section 3. Effective Date. This Resolution shall take effect immediately and be in full force and effect upon adoption.

PASSED AND APPROVED by the Town Council of the Town of Little Elm, Texas this 14th day of December, 2021.

Curtis J. Cornelious, Mayor

ATTEST:

Caitlan Biggs, Town Secretary

APPROVED AS TO FORM:

Robert F. Brown, Town Attorney



Date: 12/14/2021
Agenda Item #: 3. A.
Department: Administrative Services
Strategic Goal: Maintain operational integrity and viability
Staff Contact: Caitlan Biggs, Director of Administrative Services/Town Secretary

AGENDA ITEM:

Present and Issue the **Certificate of Election to Jamell Johnson, Council Member Place 1.**

DESCRIPTION:

As a result of the December 7, 2021, Special Runoff Election, Jamell Johnson was elected to the position of Council Member Place 1. The Mayor will present and execute the Certificate of Election.

BUDGET IMPACT:

There is no budget impact for this item.

RECOMMENDED ACTION:

No action is required.

Attachments

Certificate of Election - Jamell Johnson



In the name and by the authority of

The State of Texas

THIS IS TO CERTIFY,
that at a runoff election held on

December 7, 2021

JAMELL JOHNSON

was duly elected

TOWN COUNCIL PLACE 1

In testimony whereof, I have hereunto signed
my name and caused the Seal of Little Elm to
be affixed at the Town of Little Elm, Texas
This the 14th day of December, 2021.

Signature of Presiding Officer of
The Town of Little Elm, Texas



Date: 12/14/2021
Agenda Item #: 3. B.
Department: Administrative Services
Strategic Goal: Maintain operational integrity and viability
Staff Contact: Caitlan Biggs, Director of Administrative Services/Town Secretary

AGENDA ITEM:

Present and Administer the **Statement of Officer and Oath of Office for Jamell Johnson, Council Member Place 1.**

DESCRIPTION:

As a result of the December 7, 2021, Special Runoff Election, Jamell Johnson was elected to the position of Council Member Place 1. The Town Secretary will present and execute the Statement of Officer and Oath of Office.

BUDGET IMPACT:

There is no budget impact for this item.

RECOMMENDED ACTION:

No action is required.

Attachments

Oath of Office - Jamell Johnson

Statement of Officer - Jamell Johnson

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334
FAX 512-463-5569
Filing Fee: None



OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, Jamell Johnson, do solemnly swear (or affirm), that I will faithfully
execute the duties of the office of Town Council Member Place 1 of
the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws
of the United States and of this State, so help me God.

Signature of Officer

Certification of Person Authorized to Administer Oath

State of Texas

County of Denton

Sworn to and subscribed before me on this _____ day of _____, 20____.

(Affix Notary Seal,
only if oath
administered by a
notary.)

Signature of Notary Public or
Signature of Other Person Authorized to Administer An
Oath

Caitlan Biggs

Printed or Typed Name

The seal of the State of Texas, featuring a five-pointed star in the center, surrounded by a wreath of olive and oak branches. The words "THE STATE OF TEXAS" are inscribed around the perimeter of the seal.