



**WORKSHOP & REGULAR MEETING
OF THE TOWN COUNCIL**

Tuesday, March 5, 2024

6:00 PM

Little Elm Town Hall

100 W Eldorado Parkway, Little Elm, TX 75068

1. **Call to Order Council Workshop at 6:00 p.m.**
 - A. Present and Discuss the **Economic Impact of Harry Potter: A Forbidden Forest Experience.**
 - B. Present and Discuss **July Jubilee.**
 - C. Present and Discuss the **Special Area Study Committee Members.**
2. **Roll Call/Call to Order Regular Town Council Immediately Following Council Workshop.**
 - A. Invocation.
 - B. Pledge to Flags.
 - C. Items to be Withdrawn from Consent Agenda.
 - D. Emergency Items if Posted.

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

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.

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

3. **Presentations.**

A. Conduct the **Swearing-In of Little Elm Police Department K9 Officers.**

B. Present a **Mayor's Challenge Coin to Tania Nawazkhan.**

4. **Public Comments**

Persons may address the Town Council on any issue for up to three (3) minutes. 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.

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. Consider Action to Approve the **Minutes from the February 20, 2024, Regular Town Council Meeting.**

B. Consider Action to Accept the **Little Elm Police Department's 2023 Racial Profiling Report.**

- C. Consider Action to Approve **Resolution No. 0305202401, A Naming and Recognition Policy for Structures, Town-Owned Facilities, Trails and Parks, and Providing an Effective Date.**
- D. Consider Action to Approve a **Professional Master Services Agreement with Kleinfelder, Inc. to Perform Engineering Services, in the estimated amount of \$90,000.**
- E. Consider Action to Approve an **Escrow Agreement between the Town of Little Elm and ALTA 3EIGHTY LLC regarding Traffic Improvements.**

6. **Regular Items.**

- A. Present, Discuss, and Consider Action on the **Order of Cancellation for the May 4, 2024, General Election for the Mayor Race.**
- B. Present, Discuss, and Consider Action on **Ordinance No. 1753 Canceling a Portion of the May 4, 2024, General Election and Declaring the Unopposed Candidate Elected to Office.**

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.

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.**

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 1st day of March 2024 before 5:00 p.m.



Date: 03/05/2024
Agenda Item #: 1. A.
Department: Community Services
Strategic Goal: Ensure strong relationship within the community and region
Staff Contact: Drew Bailey, Managing Director of Business Development and Tourism

AGENDA ITEM:

Present and Discuss the **Economic Impact of Harry Potter: A Forbidden Forest Experience.**

DESCRIPTION:

Staff will provide an update Town Council on the economic impact of Harry Potter: A Forbidden Forest Experience that was held in Little Elm Park from October 2023-February 2024.

BUDGET IMPACT:

There is no budget impact for this item.

RECOMMENDED ACTION:

Information only, no action required.



Date: 03/05/2024
Agenda Item #: 1. B.
Department: Administrative Services
Strategic Goal: Provide a safe and welcoming environment for Little Elm residents and visitors
Staff Contact: Drew Bailey, Managing Director of Business Development and Tourism

AGENDA ITEM:

Present and Discuss **July Jubilee**.

DESCRIPTION:

Staff will provide Town Council an update on the Town's July 4th event, July Jubilee.

BUDGET IMPACT:

There is no budget impact for this item.

RECOMMENDED ACTION:

Information only, no action required.



Date: 03/05/2024
Agenda Item #: 1. C.
Department: Development Services
Strategic Goal: Promote and expand Little Elm's identity
Staff Contact: Fred Gibbs, Director of Development Services

AGENDA ITEM:

Present and Discuss the **Special Area Study Committee Members.**

DESCRIPTION:

Town staff will be conducting two special area studies this year in the Lakefront District and the 380 corridor. Staff is seeking Town Council direction on the make-up of the committee members for each study.

BUDGET IMPACT:

There is no budget impact for this item.

RECOMMENDED ACTION:

Staff requests direction from Town Council.



Date: 03/05/2024
Agenda Item #: 3. A.
Department: Police
Strategic Goal: Provide a safe and welcoming environment for Little Elm residents and visitors
Staff Contact: Rodney Harrison, Police Chief

AGENDA ITEM:

Conduct the **Swearing-In of Little Elm Police Department K9 Officers.**

DESCRIPTION:

Little Elm Police Department will swear in its newest K9 officers.

BUDGET IMPACT:

There is no budget impact for this item.

RECOMMENDED ACTION:

Information only, no action required.



Date: 03/05/2024
Agenda Item #: 3. B.
Department: Administrative Services
Strategic Goal: Ensure strong relationship within the community and region
Staff Contact: Town Council

AGENDA ITEM:

Present a **Mayor's Challenge Coin to Tania Nawazkhan.**

DESCRIPTION:

The well-being of our community relies on the dedication and commitment of individuals who strive to promote health and personal development.

Tania Nawazkhan has exemplified extraordinary leadership and passion in encouraging individuals to prioritize their health and strive toward their best selves.

She has tirelessly dedicated her time and effort to organizing initiatives, events, and programs to foster physical, mental, and emotional well-being within our community.

As a result of her efforts, inspirational guidance, and advocacy, countless community members have been motivated to adopt healthier lifestyles, cultivate positive habits, and pursue their personal health and growth goals.

BUDGET IMPACT:

There is no budget impact for this item.

RECOMMENDED ACTION:

Information only, no action required.



Date: 03/05/2024
Agenda Item #: 5. A.
Department: Administrative Services
Strategic Goal: Maintain operational integrity and viability
Staff Contact: Caitlan Biggs, Director of Administrative Services/Town Secretary

AGENDA ITEM:

Consider Action to Approve the **Minutes from the February 20, 2024, Regular Town Council Meeting.**

DESCRIPTION:

The minutes from the February 20, 2024, regular Town Council meeting are attached for approval.

BUDGET IMPACT:

There is no budget impact for this item.

RECOMMENDED ACTION:

Staff recommends approval.

Attachments

Minutes - February 20, 2024

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 FEBRUARY 20, 2024 - 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; Kate Graham, Assistant to the Town Manager; 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 6:04 p.m.

A. Present and Discuss **Rewards Member Redemption Stays Tax.**

Managing Director of Business Development and Tourism Drew Bailey gave an overview of the item. Town Council gave direction to staff to waive the tax for these stays.

B. Present and Discuss the **Draft Naming and Recognition Policy.**

Director of Administrative Services Caitlan Biggs gave an overview of the policy. Town Council gave direction to add Town Hall and the Public Safety Building as facilities that are not eligible for naming rights. This policy will be placed on the next agenda for consideration.

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.

None.

- 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 staff is completing an emergency repair at the Wastewater Treatment Plant.

He also mentioned that the Big Easy is coming up the first weekend in March.

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

None.

3. Public Comments

Persons may address the Town Council on any issue for up to three (3) minutes. 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.

James LAST NAME, spoke about the Town being in violation of state law regarding laws pertaining to agricultural crops.

4. **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 Michel Hambrick, seconded by Council Member Lisa G. Norman **to approve the Consent Agenda.**

Vote: 7 - 0 - Unanimously

- A. Consider Action to Approve the **Minutes from the February 6, 2024, Regular Town Council Meeting.**
- B. Consider Action to Approve the **2024 Strategic Plan.**
- C. Consider Action to Approve a **Professional Services Agreement with Atlas Municipal Services, LLC. for Inspection and Plan Review Services for the Town, in the estimated annual amount of \$100,000, and to Authorize the Town Manager to Execute the Agreement.**
- D. Consider Action to Approve a **Master Professional Services Agreement with Ken-Ran Productions for Professional Entertainment Event Booking Services, in the estimated annual amount of \$100,000.**
- E. Consider Action to **Award Bid 2024-06 for Submersible Sewage Pump and Installation to Xylem Water Solutions, USA Inc. in the amount of \$63,500.**
- F. Consider Action to Approve **Retroactive Authorization to Repair the Leaking Air Relief Valve on the 14-inch Sewer Force Main in Valencia, with Rangeline Utilities in the amount of \$189,915.**
- G. Consider Action to Approve the **Quarterly Investment Report for the Period ending December 31, 2023.**
- H. Consider Action to Approve the **Unaudited Quarterly Budget Report for the Quarter Ending December 31, 2023.**
- I. Consider Action to Approve **Ordinance 1751 Providing for Residential, Irrigation, Wholesale, Well and Reuse, Commercial, and Hydrant Meter Water and Wastewater Fees and Rates; Providing for a Repealing Clause; Providing for a Severability Clause; and Providing an Effective Date.**
- J. Consider Action to Approve **Planning & Zoning Commissioner Appointments.**
- K. Consider Action to Approve **Board of Adjustment Term Expiration Extension.**
- L. Consider Action to Accept the **Annual Financial Report for Tax Increment Reinvestment Zone #3 (TIRZ #3) for the reporting period ending September 30, 2023.**

- M. Consider Action to Accept the **Annual Financial Report for Tax Increment Reinvestment Zone #4 (TIRZ #4) for the reporting period ending September 30, 2023.**
- N. Consider Action to Approve the **Transfer of the Remaining Balance in TIRZ #4 to the Town's General Fund.**
- O. Consider Action to Accept the **Annual Financial Report for Tax Increment Reinvestment Zone #5 (TIRZ #5) for the reporting period ending September 30, 2023.**
- P. Consider Action to Accept the **Annual Financial Report for Tax Increment Reinvestment Zone #6 (TIRZ #6) for the reporting period ending September 30, 2023.**
- Q. Consider Action to Approve the **Transfer of the Remaining Fund Balance in TIRZ #6 to the Town's General Fund.**

5. **Regular Items.**

- A. Hold a Public Hearing, Present, Discuss and Consider Action on **Ordinance No. 1750, Accepting and Approving an Updated Service and Assessment Plan and Assessment Roll – Additional Authorized Improvements for the Spiritas East Public Improvement District (PID).**

Open Public Hearing:

Receive Public Comments:

Close Public Hearing:

Take Action on Ordinance No. 1750

Assistant Director of Economic Development Natasha Roach gave an overview of the attached item.

Open Public Hearing: 6:40 p.m.

Receive Public Comments: None

Close Public Hearing: 6:41 p.m.

Take Action on Ordinance No. 1750

Motion by Mayor Pro Tem Jamell T. Johnson, seconded by Council Member Michel Hambrick **to approve Ordinance 1750.**

Vote: 7 - 0 - Unanimously

- B. Present, Discuss, and Consider Action on **Resolution No. 0220202401 Authorizing the Mayor to Approve the Additional Authorized Improvements Reimbursement Agreement and the Additional Authorized Improvements Landowner Agreement between the Town of Little Elm and MM Little Elm 43, LLC.**

Motion by Council Member Neil Blais, seconded by Council Member Michel Hambrick **to approve Resolution No. 0220202401.**

Vote: 7 - 0 - Unanimously

- C. Hold a Public Hearing, Present, Discuss, and Consider Action on **Ordinance No. 1752 Regarding a Request to Rezone Approximately 4.9 Acres of Land, Currently Zoned Lakefront District, Generally Located North of the Intersection of Main Street and East Park Drive, within Little Elm's Town Limits, in Order to Establish a New Planned Development District, Based on Lakefront District Standards, Creating a Regulating Plan Providing a Conceptual Framework for Redevelopment of this Area.**

Open Public Hearing:

Receive Public Comments:

Close Public Hearing:

Take Action on Ordinance No. 1752:

Managing Director of Planning Olga Chernomorets gave an overview of the item in the attached presentation.

Open Public Hearing: 7:04 p.m.

Receive Public Comments: Jeffrey Peters, 401 E Park St, Little Elm, TX 75068 spoke in opposition of the item. Ryan O'Neil, 316 E Park St., Little Elm, TX 75068 spoke in opposition of the item.

Close Public Hearing: 7:18 p.m.

Take Action on Ordinance No. 1752:

Motion by Council Member Neil Blais, seconded by Council Member Michel Hambrick **to approve Ordinance No. 1752.**

Vote: 7 - 0 - Unanimously

6. 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.

Town Council convened into Executive Session at 7:31 p.m.

7. 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.

Town Council reconvened into Open Session at 8:03 p.m. No action was taken.

8. Adjourn.

Meeting was adjourned at 8:03 p.m.

Respectfully,

Caitlan Biggs

Town Secretary

Passed and Approved this _____ day of _____ 2024.



Date: 03/05/2024
Agenda Item #: 5. B.
Department: Administrative Services
Strategic Goal: Provide a safe and welcoming environment for Little Elm residents and visitors
Staff Contact: Rodney Harrison, Police Chief

AGENDA ITEM:

Consider Action to Accept the **Little Elm Police Department's 2023 Racial Profiling Report.**

DESCRIPTION:

Article 2.132 (7) of the Texas Code of Criminal Procedure requires the annual reporting to the local governing body of data collected on the race or ethnicity of individuals stopped and issued citations or arrested for traffic violations and whether or not those individuals were searched.

During the 85th Texas Legislative Session, Senate Bill 1849, known as the Sandra Bland Act, was passed and made the Motor Vehicle Contact Search Analysis mandatory for all law enforcement agencies in Texas, effective September 1, 2017.

This report provides information related to data collected from motor vehicles stops in which a citation or warning is issued and to arrests made as a result of those stops, including information such as:

- The race or ethnicity of the individual detained;
- Whether a search was conducted and, if so, whether the detained individual consented to the search; and
- Whether the peace officer knew the race or ethnicity of the individual before detaining them.

The conclusion of the report is that there were no allegations of Racial Profiling in 2023 for the Little Elm Police Department and that the department is in compliance with Texas Code of Criminal Procedure Article 2.132.

BUDGET IMPACT:

There is no budget impact for this item.

RECOMMENDED ACTION:

Staff recommends approval.

Attachments

2023 Racial Profiling Report



Little Elm Police Department Racial Profiling Report

2023

January 04, 2024

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Texas Code of Criminal Procedure

Article 2.131-2.132

- Prohibits racial profiling by police officers
- Requires implementation of a process by which complaints may be made for racial profiling
- Requires collection of data related to motor vehicle stops resulting in citations and/or arrests:
 - Race of the individual
 - Whether a search was conducted
 - Whether the search was consensual
 - Whether the officer knew the race of the individual being stopped prior to the stop
 - Whether the officer used physical force that resulted in bodily injury during the stop
 - Location and Reason for the stop
- Requires the Chief of Police to submit an annual report to the Texas Commission on Law Enforcement (TCOLE) and the Little Elm City Council

Art. 2.131. RACIAL PROFILING PROHIBITED.

A peace officer may not engage in racial profiling.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING.

(a) In this article:

- (1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle stops in the routine performance of the officers' official duties.
- (2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.
- (3) "Race or ethnicity" means the following categories:
 - (A) Alaska native or American Indian;
 - (B) Asian or Pacific Islander;
 - (C) black;
 - (D) white; and
 - (E) Hispanic or Latino.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;
- (5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information relating to:

- (A) the race or ethnicity of the individual detained;
- (B) whether a search was conducted and, if so, whether the individual detained consented to the search;
- (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
- (D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
- (E) the location of the stop; and
- (F) the reason for the stop; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

- (A) the Texas Commission on Law Enforcement; and
- (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by

a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. [3389](#)), Sec. 25, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. [686](#)), Sec. 2.05, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 173 (H.B. [3051](#)), Sec. 1, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 5.01, eff. September 1, 2017.

