

# DRAFT

Minutes  
Town of Little Elm  
100 W Eldorado Parkway  
Little Elm, Texas 75068  
214-975-0404  
<http://www.littleelm.org>

## REGULAR TOWN COUNCIL MEETING TUESDAY AUGUST 15, 2023 - 6:00 p.m.

Present: Mayor Curtis J. Cornelious; Council Member Neil Blais; Mayor Pro Tem Jamell T. Johnson; Council Member Tony Singh; Council Member Lisa G. Norman; Council Member Andrew Evans; Council Member Michel Hambrick

Staff Present: Caitlan Biggs, Director of Administrative Services/Town Secretary; Jennette Espinosa, Executive Director; Joe Florentino, Assistant Town Manager; Matt Mueller, Town Manager; Chad Hyde, Director of Community Services; Doug Peach, Deputy Town Manager; Fred Gibbs, Director of Development Services; Jason Shroyer, Director of Public Works; Kelly Wilson, Chief Financial Officer; Paul Rust, Fire Chief; Robert Brown, Town Attorney; Rodney Harrison, Police Chief; Shea Rodgers, Chief Information Officer

### 1. Call to Order Council Workshop at 6:00 p.m.

*Meeting was called to order at 6:03 p.m.*

#### A. Present and Discuss an Update on **The Lawn at the Lakefront and Additional Upgrades and Components.**

*Town Council gave staff direction to bring back the video wall for The Lawn with information related to ongoing maintenance costs.*

*Additionally, staff will move forward with design options for a Service Park and will research criteria for organizations who want to participate in placing a monument or something similar in the park. This will not be part of The Lawn at the Lakefront project but will be brought back to Town Council at a future meeting.*

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

#### A. Invocation.

*Council Member Neil Blais gave the invocation.*

#### B. Pledge to Flags.

- C. Items to be Withdrawn from Consent Agenda.

***None.***

- D. Emergency Items if Posted.

***None.***

- E. Request by the Town Council for Items to be Placed on a Future Agenda for Discussion and Recognition of Excused Absences.

***Mayor Pro Tem Jamell Johnson requested appointments for the Veterans Committee be placed on a future agenda and to open the application process.***

- F. **Presentation of Monthly Updates.**

*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.*

***Town Manager Matt Mueller stated that with the excessive heat to be mindful of water usage. Council Member Neil Blais recommended a social push regarding the watering of foundation.***

- G. Town Council to Highlight Items on the Agenda Needing Further Discussion or Comments Prior to the Regular Session.

***None.***

3. **Presentations.**

- A. Recognition of the **Keep Little Elm Beautiful Chalk Art Contest Winners.**

***Mayor Curtis Cornelious and KLEB President Neeraj Madan presented the certificates to the winners.***

- B. Recognition of **Keep Little Elm Beautiful for Receiving the Governor Community Achievement Award for Year 2023 from Keep Texas Beautiful.**

***This item was moved to the next Council Meeting.***

**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. 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 551.007, Texas Government Code.*

**None.**

**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.*

Motion by Council Member Andrew Evans, seconded by Mayor Pro Tem Jamell T. Johnson **to approve the consent agenda.**

**Vote: 7 - 0 - Unanimously**

- A. Consider Action to Approve the **Minutes from the August 1, 2023, Regular Town Council Meeting.**
- B. Consider Action to Approve the **Minutes from the August 2, 2023, Town Council Budget Workshop.**
- C. Consider Action to Approve **Resolution No. 0815202301 Suspending the September 1, 2023, Effective Date of CoServ Gas, LTD.'s Requested Rate Change to Permit the Town Time to Study the Request and Establish Reasonable Rates; Approving Cooperation with Other Cities in the CoServ Service Area, to Hire Legal and Consulting Services and to Negotiate with the Company and Direct any necessary Litigation and Appeals; Requiring Reimbursement of the Steering Committee of Cities served by CoServ Gas' Rate Case Expenses; Finding that the Meeting at which this Resolution is Passed is Open to the Public as Required by Law; Requiring Notice of this Resolution to the Company and Legal Counsel.**
- D. Consider Action to Approve **Resolution No. 0815202302 Approving Certain Project Expenditures for TIRZ 4; Providing a Severability Clause; and Providing an Effective Date.**
- E. Consider Action to Approve **Resolution No. 0815202303 Approving Certain Project Expenditures for TIRZ Six; Providing a Severability Clause; and Providing an Effective Date.**
- F. Consider Action to Approve **Resolution No. 0815202304 Approving a Negotiated Settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2023 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 Attachment Establishing a Benchmark for Pensions and Retiree Medical Benefits; Requiring the Company to Reimburse ACSC's Reasonable Ratemaking Expenses; Determining that this Resolution was Passed in Accordance with the requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; and Requiring Delivery of this Resolution to the Company and ACSC's Legal Counsel.**