Texas Code of Criminal Procedure

Article 2.133-2.136

- Requires law enforcement agencies to submit a yearly report of the information collected to the governing body of the municipality
- Reports required for motor vehicle stops
- Compilation of data
- Analysis of data is not required
- Little Elm Police Department is exempt from reporting additional identifying information pertaining to motor vehicle stops

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS.

- (a) In this article, "race or ethnicity" has the meaning assigned by Article [2.132\(a\)](#).
- (b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:
 - (1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:
 - (A) the person's gender; and
 - (B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;
 - (2) the initial reason for the stop;
 - (3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;
 - (4) whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;
 - (5) the reason for the search, including whether:
 - (A) any contraband or other evidence was in plain view;
 - (B) any probable cause or reasonable suspicion existed to perform the search; or
 - (C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;
 - (6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;
 - (7) the street address or approximate location of the stop;
 - (8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and
 - (9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section [1.07](#), Penal Code, during the stop.
- (c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. [3389](#)), Sec. 26, eff. September 1, 2009.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 5.02, eff. September 1, 2017.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article:

(1) "Motor vehicle stop" has the meaning assigned by Article [2.132\(a\)](#).

(2) "Race or ethnicity" has the meaning assigned by Article [2.132\(a\)](#).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article [2.133](#). Not later than March 1 of each year, each law enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Texas Commission on Law Enforcement and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article [2.133](#) to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) Information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested

by a peace officer. This subsection does not affect the reporting of information required under Article [2.133\(b\)\(1\)](#).

(e) The Texas Commission on Law Enforcement, in accordance with Section [1701.162](#), Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(g) On a finding by the Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. [3389](#)), Sec. 27, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. [686](#)), Sec. 2.06, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 5.03, eff. September 1, 2017.

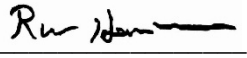
Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Little Elm Police Department

General Order 2900 (Issued 12-21-2015, replaced Lexipol 328)

- Policy effective June 9, 2020
- Reviewed October 26, 2023
- States purpose
- Establishes policy
- Prohibits discriminatory practices
- Establishes complaint process
- Establishes disciplinary and corrective actions
- Establishes public education
- Provides for training
- Establishes guidelines for data collection
- Use of video/audio equipment and review

LITTLE ELM POLICE DEPARTMENT GENERAL ORDERS	
SUBJECT: RACIAL PROFILING	NUMBER: 2900
EFFECTIVE DATE: 01/12/2021	REVIEW DATE: 10/26/2023
AMENDS/SUPERSEDES: Lexipol 328	APPROVED:  Chief of Police
BEST PRACTICE STANDARDS: 2.01.1	

NOTE: This General Order is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this General Order, if proven, can only form the basis of a complaint by this Department and only in a non-judicial, administrative setting.

INDEX WORDS:

Audio and Video Recording
Collection of Information
Complaint
Ethnicity
Race

Racial Profiling
Reporting
Review
Training

I. PURPOSE

- A. The purpose of this order is to reaffirm the Town of Little Elm Police Department's commitment to unbiased policing in all its encounters with any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of departmental policy and the law.

II. POLICY

- A. It is the policy of this Department to police in a proactive manner and to aggressively investigate suspected violations of the law. Officers shall actively enforce local, state and federal laws in a responsible and professional manner without regard to race, ethnicity, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. Officers are strictly prohibited from engaging in racial profiling as defined in this policy. Racial profiling is an unacceptable police tactic and will not be condoned.
- B. This General Order is adopted in compliance with the requirements of Articles 2.131 through 2.136, Texas Code of Criminal Procedure, which prohibits Texas peace officers from engaging in racial profiling.

III. **DEFINITIONS**

- A. Acts Constituting Racial Profiling - acts initiating law enforcement action, such as a traffic stop, a detention, a search, issuance of a citation, or an arrest based solely upon an individual's race, ethnicity, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group rather than upon the individual's behavior, information identifying the individual as having possibly engaged in criminal activity, or other lawful reasons for the law enforcement action
- B. Motor Vehicle Stop – means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.
- C. Race or Ethnicity - persons of a particular descent, including Caucasian, African, Hispanic, Asian, Middle Eastern or Native American descent.
- D. Racial Profiling - a law enforcement-initiated action based on an individual's race, ethnicity, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants, persons needing assistance, or other citizen contacts.

IV. **PROHIBITION**

- A. Officers of the Little Elm Police Department are strictly prohibited from engaging in racial profiling. The prohibition against racial profiling does not preclude the use of race, ethnicity or national origin as factors in a detention decision by an officer. Race, ethnicity or national origin may be legitimate factors in such a decision when used as part of a description of a suspect or witness for whom an officer is searching.

V. **COMPLAINT PROCESS**

- A. No person shall be discouraged, intimidated or coerced from filing a complaint, or be discriminated against because they have filed a complaint.
- B. Any person who believes that a peace officer employed by the Little Elm Police Department has engaged in racial profiling with respect to that person, may file a complaint in accordance with the provisions of General Order 300, Discipline/Complaints against Police Personnel.
 - 1. An employee who is contacted regarding a complaint against an officer shall follow the procedures set forth in General Order 300, Section X. Investigation of Externally Originated Complaints.
 - 2. Citizens who appear in person wishing to file a complaint shall be provided with a departmental brochure, "How to File a Complaint." Brochures are maintained in the Little Elm Police Department lobby, and at Little Elm Town Hall. Citizens may also be directed to the Departmental website to file a complaint.

- C. Any supervisor who becomes aware of an alleged or suspected violation of this General Order shall report the alleged violation in accordance with General Order 300, Discipline, Section XI. Investigation of Internally Originated Complaints.
- D. Complaints of racial profiling shall be classified as a Level I complaint, and shall be investigated by the Office of the Chief of Police, unless otherwise directed by the Chief of Police. A log of all Racial Profiling Complaints will be maintained by the Office of the Chief of Police.

VI. DISCIPLINARY AND CORRECTIVE ACTIONS

- A. Any officer of this Department who is found, after investigation, to have engaged in racial profiling in violation of this General Order may be subject to disciplinary action, up to and including termination. Disciplinary or corrective actions may include diversity, sensitivity or other appropriate training or counseling, as determined by the Chief of Police.

VII. PUBLIC EDUCATION

- A. This Department shall provide education to the public concerning the racial profiling complaint process. The primary method of public education shall be through a brochure, "How to File a Complaint" which are maintained in the lobby of the Little Elm Police Department, and at the Little Elm Town Hall. These brochures are available in both English and Spanish versions. Other education methods may be utilized to inform the public, including news media, civic presentations, the Internet, and/or public meetings.

VIII. COLLECTION OF INFORMATION AND ANNUAL REPORT WHEN CITATION ISSUED OR ARREST MADE

- A. For each motor vehicle stop in which a citation is issued and for each arrest resulting from a motor vehicle stop, an officer involved in the stop shall collect the following information:
 - 1. Information identifying the race or ethnicity of the individual detained. The following codes will be used to identify the individual's race:
 - B = Black / African
 - A = Asian
 - I = Native American / American Indian
 - H = Hispanic
 - W = White / Caucasian
 - 2. Whether a search was conducted and if so, whether the individual detained consented to the search ; and

3. Whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
 4. If the person contacted is a resident of the Town of Little Elm, this shall be reflected in the Racial Profiling module in the Brazos ticket writing program.
- B. The information collected shall be entered in to the Racial Profiling module in the Brazos ticket writing program by the officer in a timely manner. All stops requiring Racial Profiling data collection must be entered.
- C. The Professional Standards Lieutenant shall ensure all Racial Profiling Data is collected and reported to the Chief of Police. The data collected shall be compiled in an annual report covering the period January 1 through December 31 of each year, and shall be submitted to the governing body of the Town of Little Elm no later than March 1 of the following year. The report will include:
1. A breakdown of citations by race or ethnicity;
 2. Number of citations that resulted in a search;
 3. Number of searches that were consensual;
 4. Number of citations that resulted in custodial arrest; and
 5. Public education efforts concerning the racial profiling complaint process.
- C. The annual report shall not include identifying information about any individual stopped or arrested, and shall not include identifying information about any peace officer involved in a stop or arrest.
- D. Racial Profiling Data will also be reported to the Texas Commission on Law Enforcement (TCOLE) by March 1 of each year, following the Commission's prescribed format.

IX. AUDIO AND VIDEO EQUIPMENT

- A. Each motor vehicle regularly used by this department to make motor vehicle stops shall be equipped with a mobile video camera system capable of recording video and audio, and each motorcycle regularly used by this department to make motor vehicle stops shall be equipped with audio recording equipment.
- B. Each motor vehicle stop made by an officer of this department capable of being recorded by video and audio, or by audio only for motorcycles, shall be recorded.
- C. Supervisors and Officers shall ensure that mobile video camera equipment, and/or audio equipment, is properly functioning prior to commencing their tour of duty. Police units with malfunctioning or inoperable mobile video camera equipment shall not be utilized under normal circumstances.

- D. Supervisors shall have the authority to assign units with malfunctioning or inoperable mobile video equipment when situations dictate. Officers assigned to such units shall collect and document the information listed below for each motor vehicle stop. All documentation must be submitted to the officer's supervisor prior to ending that tour of duty. Documentation shall include but is not limited to Field Interview Forms, Traffic Citations and Warning Tickets.
1. A physical description of any person operating the motor vehicle, who is detained as a result of the stop, including:
 - a. the person's gender; and
 - b. the person's race or ethnicity, as stated by the person, or if the person does not state, the person's race or ethnicity, as determined by the officer to the best of his or her ability. Officers will not ask the individual to identify their race or ethnicity;
 2. Whether the officer knew the race or ethnicity of the individual detained before detaining that individual;
 3. The initial reason for the stop;
 4. Whether the officer conducted a search as a result of the stop, and, if so, whether or not the person detained consented to the search;
 5. Whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;
 6. The reason for the search, including whether:
 - a. Any contraband or other evidence was in plain view;
 - b. Any probable cause or reasonable suspicion existed to perform the search; or
 - c. The search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle
 7. Whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of Penal Code, a violation of traffic law or ordinance or an outstanding warrant and a statement of the offense charged.
 8. The street address or approximate location of the stop;
 9. Whether the officer issued a citation or a written warning as a result of the stop; and
 10. Whether the person contacted is a resident or non-resident of the Town of Little Elm. This shall be reflected on each citation issued, using an (R) for residents or an (NR) for non-resident.

XI. REVIEW OF VIDEO AND AUDIO DOCUMENTATION

- A. Each audio and video recording shall be retained for a minimum period of ninety (90) days, unless a complaint is filed alleging that an officer has engaged in racial profiling with respect to a motor vehicle stop. The Patrol Operations Commander shall ensure that all audio and recordings are properly stored and retained in accordance with applicable laws and this General Order.
- B. If a complaint is received alleging that an officer has engaged in racial profiling, the audio / video recording shall be forwarded to the Office of the Chief of Police who shall retain the video until final disposition of the complaint has been made.
- C. The Patrol Operations Commander or his designee shall review a randomly selected sampling of video and audio recordings, made recently by officers employed by the Department, in order to determine if patterns of racial profiling exist. These reviews shall be conducted monthly and documented on the appropriate form (LEPD-018)
 - 1. Written documentation shall include:
 - a. the names of the officers whose stops were reviewed;
 - b. the date(s) of the videos reviewed;
 - c. the date the actual review was conducted; and
 - d. the name of the person conducting the review.
 - 2. The Patrol Operations Commander shall forward the required documentation to the Office of the Chief of Police.
 - 3. The Patrol Operations Commander shall maintain a file of all video review documentation performed, in compliance with this General Order.
- D. In reviewing audio and video recordings, the Patrol Operations Commander or his designee, shall seek to determine if the officer(s) reviewed have engaged in a pattern of racial profiling, that includes multiple acts constituting racial profiling for which there is no reasonable, credible explanation based on established police and law enforcement procedures.

XII. TRAINING

- A. Each peace officer employed by the Department shall complete the comprehensive education and training program on racial profiling established by the Texas Commission on Law Enforcement (TCOLE) not later than the second anniversary of the date the officer was licensed, or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

XIII. EFFECTIVE DATE

- A. Any previous directive, rule, order or regulation that pertains to this subject matter and its amendments shall remain in full force and effect for any violation(s) which occur prior to the effective date of this General Order.

- B. If any section, sentence, clause or phrase of this General Order is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this General Order.
- C. All training on this General Order will be in accordance with General Order 100, Written Directive System, Chapter VIII, Training.
- D. The effective date is stated in the header block of this General Order.

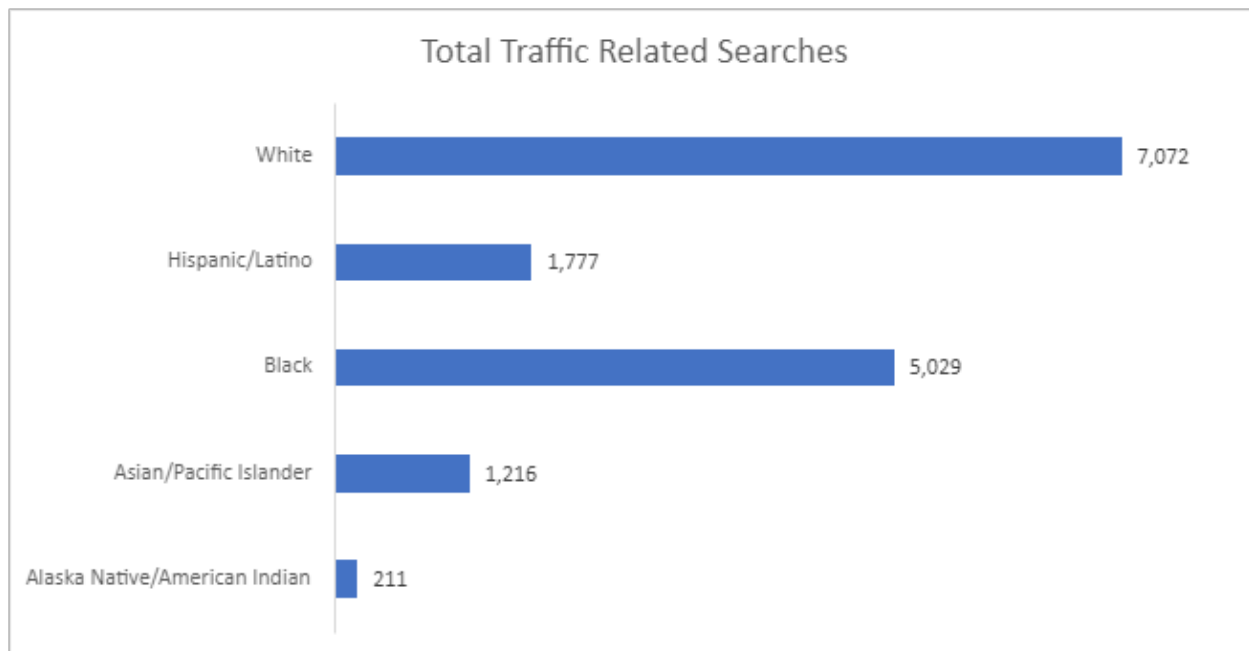
2023 Data Compilation

Total Traffic Related contacts Resulting in Search, Arrest, or Citation/Warning

Total County by Number / Percentage

Race	Traffic Related Contact Resulting in Search, Arrest or Citation/Warning	Traffic Related Contact Resulting in Search, Arrest or Citation/Warning Percentage
Alaskan Native / American Indian	211	1%
Asian / Pacific Islander	1,216	8%
Black	5,029	33%
Hispanic / Latino	1,777	12%
White	7,072	46%
Total	15,305	100%

Graphical Analysis

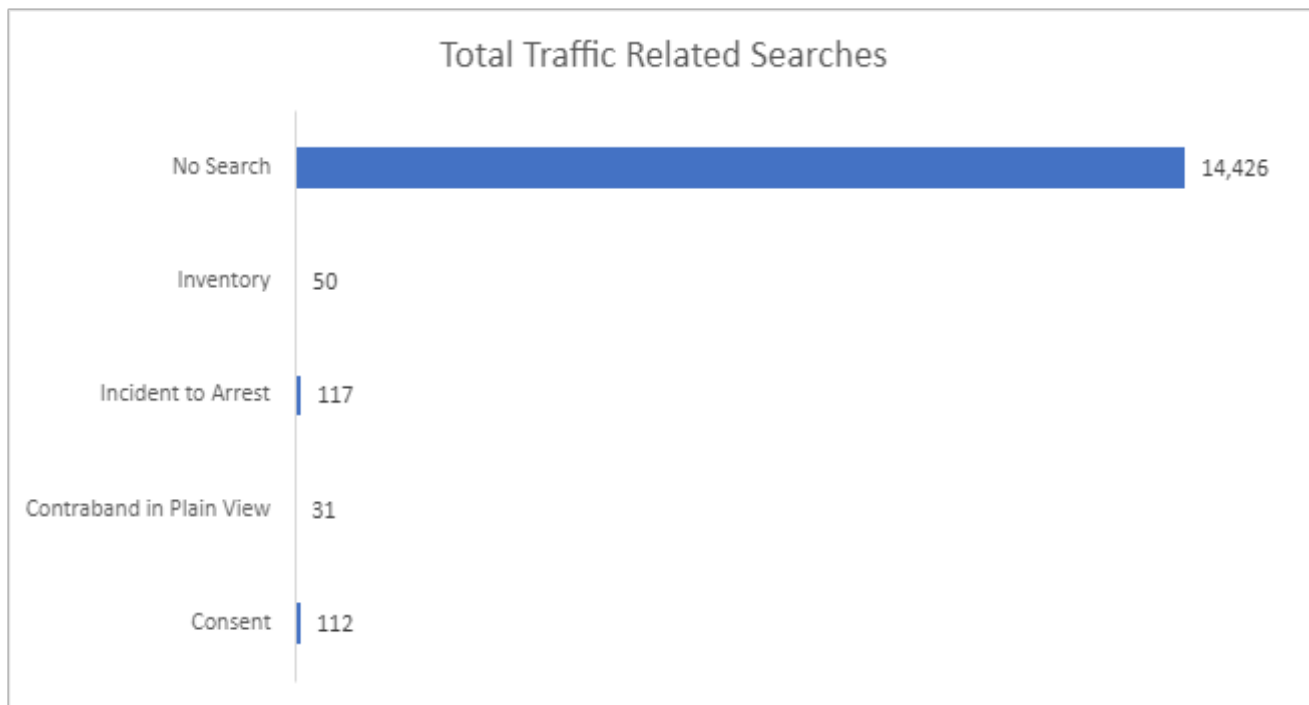


Total Traffic Related Searches

Total by Raw Number / Percentage

Searches	Total Searches	Percentage
Consent	112	0.73%
Contraband In Plain View	31	0.20%
Incident to Arrest	117	0.76%
Inventory	50	0.33%
No Search	14,426	94.26%
Probable Cause	569	3.72 %
Total	15,305	100%

Graphical Analysis

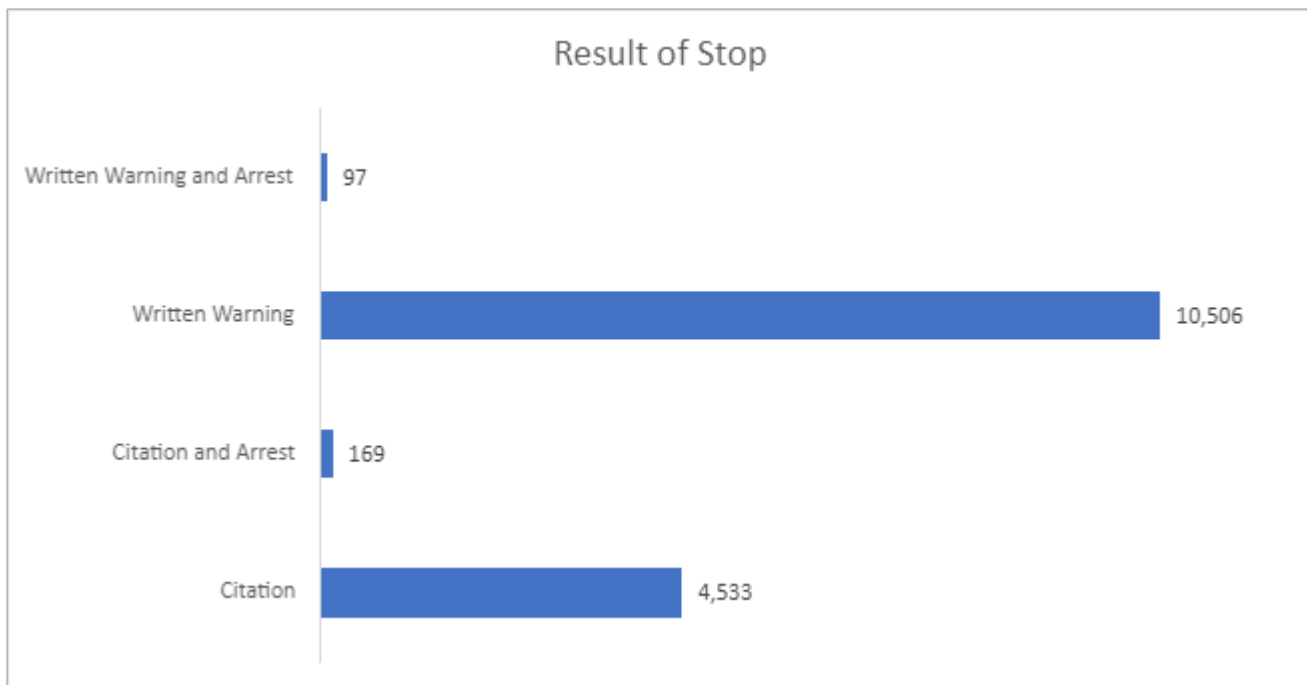


Result of Stop

Total by Raw Number / Percentage

Result of Stop	Total Result	Percentage
Citation	4818	34.35%
Citation and Arrest	86	0.65%
Written Warning	12266	64.84%
Written Warning and Arrest	39	0.16%
Total	17210	100%

Graphical Analysis





Texas Police Chiefs Association

DOCUMENT SUBMISSION FORM

Agency: Little Elm Police Department

Best Practice **2.01 Bias Based Profiling (EV)**

The agency has a written directive, complying with current laws on the reporting of the Bias Based Profiling information collected by the agency, and training of enforcement personnel in the prohibition of Bias Based Profiling. If the Agency uses in-car cameras and/or body cameras, the directive shall require the supervisory review of at least three random videos, at least every six months, per officer.

Discussion: Bias based profiling and especially racial profiling is highly injurious to a law enforcement agency as it erodes public confidence in equality of treatment. Agencies should ensure their definition of racial profiling (part of bias based profiling) meets the definition of the Texas Code of Criminal Procedure Article 3.05 as well as the operational procedures required under Articles 2.131 through 2.138.

Prohibition of Bias Based Profiling however is broader than the state required racial profiling prohibition. The agency's written directive should meet or exceed state law requirements for prohibition of racial profiling, but must also prohibit any profiling based on ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. Agencies need to ensure their policy includes all of this expanded definition.

Agencies are required to publish an annual report of their traffic stops under Article 2.134. This annual report is also required as part of this standard but will not be submitted electronically. Agencies should indicate on their Document Submission Form that the Annual Reports are in file. If all other parts of the Best Practice requirements are met, the standard will be "Accepted" and the actual annual reports will be reviewed on-site by the Final Review team.

Minimum Training Level 2. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received Roll-call Training or a formal Training Bulletin, watched a video, received a copy of a policy which was discussed with a Supervisor, or received a copy of a policy and been tested over its content.

When conducting random, quarterly, supervisory reviews of officer's video supervisors are not required to watch each incident of an 8, 10, or 12 hour shift; however, reviewing the footage in a manner intended to gain an understanding of that officer's performance and adherence to policy and law is required.

Proofs of Compliance Submitted:

1. Copy of GO 2900 Policy Section II Pages 2900-2901 / Section XI Pages 2905-2906 / Section XII Page 2906
2. Copy of proof of receipt of written directive signed by all employees – need sign off
3. Copy of Racial Profile Training
4. Random Video Review
5. Copy of most recent annual racial profiling report

Submitted By: J. Compton**Date: November 27, 2023****Evaluators Review:**

- ☒ Does the file contain a written directive which:
- ☒ Prohibits all forms of bias based profiling (not just racial – see glossary)?
- ☒ Complies with Texas Code of Criminal Procedure?
- ☒ Requires training of enforcement personnel?
- ☒ Does the file contain documentation of Proof of Receipt of the directive by employees?
- ☒ Does the file contain documentation showing training (minimum level 2) of enforcement employees?
- ☒ Does the file contain proof of random video review for first responders?
- ☒ Does the file contain a copy of the most recent annual report or is a copy readily available for inspection? (Should not be submitted electronically.)

**Complaints:**

There were no allegations of Racial Profiling in 2023.

Conclusion:

The Little Elm Police Department is in compliance with Texas Code of Criminal Procedure Article 2.132.

TCOLE Submission
Little Elm Police Department
2023 Racial Profiling Report

Gender

Female	5,631
Male	9674
Total	15305

Race and ethnicity

Alaskan Native / American Indian	211
Asian / Pacific Islander	1,216
Black	5,029
Hispanic / Latino	1,777
White	7,072
Total	15305

Was race or ethnicity know prior to the stop?

No	14,876
Yes	429
Total	15305

Reason for Stop?

Moving Traffic Violation	9,366
Pre Existing Knowledge	481
Vehicle Traffic Violation	4,456
Violation of Law / Unknown	1,002
Total	15305

Street Address or approximate location of the stop

City Street	11950
County Road	101
Private Property or Other/Unknown	468
State Highway	411
US Highway	2,375
Total	15305

Was a search conducted?

No	14,426
Yes	879
Total	15305

Reason for Search

Consent	112
Contraband in Plain View	31
Incident to Arrest	117
Inventory	50
No Search	14426
Probable Cause	569
Total	15305

Was Contraband Discovered?

No	207
Yes	672
Total	879

Description of Contraband

Alcohol	133
Currency	4
Drugs	533
Other	83
Weapons	44
Total	797

Result of Stop

Citation	4533
Citation and Arrest	169
Written Warning	10506
Written Warning and Arrest	97
Total	15305

Arrest base on

Outstanding Warrant	73
Violation of City Ordinance	4
Violation of Penal Code	165
Violation of Traffic Law	24
Total	266

Was physical force resulting in bodily injury used during stop?

No	15298
Yes	7
Total	15305

Was arrest due to contraband found?

No	180
Yes	86
Total	266

TCOLE 2023 Racial Profile Agency Report Exemption

Agency Name	Filing Status	Reason for Filing as Tier 1 or Tier 2	Chief Administrator and Agency Contact information*	Date Filed	Online Electronic Report	Agency Supplied Report
LITTLE ELM POLICE DEPT. Agency No: 121203	Partially Exempt (Tier 1)	Audio/Video Equipped	RODNEY HARRISON Phone: 214-975-0460 Email: rharrison@littleelm.org Mailing Address: LITTLE ELM POLICE DEPT. 88 W. Eldorado Pkwy Little Elm, TX 75068	01/29/2023	Yes	Yes

Article 2.132 CCP Law Enforcement Policy on Racial Profiling

Article 2.132(b) CCP Law Enforcement Policy on Racial Profiling LITTLE ELM POLICE DEPARTMENT. has adopted a detailed written policy on racial profiling. Our policy:

- (1) clearly defines acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the LITTLE ELM POLICE DEPARTMENT from engaging in racial profiling;
- (3) implements a process by which an individual may file a complaint with the LITTLE ELM POLICE DEPT. if the individual believes that a peace officer employed by the LITTLE ELM POLICE DEPARTMENT has engaged in racial profiling with respect to the individual;
- (4) provides public education relating to the agency's complaint process;
- (5) requires appropriate corrective action to be taken against a peace officer employed by the LITTLE ELM POLICE DEPARTMENT who, after an investigation, is shown to have engaged in racial profiling in violation of the LITTLE ELM POLICE DEPARTMENT's policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
 - (D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
 - (E) the location of the stop
 - (F) the reason for the stop; and
- (7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - (A) the Commission on Law Enforcement; and
 - (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state outlines performance of the officers' official duties.

TCOLE SUBMISSION

Racial Profiling Report | Full

Agency Name: LITTLE ELM POLICE DEPT.

Reporting Date: 01/29/2024

TCOLE Agency Number: 121212

Chief Administrator: RODNEY W. HARRISON

Agency Contact Information:

Phone: (214) 975-0460

Email: rharrison@littleelm.org

Mailing Address:

88 W ELDORADO PKWY

LITTLE ELM, TX 75068-5079

This Agency filed a full report

LITTLE ELM POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the LITTLE ELM POLICE DEPT. from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the LITTLE ELM POLICE DEPT. if the individual believes that a peace officer employed by the LITTLE ELM POLICE DEPT. has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the LITTLE ELM POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the LITTLE ELM POLICE DEPT. policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or citation is issued and to arrests made as a result of those stops, including information relating to:
 - a. the race or ethnicity of the individual detained;
 - b. whether a search was conducted and, if so, whether the individual detained consented to the search;
 - c. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
 - d. whether the peace officer used physical force that resulted in bodily injury during the stop;
 - e. the location of the stop;
 - f. the reason for the stop.

7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

- a. the Commission on Law Enforcement; and
- b. the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The LITTLE ELM POLICE DEPT. has satisfied the statutory data audit requirements as prescribed in Article 2.133

1 of 9

(c), Code of Criminal Procedure during the reporting period.

Executed by: JAY V. COMPTON

Lieutenant

Date: 01/29/2024

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Date: 03/05/2024
Agenda Item #: 5. C.
Department: Administrative Services
Strategic Goal: Maintain operational integrity and viability
Staff Contact: Caitlan Biggs, Director of Administrative Services/Town Secretary

AGENDA ITEM:

Consider Action to Approve **Resolution No. 0305202401, A Naming and Recognition Policy for Structures, Town-Owned Facilities, Trails and Parks, and Providing an Effective Date.**

DESCRIPTION:

At the February 20, 2024, Town Council meeting, staff reviewed the attached policy with Council regarding naming and recognition. The policy outlines the process for naming structures, town-owned facilities, trails and parks, or portions thereof.