- G. Consider Action to Approve **Resolution No. 0815202305 Recommending Appointing of Voting Director of Highway 380 Municipal Management District No. 1, Commonly Known as Union Park.**
- H. Consider Actin to Approve the **Third Amendment to Chapter 380 Economic Development Agreement between the Town of Little Elm and H-E-B, LP.**
- I. Consider Action to Approve **Ordinance No. 1716 Approving the 2023-2024 Annual Service Plan Update for the Lakeside Estates Public Improvement District Number Two.**
- J. Consider Action to Approve **Ordinance No. 1717 Approving the 2023-2024 Annual Service Plan Update for the Hillstone Pointe Public Improvement District Number Two.**
- K. Consider Action to Approve **Ordinance No. 1718 Approving the 2023-2024 Annual Service Plan Update for the Rudman Tract Public Improvement District.**
- L. Consider Action to Approve **Ordinance No. 1719 Approving the 2023-2024 Annual Service Plan Update for the Valencia Public Improvement District.**
- M. Consider Action to Approve **Ordinance No. 1720 Approving the 2023-2024 Annual Service Plan Update for the Valencia Public Improvement District Number Two.**
- N. Consider Action to Approve **Ordinance No. 1721 Approving the 2023-2024 Annual Service Plan Update for the Spiritas Ranch Public Improvement District.**
- O. Consider Action to Approve **Ordinance No. 1722 Approving the 2023-2024 Annual Service Plan Update for the Spiritas East Public Improvement District.**
- P. Consider Action to Approve the **Quarterly Investment Report for the Period ending June 30, 2023.**
- Q. Consider Action to Approve the **Additional Improvement Area #1 Projects Landowner Agreement between the Town of Little Elm and Beazer Homes of Texas, L.P.**
- R. Consider Action to Approve the **Additional Improvement Area #1 Projects Landowner Agreement between the Town of Little Elm and D.R. Horton - Texas, LTD.**
- S. Consider Action to Approve the **Economic Development Corporation's (EDC) Budget for Fiscal Year 2023-2024.**
- T. Consider Action to Approve the **Second Amended and Restated Reimbursement Agreement and Performance Agreement between Tax Increment Reinvestment Zone Number Three (TIRZ #3) and the Little Elm Economic Development Corporation (EDC).**
- U. Consider Action to Approve the **Third Amendment to the Ground Lease Purchase Agreement between Little Elm Hospitality, LLC and Little Elm Economic Development Corporation (EDC).**
- V. Consider Action to Approve the **Sales Contract for Lots 8, 9, and 10 at 318 East Park Drive, Little Elm, Texas between Little Elm Economic Development Corporation (EDC) and Lonestar Annex, LLC.**

- W. Consider Action to Approve the **Unaudited Quarterly Budget Report for the Quarter Ending June 30, 2023.**
- X. Consider Action to Approve a **Facility Use Agreement between the Town of Little Elm and the Little Elm Angels Foundation at Little Elm Park.**

**6. Regular Items.**

- A. Hold a Public Hearing, Present and Discuss the **Proposed Budget for the Town of Little Elm for Fiscal Year 2023-2024.**

**Open Public Hearing:**

**Receive Public Comments:**

**Close Public Hearing:**

**Chief Financial Officer Kelly Wilson gave an overview of highlights of the proposed budget that has changed since the budget was filed on August 1, 2023.**

**Open Public Hearing: 7:17 p.m.**

**Receive Public Comments: None**

**Close Public Hearing: 7:18 p.m.**

**7. 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.

***No Executive Session.***

**8. 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.

**9. Adjourn.**

***Meeting was adjourned at 7:18 p.m.***

Respectfully,

**Caitlan Biggs**  
Town Secretary

Passed and Approved this 5th day of September 2023.