BUDGET IMPACT:

There is no budget impact for this item.

RECOMMENDED ACTION:

Staff recommends approval.

Attachments

Resolution No. 0305202401

RESOLUTION NO. 0305202401

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LITTLE ELM, TEXAS APPROVING A NAMING AND RECOGNITION POLICY FOR STRUCTURES, TOWN-OWNED FACILITIES, TRAILS AND PARKS, AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. The Naming and Recognition Policy for structures, town owned facilities, trails and parks, a copy of which is attached to this Resolution as **Exhibit A**, is hereby approved.

SECTION 2. This Resolution shall take effect from and after its date of adoption.

DULY RESOLVED AND ADOPTED by the Town Council of the Town of Little Elm, Texas, on this the 5th day of March, 2024.

TOWN OF LITTLE ELM, TEXAS

Curtis J. Cornelious, Mayor

ATTEST:

APPROVED AS TO FORM:

Caitlan Biggs, Town Secretary

Robert Brown, Town Attorney

PROPOSED LITTLE ELM NAMING AND RECOGNITION POLICY

I. PURPOSE

To establish uniform guidelines and procedures for the naming or renaming of Structures, Parks, Trails and other Town-Owned Facilities. The policy will also set guidelines for the acceptance of and recognition of contributions, including those not associated with naming.

II. NAMING CRITERIA

A. NAMING GUIDELINES

Structures, Parks, Trails and other Town-Owned Facilities (also referred to herein as a “facility”), for naming objects, should utilize predominant characteristics related to the Town’s natural environment, physical features or history listed below.

1. Hydrological features - streams, rivers, lakes, creeks or ponds.
2. Natural features - trees, vegetation, wildlife etc.
3. Man-Made features - landmarks, street names, subdivision names, architectural features etc.
4. Significant historical events
5. Community Sponsored Name – Any resident, group of residents, entity, or organization may submit a proposal to name a park, trail, or facility after an individual, group, or community organization to honor and recognize significant contributions to the Town through public service, volunteering, or outstanding achievement (based on the process set forth in Section B. Naming Process, below).
6. Name of an individual that has made a significant contribution to the Town by meeting one of the following criteria:
 - a. The person has or will make a minimum financial contribution of \$1,000,000. This contribution may include:
 - i. The donation of land, significant financial contributions to acquire land, or land sold to the Town at a price significantly below market value that meets or exceeds the minimum financial contribution.
 - ii. The construction of the park, trail or facility, or construction services at a price significantly below market value that meets or exceed the minimum financial contribution.

- b. The person has made significant and consistent long-term contributions to the Town through service.
 - c. The person was an employee of the Town and served for at least 20 years but has not been employed by the Town within the past 5 years.
 - d. The person has served as Mayor or Town Council but shall not have been a Town Council Member/Mayor of the Town of Little Elm within the last five years.
- 7. Eagle Scout Projects are excluded from this policy.
 - 8. If a new road is built by a developer, the Town may request naming rights from the developer.
 - 9. Town Hall and the Public Safety Building are not eligible for naming rights.

Different sections of parks and facilities may carry names that differ from that of the overall park, trail, or town-owned structure. This may include the naming of individual items in a park or facility (such as a pavilion, plaza, meeting room, etc.). The above guidelines shall still apply in choosing a name at the discretion of Town Council a lower monetary contribution may be accepted for the naming of individual items within a facility.

B. NAMING PROCESS

- 1. Consideration of a Proposed Name – The proposed facility name may be presented to Council for consideration by the Department Director responsible for oversight of the facility to be named. The Director will be responsible for presenting the proposal to Council and showing how the proposed facility name complies with the Naming Guidelines. The applicant will also be requested to be present to answer any questions from Town Council.
- 2. Approval of a Proposed Name - The naming or renaming of a Facility is at the sole discretion of the Town Council and must comply with the naming guidelines. Approval of the proposed name must be approved by a 3/4 vote of the entire Town Council (i.e., if all members of the Town Council are eligible to vote, approval would require 6 out of 7 votes).

C. NAMING RECOGNITION

- 1. Individual Named Structures, Parks, Trails or Town-Owned Facility - In addition to standard facility signage recognition of naming after or dedicated for an individual will include one of the following designations:
 - a. Named or Dedicated Facility – May be recognized with a plaque, not to exceed 24" x 36". Plaque may include individual's name, graphic of the individual, and a description of their contribution to the town. The plaque

may be mounted to a free-standing support or an architectural feature.

- b. Named or Dedicated Area or Item within a Facility - May be recognized with one of or a combination of the following elements:
 - i. Plaque, not to exceed 24" x 24"
 - ii. Paving Medallion, not to exceed 24" x 24"
 - iii. Inscription on an existing feature within a facility.

Recognition shall include the person's name, years of service, and a small inscription describing the person's service to the town.

- 2. Community Sponsor Named Structures, Parks, Trails or Town-Owned Facility - In addition to standard facility signage recognition of naming after or dedicated for a community sponsor will include one of the following designations:
 - a. Named or Dedicated Facility – May be recognized with a plaque, not to exceed 24" x 36". Plaque may include organization's name, logo of the organization, and a description of their contribution to the town. The plaque may be mounted to a free-standing support or an architectural feature.
 - b. Named or Dedicated Area or Item within a Facility - May be recognized with one of or a combination of the following elements:
 - i. Plaque, not to exceed 24" x 24"
 - ii. Paving Medallion, not to exceed 24" x 24"
 - iii. Inscription on an existing feature within a facility.
- 3. If the organization wants to construct an amenity within a town-owned facility that is not included in the list above, they must request this from Town Council and provide proof of funding and a maintenance plan.

III. RECOGNITION OF DONATIONS NOT ASSOCIATED WITH NAMING

A. RECOGNITION OF DONATIONS

- 1. Recognition of donations may be acknowledged in one of the following manners:
 - a. Single Mounted Plaque no larger than 10" x 12" (not including plaque base) - To be displayed in the facility receiving the donation or an area adjacent to the donated item.
 - b. Engraved Paver or Stone – To be grouped near the entrance or in a prominent location near the facility receiving the donation or an area adjacent to the donated item.
 - c. Inscription on a donated item, including engravings on metal.
- 2. Approved Wording – Wording to recognize donations must be limited to

the following nomenclature:

- a. Individual Name (May include a nickname)
- b. Business Name
- c. Pet Name (Where appropriate)
- d. Organization or Group Name
- e. May include a simple acknowledgement such as “Donated by” or “Support provided by”.
- f. May include a group descriptor such as “By the Friends and Family of”

3. Anonymous donations do not require recognition.

IV. REMOVAL OF A NAME

In the event the name of a Structure, Trail, Park or Town-owned facility has previously been granted and the name later casts a negative image on Little Elm, the name may be removed at the determination and discretion of the Town Council and approved by a 3/4 vote of the entire Town Council.

V. EXCEPTIONS

Town Council may make exceptions to this policy when it deems appropriate and approved by a 3/4 vote of the entire Town Council.



Date: 03/05/2024
Agenda Item #: 5. D.
Department: Finance
Strategic Goal: Maintain operational integrity and viability
Staff Contact: Jason Shroyer, Director of Public Works

AGENDA ITEM:

Consider Action to Approve a **Professional Master Services Agreement with Kleinfelder, Inc. to Perform Engineering Services, in the estimated amount of \$90,000.**

DESCRIPTION:

In 2022, The Town contracted with Kleinfelder Engineering to perform an engineering review of the structural condition and TCEQ compliance regulations for the 5 million gallon ground storage tank, located at the Mansell Pump Station. The review identified a few modifications that are necessary to maintain compliance. These included: manway entry and exits, screens, replacing ladders (inside and outside of the tank) removing conduits from ladder, cleaning, sealing areas, and resurfacing. The areas identified for repair and maintenance require engineering plans to identify the materials, methods, and requirements for the tank rehabilitation. The attached proposal for \$90,000 shall provide a full scope of work and plans for the work needed to bid the project, and award for rehab in winter of 2024/25, when the tank can be taken out of service.

BUDGET IMPACT:

Funding has been identified in the Utility CIP budget.

RECOMMENDED ACTION:

Staff recommends approval.

Attachments

Master Agreement
Work Order
Inspection Report

CLIENT MASTER SERVICES AGREEMENT

DFW24P164226

This Agreement is made on: February 19, 2024

Between Town of Little Elm with offices at 1600 Mark Tree Lane, Little Elm, Texas 75068 (**Client**)

And Kleinfelder, Inc. with offices at 7805 Mesquite Bend, Suite 100, Irving, Texas 75063 (**Kleinfelder**).

Recitals

- A. Client wishes to appoint Kleinfelder to provide certain services (the **Services**, as defined below) required by Client or Client's agreement with the Owner for one or more projects on a Work Order basis and on the terms and conditions contained in this Agreement.
- B. Kleinfelder has agreed to perform the Services on the terms and conditions contained in this Agreement.

Now it is agreed as follows:

1. CONTENTS OF AGREEMENT

- 1.1 The parties agree that the documents listed in 1.1(a) through (e) constitute the "**Contract Documents**" of this Agreement. To establish obligations and resolve ambiguities in the Contract Documents, the following order of precedence will prevail:
 - (a) first, amendments and Change Orders issued in accordance with this Agreement;
 - (b) second, Work Orders (Appendix A, as defined below);
 - (c) third, Kleinfelder's Proposal, dated February 19, 2024, which the Client acknowledges receipt and confirms understanding of, and agreement with the contents thereof, in full (Appendix B), or Kleinfelder's Proposals subsequently issued and referenced, attached or incorporated into Work Orders;
 - (d) fourth, this Agreement; and
 - (e) fifth, those portions of the Client's agreement with Owner dated N/A (**Prime Agreement**), if and as applicable to Kleinfelder and incorporated as provided in clause 1.4 (Appendix C).
- 1.2 To the extent of any inconsistency between this Agreement and any Prime Agreement, the provisions of this Agreement will always prevail.
- 1.3 Any pre-printed terms and conditions on forms used by either party in the administration of this Agreement are void and do not supplement or replace the terms and conditions of the Contract Documents of this Agreement.
- 1.4 Kleinfelder agrees to be bound to Client in the same way Client is bound to (**Owner**), to the extent the provisions referenced at clause 1.1(e) are applicable to the Services under a given Work Order and provided those provisions of the Prime Agreement are expressly identified and furnished to Kleinfelder prior to entering into the Work Order.

2. APPOINTMENT AND SCOPE OF SERVICES

- 2.1 This Agreement anticipates the execution of various written work orders (in the form of Appendix A) which the parties agree will specify the scope of Services to be performed (**Services**) and Client's project for which the Services will be performed (**Project**), the location of Client's Project for providing the Services (**Site**), the time period for performance, the agreed fees and additional provisions, if any, applicable to such Services (**Work Orders**).
- 2.2 By executing this Agreement, Client does not guarantee any future work, nor does Kleinfelder commit to performing any specific future Work Order.

3. STANDARD OF CARE

- 3.1 Kleinfelder will perform its Services in a manner consistent with that level of care and skill ordinarily exercised by other members of Kleinfelder's profession practicing in the same locality, under similar conditions and at the date the Services are provided.
- 3.2 Kleinfelder makes no representation, guarantee or warranty, express or implied, regarding the Services, or any communication (oral or written), certification, report, opinion, or Instrument of Service provided pursuant to this Agreement.
- 3.3 Kleinfelder will not be responsible for constant or exhaustive inspection of the work, for the means, methods, techniques sequences or procedures of construction, or for the safety procedures employed by any party other than its own employees, subconsultants and subcontractors.
- 3.4 No level of assessment can conclusively determine whether a property or its structures are completely free of geotechnical hazards or hazardous substances (including but not limited to mold). Client represents that it has carefully reviewed the limitations described in the Proposal.
- 3.5 Even with diligent observation, some defects, deficiencies, or omissions may occur. Before exercising any other remedy for any alleged breach by Kleinfelder of this Agreement, Client will direct Kleinfelder in writing to re-perform any defective Services within twelve (12) months after completion of the Services.
- 3.6 Kleinfelder will only sign certifications relating to the Services if Kleinfelder agreed in writing prior to the commencement of the Services to provide such certifications. Such certifications are statements of professional opinion only.

4. KLEINFELDER'S RESPONSIBILITIES

- 4.1 Kleinfelder will perform the Services as an independent contractor and not as an agent or employee of Client. Nothing in this Agreement creates any special relationship or fiduciary duty.
- 4.2 Kleinfelder will, as reasonably directed by Client or its authorized agent:
- (a) provide qualified staff to perform the Services;
 - (b) maintain records of Project activities and costs for no more than three years from its completion of the Services;
 - (c) coordinate to the extent reasonably possible with Client's employees, contractors, consultants so as not to impede the progress of the Project; and
 - (d) require its personnel to maintain a safe, clean and orderly work environment.

5. TERM AND TERMINATION

- 5.1 This Agreement will commence on the date of its execution, except as to any Services authorized by Client and performed by Kleinfelder beforehand, and will continue in effect for two years or until terminated by either party or extended for an additional two years by mutual written agreement of the parties.
- 5.2 Either party may terminate this Agreement or any Work Order at any time by providing not less than ten (10) days' written notice to the other party.
- 5.3 Notwithstanding the termination or expiry of this Agreement, the terms of this Agreement will survive and continue to apply to all Work Orders signed by both parties prior to the Agreement's effective termination or expiry date, and until all of the rights and obligations of both parties have been fulfilled.
- 5.4 Within fifteen (15) days from termination Client will pay Kleinfelder on demand for all Services rendered and costs incurred through to the date of any termination and for all reasonable costs and expenses incurred by Kleinfelder in effecting the termination, including, without limitation, non-cancellable commitments, fixed cost components and other demobilization costs.

6. COMPENSATION

- 6.1 In consideration for undertaking the Services, the Client shall pay to Kleinfelder the sum specified in each Work Order in payments in accordance with the terms of each Work Order and the payment provisions of this Agreement.
- 6.2 Client agrees to provide any special invoicing requirements to Kleinfelder in advance of signing this Agreement, to which additional charges may apply.
- 6.3 The proposed fees set forth in this Agreement shall be open for acceptance for ninety (90) days from the above date. If the Agreement is signed after that date, the proposed fees may be adjusted prior to commencement of Services. The hourly rates charged for Kleinfelder's Services are adjusted annually in January of each year to reflect changes in the various elements that comprise such hourly rates. All adjustments will be in accordance with generally accepted accounting practices as applied on a consistent basis by Kleinfelder and consistent with Kleinfelder's overall compensation practices and procedures. Kleinfelder reserves the right to periodically adjust its fee schedule.
- 6.4 Kleinfelder will generally submit its invoices to Client on a monthly basis. Client must pay all invoices within thirty (30) days from the date of invoice, with interest at the rate of one and one-half percent (1 1/2 %) per month payable on all outstanding payments. Interest on all outstanding payments will be charged from the initial date of invoice.
- 6.5 Kleinfelder may suspend performance of Services under this Agreement until it has been paid in full for all outstanding payments, including interest charges.
- 6.6 Kleinfelder will be entitled to recover from Client on demand all expenses incurred (including all legal costs and expenses) in recovering any outstanding payments from Client.
- 6.7 All travel will be invoiced at cost and reimbursed by Client. All travel required under this Agreement is subject to the terms, conditions and applicable rates set forth in the U.S. Federal Travel Regulations.

7. INSURANCE

- 7.1 Kleinfelder will maintain during the term of this Agreement worker's compensation, commercial general liability, automobile liability Insurance and professional indemnity insurance coverage.

- 7.2 Client will maintain during the term of this Agreement adequate insurance coverage and will require and verify any contractors or parties it hires to have adequate insurance coverage. Client agrees that failure to comply with this clause will invalidate any indemnify provided by Kleinfelder under clause 12.1.

8. CHANGES TO SCOPE OF SERVICES

- 8.1 Client or Kleinfelder may request to modify the scope of Services as set out in any Work Order, whereon both parties agree to negotiate in good faith and execute a written Change Order. A **Change Order** is an amendment to this Agreement or to a Work Order that modifies the Services and specifies the following:
- (a) a change in the terms and conditions or Services;
 - (b) an adjustment in the schedule for performance; and
 - (c) the amount of adjustment in Kleinfelder's compensation.
- 8.2 Kleinfelder will treat as a Change Order any written or oral Client order (including directions, instructions, interpretations, or determinations) which request changes in the Services. Kleinfelder will give Client written notice within a reasonable time of any resulting adjustment in the schedule and compensation. Unless Client objects in writing within 5 business days, the proposed terms of the Change Order with the adjustment in the schedule and price shall become a part of this Agreement.
- 8.3 If Client and Kleinfelder cannot agree upon an equitable adjustment in the schedule and compensation, and Kleinfelder does not sign the Change Order, the disagreement shall be treated as a Dispute under clause 18.

9. FORCE MAJEURE

- 9.1 Kleinfelder will not be liable for delay or failure to perform its Services caused directly or indirectly by circumstances beyond its control, including but not limited to, acts of God, fire, flood, war, sabotage, accident, labor dispute, shortage, government action or inaction, changed conditions, delays resulting from actions or inactions of Client or third parties, Site inaccessibility or inability of others to obtain material, labor, equipment, or transportation.
- 9.2 Should any of the preceding circumstances occur, then the date for completion or any other milestone date shall be adjusted for the delay in accordance with clause 8, provided Kleinfelder reports the delay to Client within a reasonable time of discovery.

10. INSTRUMENTS OF SERVICE

- 10.1 All data, reports, drawings, plans, or other documents (or copies) provided to Kleinfelder by Client for the purposes of this Agreement will, at Client's written request, be returned upon completion of the Services and payment in full for all Services rendered. Client agrees that Kleinfelder may retain one copy of all such documents.
- 10.2 Client agrees:
- (a) all reports, drawings, plans, documents, software, source code, object code, boring logs, field data, field notes, calculations, estimates, laboratory test data and other similar data, documents and work products (or copies thereof) in any form prepared by Kleinfelder pursuant to this Agreement are instruments of service (**Instruments of Service**), not products;
 - (b) Kleinfelder will retain exclusive ownership, copyright and title to all Instruments of Service, and Client has no rights to incomplete or partial data;
 - (c) all opinions, certifications, communications (oral or written) or Instruments of Service furnished to Client are intended for the benefit of Client for the specific purposes stated herein and therein, are not intended

- to inform, guide, or otherwise influence any entities or persons other than Client in relation to the Project, and are not intended or represented to be suited for reuse by Client or others, and;
- (d) reuse without the specific prior written consent of Kleinfelder will be at the user's sole risk and without Kleinfelder liability, and Client agrees (i) to remove Kleinfelder's and Kleinfelder's consultants' names and seals therefrom, and (ii) to defend, indemnify and hold harmless Kleinfelder and Kleinfelder's contractors, consultants, affiliates, directors and employees from and against all losses, damages and liabilities (including all legal expenses) in connection with the unauthorized use.

- 10.3 Any requests by third parties for reliance upon any communication (oral or written), certification, report, opinion, or Instrument of Service provided by Kleinfelder pursuant to this Agreement will be subject to approval at Kleinfelder's sole discretion and to additional fees, terms and conditions.

11. CLIENT'S RESPONSIBILITIES

- 11.1 Client agrees to provide and discuss with Kleinfelder on an ongoing basis throughout all available material, data, and information pertaining to the Services, including, without limitation, (i) the composition, quantity, toxicity, or potentially hazardous properties of any material known or believed to be present at any Site, (ii) any hazards that may be present, (iii) the nature and location of underground or otherwise not readily apparent utilities, (iv) summaries and assessments of the Site's past and present compliance status, (v) the status of any filed or pending judicial or administrative action concerning the Site or Project, and (vi) Client records (in electronic format where possible) for such data as benchmarks, plans, maps, and property ownership.
- 11.2 Client will ensure the cooperation of Client's employees, contractors and consultants with Kleinfelder.
- 11.3 Client acknowledges and agrees that Kleinfelder is entitled to rely upon the accuracy and completeness of any information given by Client, its employees, contractors and consultants.
- 11.4 Client will provide reasonable assistance to obtain data and records concerning the Site or Project in the possession, custody or control of third parties.

12. ALLOCATION OF RISK AND INDEMNITIES

- 12.1 Subject to the limitation of liability provisions of this Agreement, Kleinfelder indemnifies Client against all liabilities, losses or damages caused by the negligence or other fault of Kleinfelder and its employees, agents, representatives, subcontractors, and any other party for whom Kleinfelder is legally responsible (**Kleinfelder Parties**), but only to the extent such liabilities, losses or damages are caused by the negligence or other fault of the Kleinfelder Parties when compared to the negligence or other fault of all other persons and entities. If California law applies to this Agreement, the parties also expressly agree that this indemnity provision does not include, and in no event shall Kleinfelder be required to assume, any obligation or duty to defend any claims, cause of action, demands, or lawsuits in connection with or arising out of this Project or the Services rendered by Kleinfelder. This clause 12.1 is not intended to and will not in any way be limited by any insurance coverage available to Client under any Kleinfelder insurance policy.
- 12.2 Client indemnifies Kleinfelder against all liabilities, losses or damages caused by the negligence or other fault of Client and its employees, agents, representatives, subcontractors, and all other parties for whom Client is legally responsible (**Client Parties**), but only to the extent such liabilities, losses or damages are caused by the negligence or other fault of Client Parties when compared to the negligence or other fault of all other applicable persons and entities. If California law applies to this Agreement, the parties also expressly agree that this indemnity provision does not include, and in no event shall Client be required to assume, any obligation or duty to defend any claims, cause of action, demands, or lawsuits in connection with or arising out of this Project or services rendered by Client. This clause 12.2 is not intended to and will not in any way be limited by any insurance coverage available to Kleinfelder under any Client, Owner or Project insurance policy.

- 12.3 Subject to any applicable statutory limitations, the indemnity obligations in this clause 12 shall survive the expiration or termination of this Agreement.

13. LIMITATION OF LIABILITY

- 13.1 The maximum aggregate liability of Kleinfelder arising out of or related to this Agreement and all Work Orders and amendments thereto, whether based in contract or tort or otherwise in law or equity, will be limited to the greater of the compensation actually paid to Kleinfelder for the Services under all Work Orders or \$50,000, and Client hereby releases Kleinfelder from any liability above such amount. This limitation of liability includes any losses payable to Client under clause 12.1 and will apply to any and all claims.
- 13.2 This limitation of liability has been agreed after Client and Kleinfelder discussed the risks and rewards associated with the Project and the Services as well as the provision of the Services within both the obligations of this Agreement and the associated compensation. Upon written request by Client, the parties may negotiate in good faith and agree, by way of a written Change Order in accordance with clause 8 herein, to increase the amount of this liability limitation or eliminate it in exchange for payment of increased compensation to Kleinfelder.
- 13.3 As used in this clause 13, "Kleinfelder" includes Kleinfelder, its affiliates, subconsultants and subcontractors, and their respective partners, officers, directors, shareholders and employees. The limitation of liability established in this clause 13 shall survive the expiration or termination of this Agreement.

14. WAIVER OF CONSEQUENTIAL DAMAGES

- 14.1 Neither party will be liable to the other party for any special, incidental, indirect, exemplary, punitive, penal or consequential damages however arising incurred by either Kleinfelder or Client or for which either may be liable to a third party.

15. NO CONTROL OF MEANS AND METHODS OF OTHERS

- 15.1 Client agrees:
- (a) Kleinfelder will have no control over or charge of or responsibility for the construction means, methods, techniques, sequences, or procedures, or for the safety precautions and programs of Client's employees, or contractors or consultants engaged by Client in connection with the Project;
 - (b) Kleinfelder's performance of the Services does not include any job site safety obligations which may be required by or in connection with the Project or the Services or any applicable code or regulation, other than strictly in respect of its own employees; and
 - (c) Kleinfelder will not have control over or charge of the acts or omissions of any contractor or contractors' agents, employees or subcontractors.

16. SITE ACCESS

- 16.1 Client agrees to:
- (a) provide unimpeded and timely access to the Site, including any third party sites, if required;
 - (b) provide an adequate area for Kleinfelder's Site office facilities, equipment storage, and parking;
 - (c) furnish all construction utilities and utility releases necessary for the performance of the Services; and
 - (d) obtain all permits, licenses or authorizations necessary for the performance of the Services.

17. WARRANTY OF TITLE, WASTE OWNERSHIP

- 17.1 Kleinfelder will not take title to or be liable for any hazardous materials found at any Project Site. Any risk of loss with respect to all materials remains with Client or the Site owner, who will be considered the generator of such materials, execute all manifests as the generator of such materials, and be liable for the arrangement, transportation, treatment, and/or disposal of all material. All samples remain the property of Client. Client agrees to promptly, at its cost, remove and lawfully dispose of samples, cuttings, and hazardous materials.

18. DISPUTE RESOLUTION

- 18.1 If a dispute arises out of or relates this Agreement (**Dispute**), the parties agree to submit the Dispute to mediation pursuant to the Construction Industry Mediation Rules of the American Arbitration Association (**AAA**). The mediator will be an independent person agreed between the parties from a panel suggested by the Institute or, failing agreement, a mediator appointed by AAA. A party shall not call for mediation of any Dispute after such period of time as would bar the initiation of legal proceedings to litigate such Dispute under the laws of the state in which the Project is located.
- 18.2 Client and Kleinfelder agree that in the event of a Dispute, they will not seek recourse against individual officers, employees, directors, or shareholders of the other party.
- 18.3 A party shall not start court proceedings in relation to a Dispute until it has exhausted the procedures in this clause, unless the party seeks injunctive or other interlocutory relief.
- 18.4 If the Dispute cannot be resolved through mediation, either party may file suit in an appropriate court in the state where the Services are performed.
- 18.5 This clause survives termination or expiry of this Agreement.

19. MISCELLANEOUS

- 19.1 This Agreement is governed and construed in accordance with the laws of the state where the Services are performed. The parties hereby submit to the jurisdiction of the courts of the state where the Services are performed and waive any right to object to any proceedings being brought in those courts.
- 19.2 Waiver of any term, condition or breach of this Agreement will not operate as a subsequent waiver of the same term, condition or breach. A waiver is not valid or binding unless made in writing.
- 19.3 If any provision of this Agreement is found by a duly constituted authority to be invalid, void, or unenforceable, all remaining provisions shall continue in force.
- 19.4 This Agreement does not create, nor will it be construed to create, any benefit or right in any third party or any special relationship or fiduciary duty to third parties.
- 19.5 This Agreement constitutes the entire understanding and agreement of the parties with respect to its subject matter. It supersedes all earlier conduct, prior agreements and understandings between the parties in connection with its subject matter.
- 19.6 Client and Kleinfelder shall abide by the requirements of 41 CFR 60-1.4(a), 60-300.5(a) and 60-741.5(a). These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities, and prohibit discrimination against all individuals based on their race, color, religion, sex, or national origin. Moreover, these regulations require that covered prime contractors and subcontractors take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, national origin, protected veteran status or disability.

- 19.7 All notices, requests or instructions hereunder must be in writing and either hand delivered to the recipient, delivered by registered mail or express mail the addresses given in this Agreement.
- 19.8 This Agreement cannot be assigned by either party without the prior written approval of the other party. Kleinfelder may subcontract performance of portions of the Services to a qualified subcontractor.
- 19.9 Any amendment or revision to this Agreement, including for the avoidance of any doubt, to any Work Order, must be in writing and signed by both parties. Any oral modification or revision of this Agreement shall not operate to modify this Agreement.
- 19.10 This Agreement may be executed in counterparts, including photo or electronic copies, which taken together, shall constitute one original document.

IN WITNESS WHEREOF, Client and Kleinfelder have caused this Agreement to be executed on the date first written above.

CLIENT:

KLEINFELDER:

By: _____

By:  _____

Printed Name: _____

Printed Name: David R. Boes

Title:

Title: VP, Area Manager

ATTACHMENTS: Appendix A, Sample Work Order
Appendix B, Kleinfelder Proposal (as applicable)
Appendix C, Prime Agreement /Client Requirements (as applicable)

APPENDIX A: WORK ORDER

Issued Pursuant to The Client Master Services Agreement effective as of _____ by and between _____ (Client) and Kleinfelder, Inc. (Kleinfelder).

Client Name:

Kleinfelder Project No:

Project Name:

Work Order Type: (Check One)

☐ Time-and-Materials

☐ Fixed-Price

Kleinfelder Office:

Subcontractor Reference No:

Kleinfelder Contact Name:

1. SCOPE OF WORK: _____

(Continue on additional page, if needed)

2. LOCATION/CLIENT FACILITY INVOLVED: _____

3. PERIOD OF PERFORMANCE: FROM: _____ TO: _____

4. AUTHORIZED FUNDING: _____

5. SPECIAL PROVISIONS: _____

NOTICE TO PROCEED IS GIVEN ON (DATE): _____

CLIENT:

KLEINFELDER:

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title:

Title:

Address:

Address:

WORK ORDER

Issued Pursuant to The Client Master Services Agreement effective as of July 13, 2022, by and between Town of Little Elm (**Client**) and Kleinfelder, Inc. (**Kleinfelder**).

Client Name: Town of Little Elm

Kleinfelder Project No: TBD

Project Name: Mansell Pumping Station 5.0 Million Gallon (MG) Ground Storage Tank (GST)

Work Order Type: (Check One)

☐ Time-and-Materials

☒ Fixed-Price

Kleinfelder Office: Dallas, Texas

Subcontractor Reference No: TBD

Kleinfelder Contact Name: CP Nawal, PE

1. SCOPE OF WORK: See proposal DFW24P164226

(Continue on additional page, if needed)

2. LOCATION/CLIENT FACILITY INVOLVED: Little Elm, Texas

3. PERIOD OF PERFORMANCE: See proposal DFW24P164226

4. AUTHORIZED FUNDING: \$90,000

5. SPECIAL PROVISIONS: See proposal DFW24P164226

NOTICE TO PROCEED IS GIVEN ON (DATE): _____

CLIENT:

By: _____

Printed Name: Cody Collier

Title: Assistant Director of Public Works

Address: 1600 Mark Tree Lane
Little Elm, Texas 75068

KLEINFELDER:

By:  _____

Printed Name: David R. Boes

Title: VP, Area Manager

Address: 7805 Mesquite Bend Drive, Suite 100
Irving, Texas 75063



**PRELIMINARY EVALUATION AND ASSESSMENT REPORT
MANSELL PUMPING STATION 5.0 MILLION GALLON
GROUND STORAGE TANK
2600 RED SPRUCE
TOWN OF LITTLE ELM, TEXAS
KLEINFELDER PROJECT NO.: 20231796.001A**

NOVEMBER 22, 2022

**Copyright 2022 Kleinfelder
All Rights Reserved**

ONLY THE CLIENT OR ITS DESIGNATED REPRESENTATIVES MAY USE THIS DOCUMENT AND ONLY FOR THE SPECIFIC PROJECT FOR WHICH THIS REPORT WAS PREPARED.

November 22, 2022
Project No.: 20231796.001A

Mr. Cody Collier
Assistant Director of Public Works
Town of Little Elm Public Works Department
1600 Mark Tree Lane
Town of Little El, Texas

**Subject: Preliminary Evaluation and Assessment Report
Mansell Pumping Station 5.0 Million Gallon Ground Storage Tank**

Dear Mr. Collier:

Kleinfelder has completed the authorized site visit and Preliminary Evaluation and Assessment Report for the Mansell Pumping Station 5.0 Million Gallon Ground Storage Tank, Town of Little Elm, Texas

The purpose of this report is to describe the procedures that were undertaken to complete the evaluations and assessments, to record the observations, and to present the resulting replacement and rehabilitation (R&R) recommendations for the Mansell Pumping Station 5.0 Million Gallon Ground Storage Tank (GST).

We appreciate the opportunity to provide our services for this project. If we can be of additional assistance, please do not hesitate to contact us at 972.868.5900.

Sincerely,

KLEINFELDER, INC.
Texas Registered Engineering Firm F-16438



CP Nawal, PE
Senior Project Manager



Chanakya Sah, PE, CFM
Project Professional

A Report Prepared for:

Mr. Cody Collier
Town of Little Elm - Department of Public Works
1600 Mark Tree Lane
Town of Little Elm, Texas

**Preliminary Evaluation and Assessment Report
Mansell Pumping Station 5.0 Million Gallon Ground Storage Tank**

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1 EXECUTIVE SUMMARY

The Town of Little Elm owns and operates the Mansell Pumping Station 5.0 million-gallon (MG) Ground Storage Tank (GST) that was constructed in 2004. The tank is located at 2600 Red Spruce Drive inside the Mansell Pump Station facility. This pre-stressed concrete tank is 30 feet high and 168.4 feet inside diameter built on a perimeter wall footing and a membrane slab.

This preliminary evaluation and assessment report (PEAR) provides the findings of the tank evaluation that was completed by Kleinfelder on August 29, 2022. The findings are provided in more detail in the next sections of this report. It provides the condition of each asset based on the observation during the assessment of the Mansell Pump Station 5.0 MG GST for the Coating System, Structural improvements, Safety & Security upgrades, Sanitary & Operational items. Based on the condition of the assets, the recommendations are provided along with the Opinion of Probable Construction Cost (OPCC). This OPCC is based on current (year 2022) labor and material costs using recent bid tabulations of similar tanks in the Dallas-Fort Worth Metropolitan area. Project costs are for planning purposes only and are based on the initial tank observations and recommendations made in the PEAR.

The entire list of the observations and recommendations for all the assets and various systems can be found in Section 5 of this report. Below is a brief summary:

Tank System/ Component	Description and Recommendation
Coating	No evidence of coating was observed in the concrete tank. However, some grout or sealant were used to cover the gaps of cracks seen on the exterior walls and foundation.
Structural	The tank is in good structural condition. The roof slab (exterior) has minor cracks but does not have any noticeable leaks. The interior has minor visible degradation and a pressure wash cleaning is recommended. There are areas of cracking and spalling on exterior walls. Repair affected areas with cementitious grout and recoat repaired areas. The foundation was mostly covered by soils and is recommended to install a mow strip around the base of the tank. The roof had 3-ATT towers installed in 2018. There are ATT conduits running from all three towers to a sub-station located at SW corner of the property.

Tank System/ Component	Description and Recommendation
Safety & Security	The existing interior ladder has some staining, rust build up and corrosion. The ladder meets all the OSHA regulations in terms of the rail width except the conduit cable placement in the ladder. The conduits will be relocated to be in compliance with OSHA requirements. The interior ladder is equipped with a pipe slider for fall protection and is in poor condition. As a result, the interior ladder is recommended to be removed and replaced with a new fall protection system. The two roof access hatches are in good condition and need a Confined Space entry placard to comply with OSHA requirement. The tank has no roof railing installed. It is recommended to install a 42-inch-high railing with toe plate to meet OSHA regulations.
Operation	The concrete roof surface has some atmospheric staining and is in fair to good condition. The roof vent is a mushroom shaped vent, and the top vent screen needs to be replaced. The exterior piping condition was observed to be in moderate to good condition. The manual water level indicator was operable and in good condition.
Roof Drainage	No signs of water ponding were observed on the exterior of the roof. The overflow pipe and flapper were in good condition and installed per the Texas Commission on Environmental Quality (TCEQ) regulations. The existing roof vent screen is damaged and is recommended to be replaced.
Site	The existing site was observed to have vegetation around the ring foundation. It is recommended to have a concrete mow strip placed along the tank perimeter. Some landscaping needs repair and maintenance.

2 BACKGROUND AND PURPOSE

On July 12, 2022, the Town of Little Elm retained Kleinfelder, Inc. (Kleinfelder) to conduct a tank inspection and provide preliminary engineering services for the Mansell Pumping Station 5.0 million gallon (MG) ground storage tank (GST). There is another 2 MG steel GST located at the same site. However, the assessment for 2 MG GST was not included as a part of this project.

As one of the services, Kleinfelder evaluated the ground storage tank in terms of the physical condition and operating performance along with providing recommendations for rehabilitation of the tank based on the evaluation. Additionally, Kleinfelder developed opinions of the probable construction cost (OPCC) to repair tank deficiencies observed during the site visit.

The scope of services to be provided by Kleinfelder for the purposes of this project includes:

- Develop a health and safety plan for tank site assessment.
- Review available record information
- Observation of tank systems – coating, structural, safety & security, sanitary, and operational;
- Assign condition and performance rankings;
- Preparation of recommendations and costs;

The purpose of this report is to describe the procedures that were undertaken to complete the evaluations and assessments, to record observations, and to present the resulting replacement and rehabilitation (R&R) for the Mansell Pumping Station 5.0 Million Gallon (MG) Ground Storage Tank (GST).

Comprehensive evaluations and assessments are critical to the Town of Little Elm's vision for implementing assessment and tank rehabilitation measures for its water storage tanks. The assessment includes data collection, review of the previous reports, design plans and specification for the existing facilities, interviews with the Town staff, and field assessments of the facility.

3 PROJECT APPROACH

The evaluation and assessment included a field assessment of key components of various tank systems by a multi-discipline engineering team licensed and experienced in the areas of civil engineering, and structural engineering. The project team included personnel from Kleinfelder, and Ron Perrin Water Technology. The project team completed the field assessment for the Mansell Pumping Station 5.0 MG GST on August 29, 2022.

The assessment was performed in accordance with applicable sections of AWWA Manual M42 App. "C" and Section §§290.43 of the Texas Commission on Environmental Quality's (TCEQ) Rules and Regulations for Public Water Systems.

Field assessment of the exterior systems was limited to the areas that could be directly observed from ground and included visual assessments. The tank was assessed while still in service to limit interruption of the public water supply. The interior of the tank was observed through the tank access hatch, the interior ladder, float observation, and an underwater dive inspection team. The assessment of all interior and exterior structural elements, coatings systems, and appurtenances, was performed from areas that were accessible without scaffolding or special rigging. In addition, no destructive or non-destructive test were completed on the existing concrete. No samples were collected for heavy metal testing.

The information gathered during the condition assessment provides a standardized record of the asset condition specific to each discipline. Data collected for each asset included: condition, performance, and regulatory compliance rating. In addition, other relevant information, such as recent performance history, and some previous design drawings were made available for our team review. The existing conditions of all assets were documented with digital photos. To standardize the process to determine an asset's condition, specific discipline-related information was provided for each asset. The assessment also included assigning criticality to each major asset.

RATING SCALE

The rating scale used in the assessment and evaluation of each major component's criticality

factor is shown in Table (1). Each component was assigned a numerical rating based on their current conditions that is required to return the component to essentially new condition (i.e., restored to original physical condition, no performance issues, etc.).

This scale is industry-wide standard for designating condition and performance.

Table (1) – Rating Scale for Physical Condition, Performance and Regulatory

Rating	Physical Condition	Performance	Regulatory
1 - Excellent	No Visible Degradation	Component Functioning as Intended	No Code Issues
2 - Good	Slightly Visible Degradation	In-service, but Higher Than Expected O&M	Possible Code Issues
3 - Moderate	Visible Degradation	In-service, but Function is Impaired	Minor Code Issue
4 - Poor	Integrity of Component Moderately Compromised	In-service, but Function is Highly Impaired	Repairable Code Issue
5 - Critical	Integrity of Component Severely Compromised	Component not Functioning as Intended	Irreparable Code Issue (Asset Must Be Replaced)

Table (2) below provides an overview of the different tank assets that were observed during the assessment. In Section 7 - Conclusion and Recommendations, ratings are provided based on Table (1) for applicable components for each system.

Table (2) – Tank Systems & Components Inspected for Tank Assessments

Tank System	Method/Observation
Coating Systems	
Tank Exterior Coating System	<p>The condition of the tank exterior coating systems for the piping and valves in vaults were evaluated by the following methods:</p> <ul style="list-style-type: none"> • Observation of the coating, where access permitted • Depth and location of corrosion pitting or general corrosion
Tank Interior Coating System	<p>The condition of the tank interior coating systems for the pipes were evaluated by the following methods:</p> <ul style="list-style-type: none"> • Observation of the coating, where access permitted • Depth and location of corrosion pitting or general corrosion

Tank System	Method/Observation
Structural	
Tank Exterior Structural and Appurtenances	Performed an exterior observation to assess the condition of the following: <ul style="list-style-type: none"> • Tank concrete foundation where visible • Tank overflow valve • Tank concrete exterior surface • Tank roof access hatches
Tank Interior Structural and Appurtenances	The condition of the tank interior structural systems was completed by video captured by the professional divers and during the float inspection: <ul style="list-style-type: none"> • Roof, columns, and wall
Safety & Security	
Safety and Security Features	Performed an observation of safety and security features at the tank site to assess the condition of the following: <ul style="list-style-type: none"> • Fall protections systems • Ladders and railings constructed to OSHA requirements • Safety devices • Locking ladder guards • Fencing, gates, and access points
Operational	
Pipe and Valve Vaults	Performed an observation of pipe and valve vaults at each tank site to assess the condition of the following: <ul style="list-style-type: none"> • Access hatch, ladders, safety railing and platforms • Pipe and valve coating
Site Assessment	
Tank Site Evaluation	Performed an observation of the tank site to assess the condition of the following: <ul style="list-style-type: none"> • Site Assessment
Sanitary	
Pathways for Contamination Evaluation	Perform an observation of the tank system to assess potential pathways for contamination: <ul style="list-style-type: none"> • Roof and walls • Roof hatches • Venting • Screening • Overflows

4 EXISTING FACILITY INFORMATION

The project site consists of one parcel of land located at 2600 Red Spruce Road, Town of Little Elm, TX 75068. This facility has two (2) ground storage tanks, along with pump station that are surrounded by residential properties. The Mansell Pump Station 5.0 MG GST's location along with pump stations and site is shown in the Photo 3.

The 5.0 MG GST is accessed via a concrete access road that leads from the South entrance off Red Spruce Drive through a security gate. The site is surrounded by 8-feet high brick wall. A pump station is located east of the ground storage tanks. The site is relatively flat, runoff drains away from the tank toward the east side of the property to a drain inlet.

Kleinfelder was provided with the 2004 construction design plans drawing titled "Mansell Pump Station Tank #2 plus one 1500 GPM Pump, Piping and Valves". The Rehabilitation drawing shows all the improvements made during the fall of 2004. The information and professional opinions contained herein are based on the provided as-built drawing in combination with the visual observation of the structure.

Table (3) shows the known facility information for Mansell Pump Station 5.0 MG GST.

Table (3) – Mansell Pump Station 5.0 MG Ground Storage Tank

Capacity (MG)	5.0	Tank Builder	Preload Inc.
Height of Tank (ft.)	30 (+/-)	Exterior Coating	Concrete
Diameter of Tank (ft.)	164.8 (+/-)	Interior Coating	Concrete
Inlet/Outlet Pipe Size (in)	20 / 36	Tank Type	Ground Storage Tank
Overflow Pipe Size (in)	24	Tank Class	Concrete
Sidewater Depth (ft.)	35 (+/-)	Pressure Zone I.D.	Not Available
Year Built	2004	Tank I.D.	5.0 MG GST

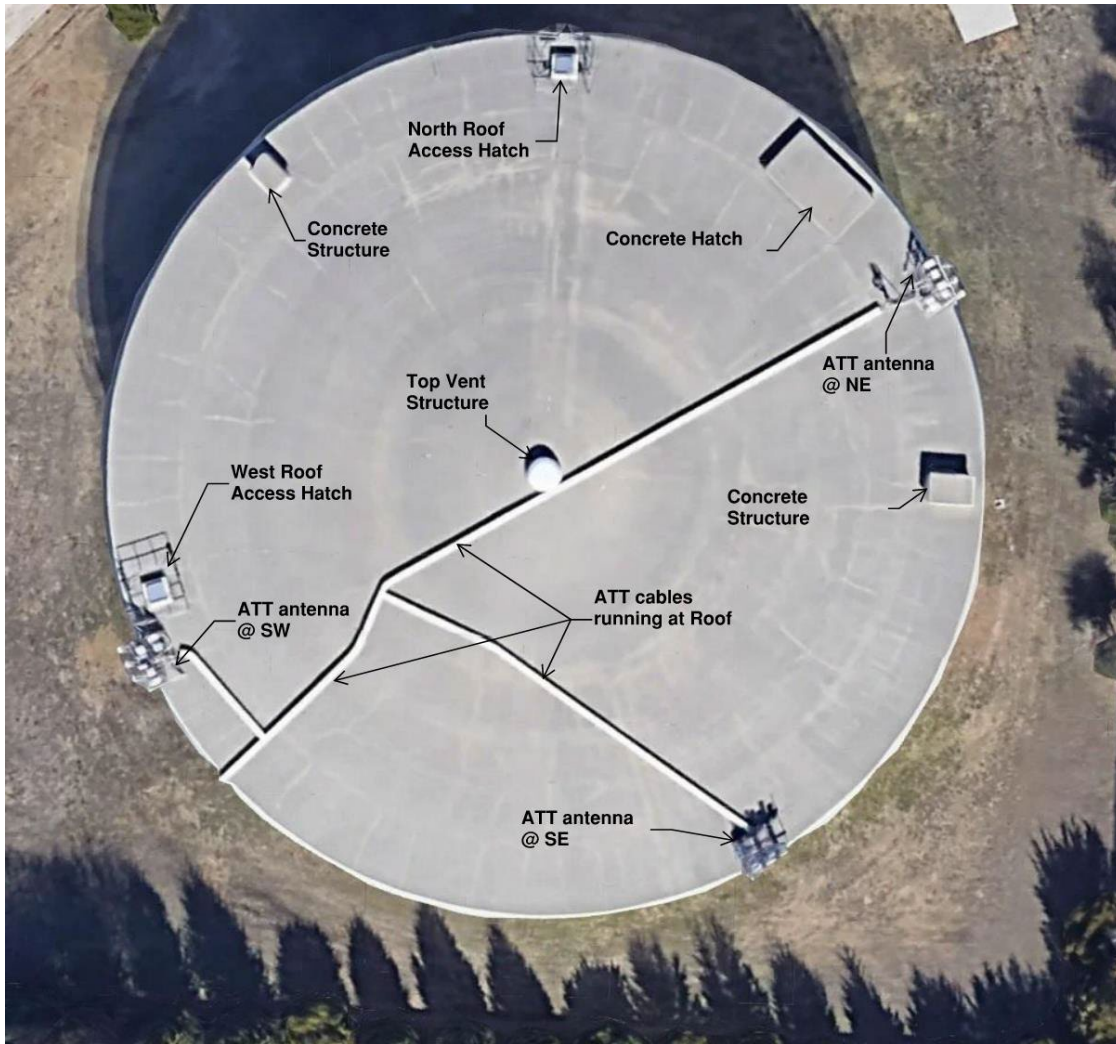


Photo No. 1 Overall Tank View – Top View

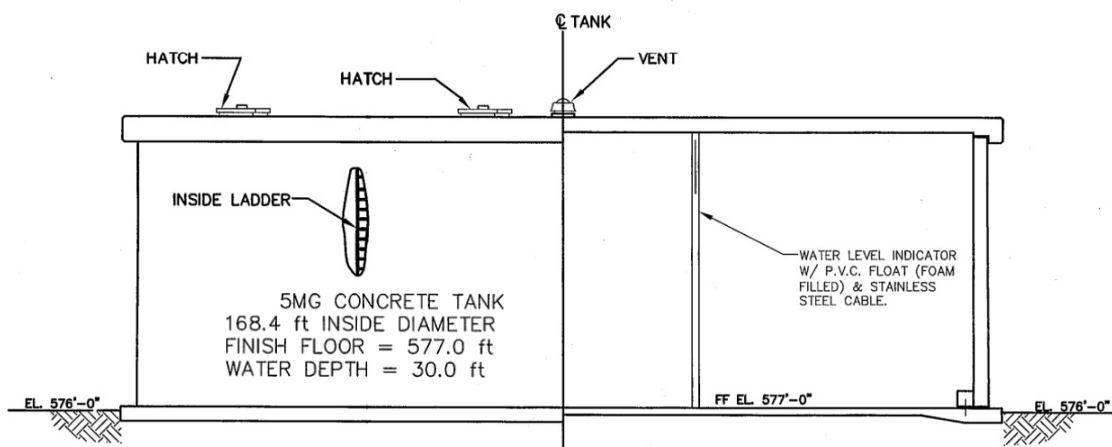


Photo No. 2 Tank Elevation & Section

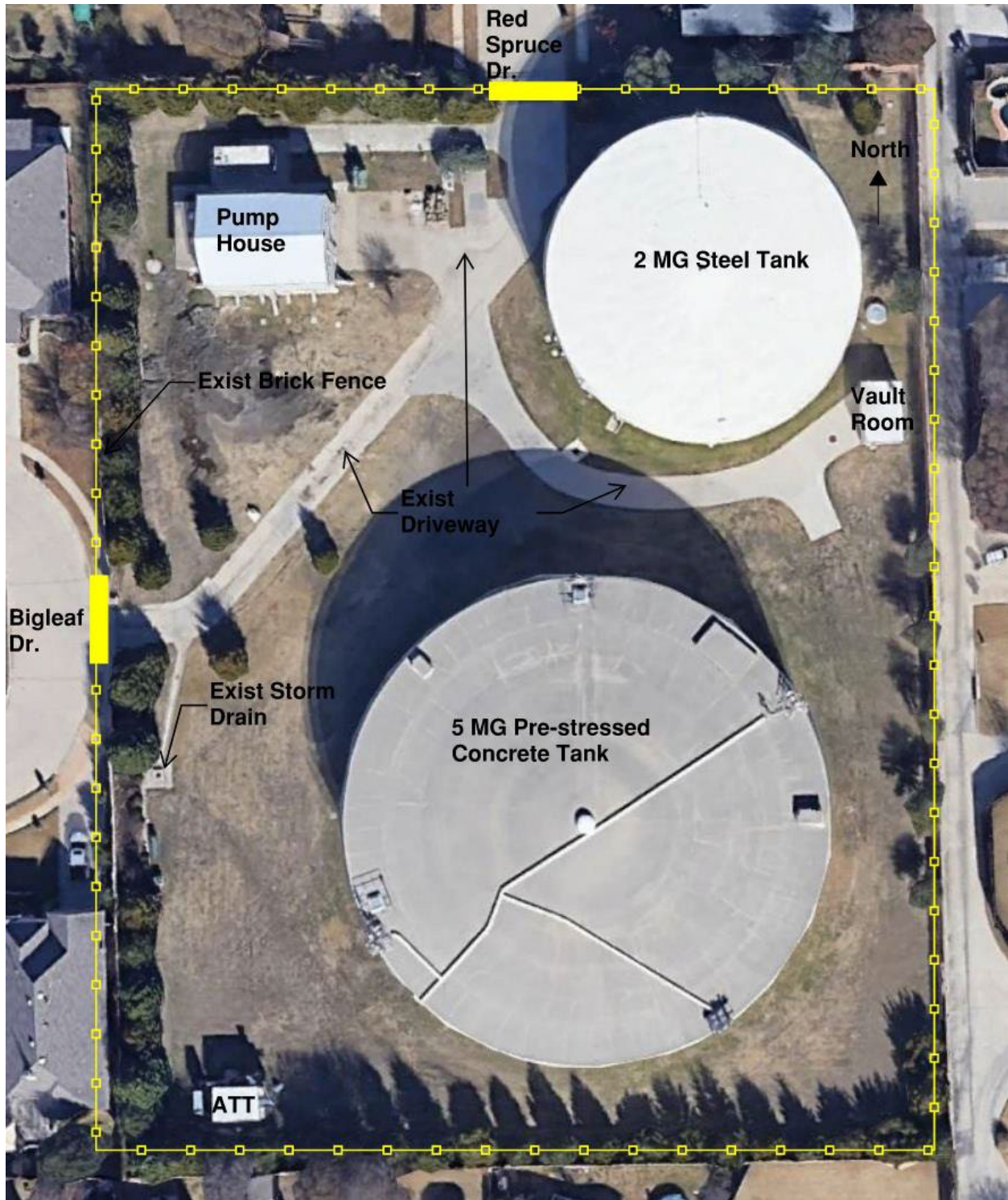


Photo No. 3 Overall Site View

5 EVALUATION AND ASSESSMENT RESULTS

Access to Mansell Pump Station 5.0 MG Ground Storage Tank site was provided by Town of Little Elm staff on August 29th, 2022, for the project team to assess the tank site and the external and internal components of the tank. The assessment of all the tank exterior structural elements including coatings systems and appurtenances was performed from areas that were accessible without scaffolding or special rigging. The tank was in service during the assessment. Town of Little Elm staff filled the tank to its maximum allowable level to allow the dive inspection and float team's safe access to the water tank. During the dive inspection, the existing sediment level varied, with the maximum depth of 1/8-inch. No destructive testing was conducted on the tank.

In section 7, ratings were given based on the descriptions provided in Section 2 for the following systems:

- Coating
- Structural
- Safety & Security
- Operational
- Site Assessment

A summary of recommendations is provided in Section 7.

LIMITATIONS

No structural destructive testing of any kind nor analysis was performed to determine the structural adequacy of the concrete, only visual observation was performed. The concrete membrane floor was slightly observed in their entirety due to buildup of sediment at the base of the tank. The foundation was buried and therefore not observed in its entirety.

5.1 COATING

No destructive and non-destructive coating tests were completed on the exterior roof and shell.

5.1.1 Tank Exterior Coating System

As referenced in Pic 18, 20 & 36, no traces of coatings were observed on exterior of tank.

5.1.2 Tank Interior Coating System

No interior coating was observed inside the concrete tank. However, traces of high-water mark were observed with a high metal like rust (iron) deposit on surface of interior tank and concrete columns. It is recommended to clean entire side surface of the tank and concrete column as a part of rehabilitation of tank.



Photo No. 4 High rust deposit on interior surface of tank



Photo No. 5 High rust deposit on interior column of the tank

5.1.3 Tank Piping Coating System

The exterior piping has corrosion and staining. The inlet and outlet pipe coating below the water level was spotted with severe corrosion and staining. It is recommended to blast and recoat both inlet and outlet pipes. The overflow pipe was surrounded by a concrete wall and was not visible.



Photo No. 6 Inlet Pipe



Photo No. 7 Outlet Pipe

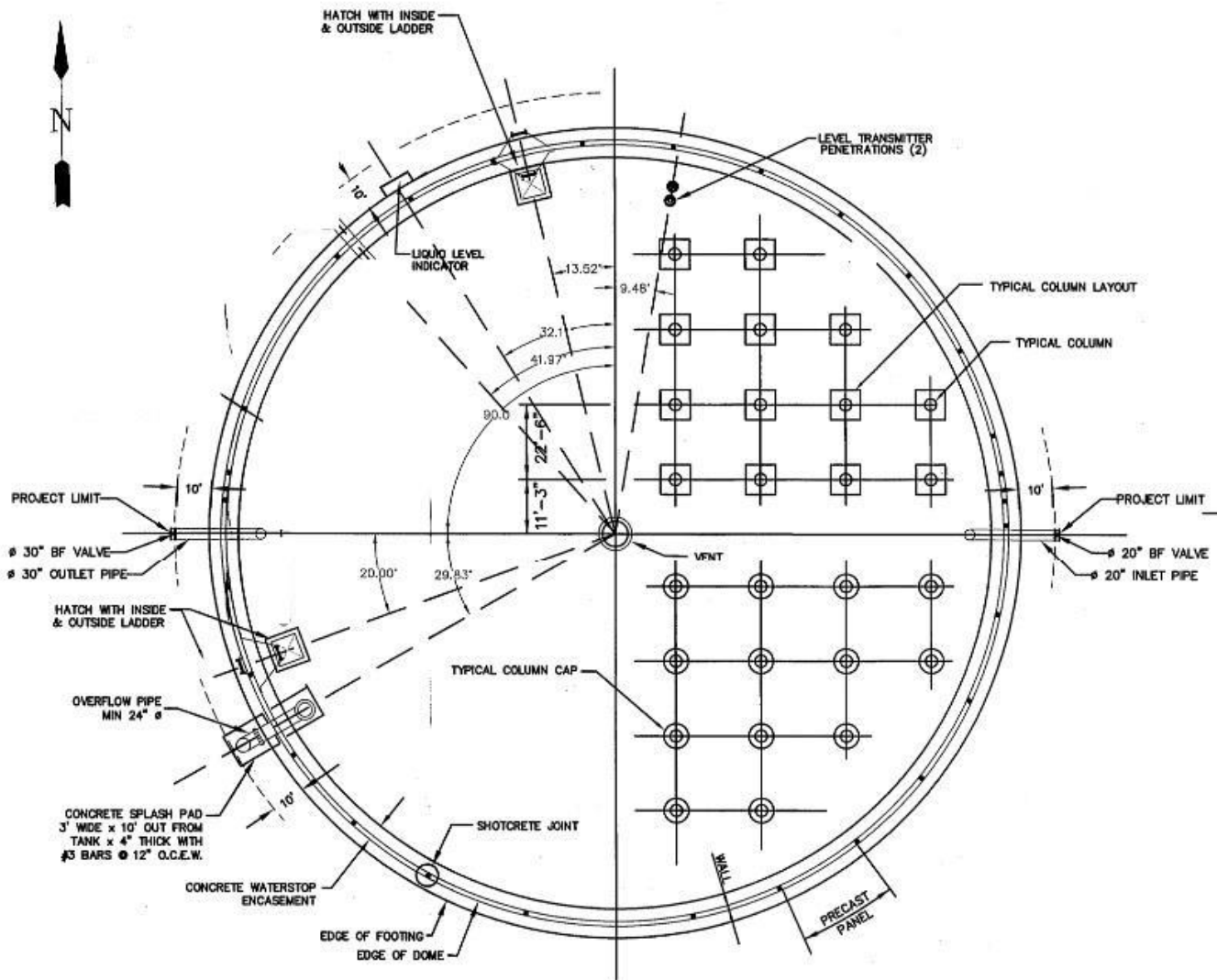


Photo No. 8 Overall View of Tank internal Components for inlet & outlet pipe locations.

5.2 STRUCTURAL

The structural evaluation was made of the observable elements of the exterior and from pictures of the interior. The overall tank was observed to be in good structural condition.

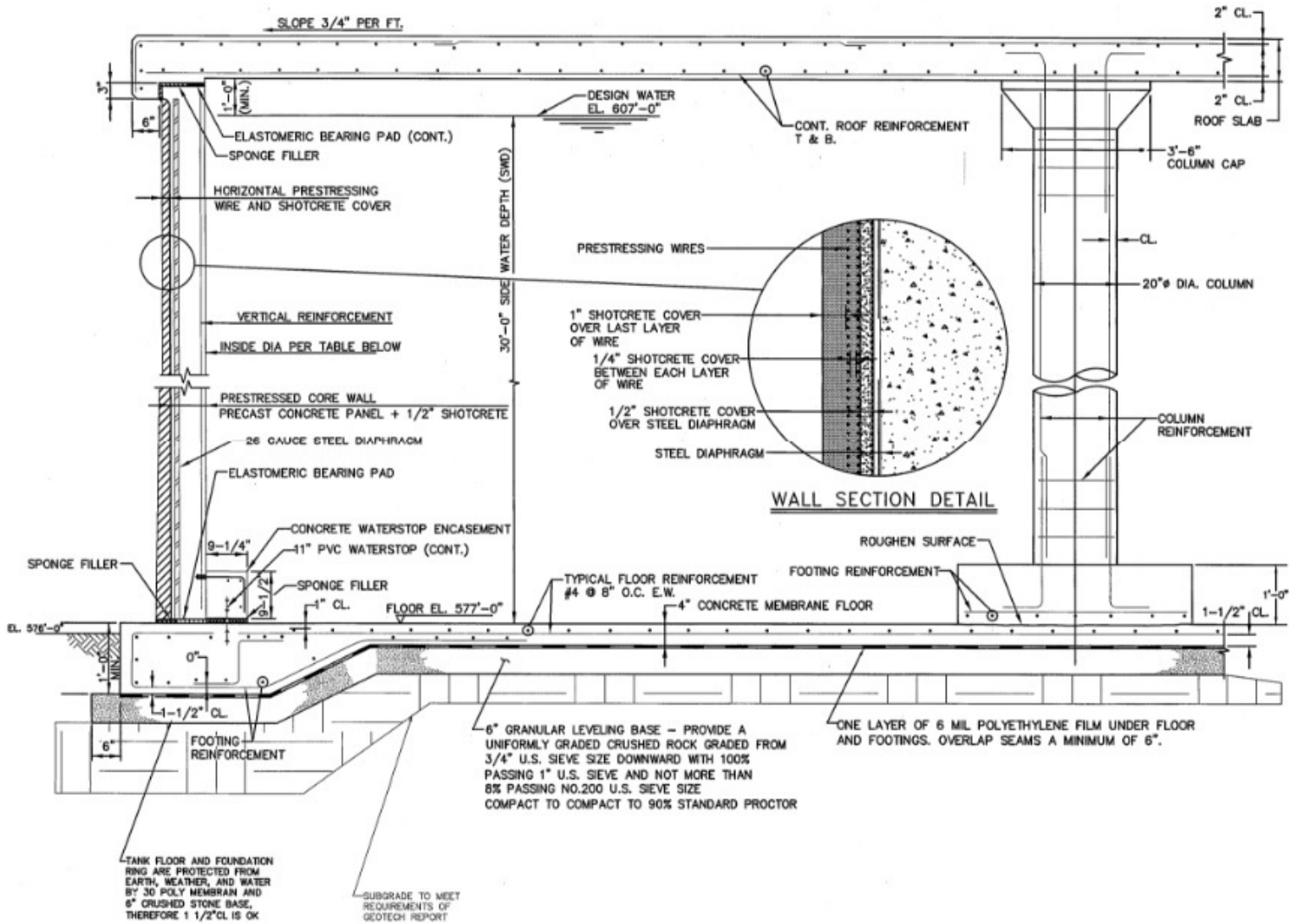


Photo No. 9 Structural details of wall, column, and foundation

5.2.1 Roof Slab

The exterior of the roof slab is in good condition aside from minor shrinkage cracks, some uniform linear cracks can be observed, however, no exposed rebar was observed on the roof. The construction joints were observed to be weathered and deteriorating. The roof of the tank had three ATT antenna installed in 2018 per LTE project ID DXL02847 with cables running from center to all three antennas. The plans are attached in Appendix A. As shown in photo 14 & 15, the underside of the roof was in good condition. Overall, the roof slab was observed to be in good condition. It is recommended to pressure wash cleaning.



Photo No. 10 Cracks at Roof Slab (Exterior)



Photo No. 11 Minor Spalling on Roof Slab (Exterior)



Photo No. 12 ATT antenna at Roof



Photo No. 13 Cables running at Roof



Photo No. 14 Interior Roof in good condition



Photo No. 15 Interior Roof beam in good condition

5.2.2 Float Cable & Liquid Level Indicator

The bottom of the float cable was found to be in good condition. There were some minor visible corrosion and rust. It is recommended to clean, paint and restore to its previous condition. The liquid level indicator was in operation and in good condition.



Photo No. 16 Bottom of Float Cable



Photo No. 17 Liquid Level Indicator for water depth

5.2.3 Exterior Walls

The exterior walls were observed to be in moderate condition overall. There are no active leaks on the exterior wall. The interior side of these walls were observed to be in good to moderate condition. No corrosion spots were observed. It is recommended that the external coating be reviewed by the manufacturer for upkeep of the external coatings.

There was an obvious gap observed between the exterior wall and roof slab. It is recommended to use a NSF 61 approved cementitious repair grout to seal the gap between tank wall and roof slab.



Photo No. 18 Possible Cracks Forming



Photo No. 19 Gap between roof slab and wall



Photo No. 20 Discoloration observed at bottom of the walls

5.2.4 Interior Column

The interior column was observed to be in good condition. Some discoloration and a mineral like iron was observed. No visible cracks, deterioration and reinforcement exposure was observed. It is recommended to pressure wash and clean the columns in its timely manner.



Photo No. 21 Interior Roof, Beam & Column



Photo No. 22 Interior Roof, Beam & Column

5.2.5 Membrane Slab

The membrane slab at the bottom of the tank had approximately one eighth to one fourth (.125 – 0.25) inches of sediment covering the entire floor surface. The amount of sediment does not warrant immediate attention or cleaning. Some debris was observed close to the inlet pipes.



Photo No. 23 Sediment deposit



Photo No. 24 Debris near inlet pipe

5.2.6 Wall Foundation

The ring wall foundation was buried and could not be observed in its entirety. The exterior bottom of the tank was observed to have staining, discoloration, and minor spalling around the perimeter. However, no foundation settling, exposed reinforced steel, deterioration at the tank base was observed.



Photo No. 25 Base of Tank Wall



Photo No. 26 Spalling of Concrete

5.3 SAFETY & SECURITY

5.3.1 Doors and Hatches

5.3.1.1 Patched Manway

The construction manway was observed to be permanently closed.



Photo No. 27 Patched Manway - Inside



Photo No. 28 Manway from outer wall - Closed

5.3.1.2 Roof Access Hatch

The Concrete tank has two 42-inch x 42-inch hatches. The hatches are double door swing with pull key lock. The hatches were installed with gaskets that appear to be in good working condition.

There was no confined space entry placard on the exterior as required by OSHA1910.146(c)(2). It is recommended to install a “Confined Space” entry placard. All the hatches had locks at the time of the site visit. Overall, the hatches are in good condition.

Hatch type: 42-inch square access hatches

General condition of coating: Moderate

Degree of corrosion: Moderate

Condition of metal: Good



Photo No. 29 North Roof Access Hatch – Closed



Photo No. 30 North Roof Access Hatch - Open



Photo No. 31 West Roof Access Hatch – Closed



Photo No. 32 NE Concrete hatch



Photo No. 33 East Concrete Structure



Photo No. 34 NW Concrete Structure

5.3.2 Exterior Ladders

The 5.0 MG GST has two exterior ladders that lead from the base to the tank roof. The first ladder is located on the North side of the tank estimated to be 30 feet tall and the other is located along the West side of the tank and is also estimated to be 30 feet tall. Both ladders are surrounded by a steel safety cage from the end of the ladder guard to the landing. The ladder guard was locked at the time of the visit and was in good condition. The ladders are stainless steel and not coated and have minor corrosion and staining throughout. The ladder is equipped with round fall protection system on the center which was observed to be in good condition. The ladders length of the rung, spacing between rungs, diameter of rung and length of standoff was in accordance with the OSHA. There is one (1) conduit running along the left side of the ladder from the bottom of the ladder to the roof landing. The conduit does not allow for the 7-inch clearance behind the ladder as required by OSHA 1910.23. At the top of the ladder there is a transition directly to the ladder landing. The transition from ladder to landing is difficult due to the spacing between the extended safety round climb and ladder edges. Overall, the ladder is in good condition. The ladder should be blasted and recoated. The safety cage looks good, but the fall protection system should be replaced. The conduit should be relocated to meet the OSHA requirements.



Photo No. 35 Exterior to Roof Access



Photo No. 36 Exterior Ladder – Fall Protection



Photo No. 37 Exterior Ladder– Fall Protection and Ladder Guard



Photo No. 38 Exterior Ladder – Ladder Safety Cage

5.3.3 Interior Ladder

The interior ladder spans from the top of the roof access hatch (north) to floor of the tank. The first ladder located at the North side of the tank has moderate corrosion on the ladder rungs above the water line. The ladder below the water line has staining and spotted corrosion, including a biological growth that was unidentified. The ladder length of the rung was measured to be 16-inches and does meet the OSHA 1910.23(b)(4). Overall, the ladder is in poor condition. The round rail fall protection system was equipped with a pipe slider for fall protection which doesn't meet OSHA regulation and needs to be replaced. The interior ladder should be removed and replaced with new carbon-coated steel ladder with new fall protection system per OSHA

requirements. The second ladder located close to outlet pipe at the west side of tank was in moderate condition.

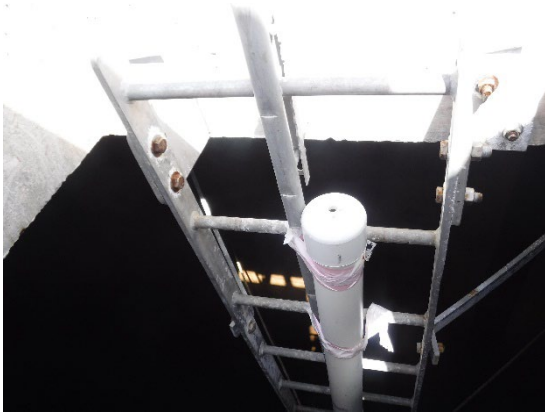


Photo No. 39 Interior Ladder and Fall Protection System



Photo No. 40 Interior Ladder Corrosion



Photo No. 41 Biological Growth below water line



Photo No. 42 West ladder below water line

5.3.4 Roof Railing

The tank has roof railing for the north and west roof access hatches. The railing was measured to be 42-inches high with a toe plate and meets the OSHA standard 1926.502(b)(1) for above working level. The railing had minor corrosion on the bottom joint connection and staining throughout. Overall, the roof railing is in good condition. The railing should be blasted and recoated.

EL. 576'-0"

1'-0" MIN.

3'-6"

6" MIN.

GROUT

FF EL. 577'-0"

CONSTR. JT.

2"x 3/8" ANCHOR RING WELDED TO PIPE

2'-0"

3/8" MIN.

2-LAYERS OF 30 MIL POLYFILM

WATERSTOP

90° BEND

CONC. ENCASEMENT

12" MIN.

2'-0"

20" Ø D.I. PIPE

INLET PIPE DETAIL

KLEINFELDER 7805 Mesquite Bend Drive, Suite 100, Irving, TX. 75063 p| 972.868.5900 f| 972.409.0008

5.4.2 Inlet / Outlet Pipe #2

The 5.0 MG GST has two inlet/outlet pipe connected to the interior of the tank. The 30-inch inlet/outlet pipe #2 exits along the west wall. The pipe penetrates the tank floor and connects to the pump station located on northwest of the property. The interior of the pipe had significant corrosion around the fittings and minor sedimentation buildup. The pipe did not have any obstruction blocking the opening. Overall, the outlet pipe needs replacement.

Size: 30-inch Outlet pipe

General condition of coating: Poor

Degree of corrosion: Critical

Condition of metal: Moderate



Photo No. 47 Outlet Pipe Inside tank

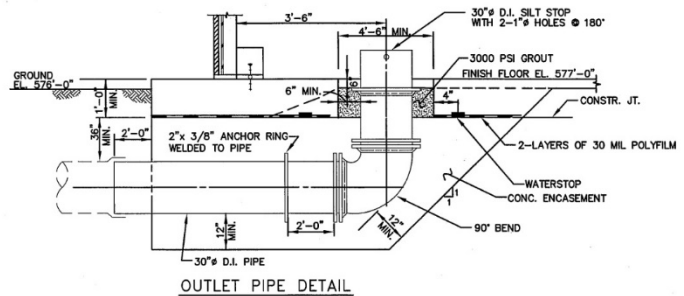


Photo No. 48 Outlet Pipe Detail

5.4.3 Overflow Pipe, Flap Valve, Weir Box and Catchment Box

The 24-inch overflow pipe runs along interior of the concrete wall 1-ft above the base to maximum design water elevation and penetrates through the wall approximately 10 inches above the ground on the southwest side of the tank. The overflow pipe is protected by a reinforced concrete box and the interior pipe was not visible inside tank. The flap valve is above a concrete swale that leads away from the site. The concrete swale is in good condition with no cracks or water ponding issues. The overflow pipe flap valve did have a sufficient air gap required by TCEQ and maintains a good seal. Overall, the overflow pipe and the flap gate were in good condition.

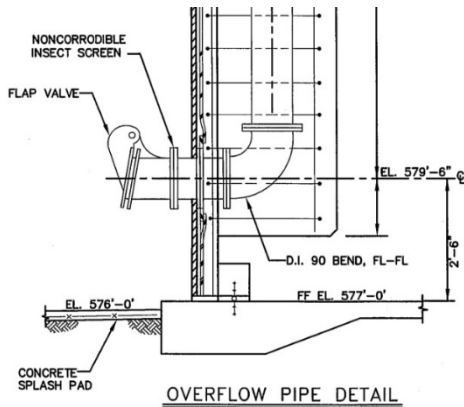


Photo No. 49 Overflow Pipe Detail



Photo No. 50 Overflow flapper and splashpad



Photo No. 51 Overflow flapper side view



Photo No. 52 Overflow flapper

5.4.4 Roof Vent

There is one 50-inch mushroom style roof vent in the center of the tank roof. The vent exterior had no noted corrosion. The fiberglass mesh, 24-inch x 24-inch screen is in compliance with TCEQ but was slightly damaged as it was not securely clamped in place with galvanized bands. Overall, the roof vent is in moderate condition. The roof vent mesh should be removed and replaced with new stainless or galvanized wire mesh to secure it firmly and comply with TCEQ to withstand winds of not less than tank design criteria.



Photo No. 53 Mushroom Roof Vent



Photo No. 54 Damaged Roof Vent Screen

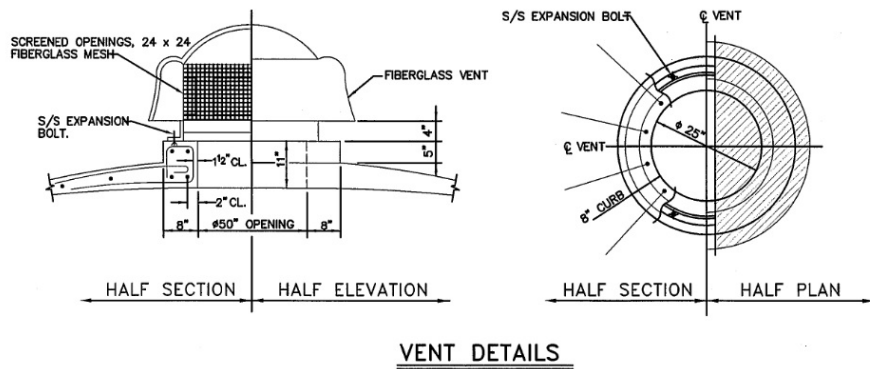


Photo No. 55 Vent Details

5.5 SITE ASSESSMENT

The site around Mansell Pump station 5.0 MG GST is relatively flat on all sides with the drainage flowing away from the tank to the west. No water ponding or erosion was observed during the site visit. Some minor landscape damage was observed close to storm drain inlet. The site perimeter is surrounded by 8-foot-high brick wall located at the front of the site and along the residential properties. The site fence was in good condition. There are two entrance gates that are in working condition. The pump station facility exterior appears to be in good condition. On the interior of the station, all the piping, grating and appurtenances were observed to have some staining and corrosion. The site has an additional 2MG Steel tank to the north with piping and valves that lead into the pump station. The existing driveway was observed in good condition with no pothole or spalling was noted. It is recommended to repair damaged landscape and install mow strip around the perimeter of the tank for ease of maintenance.



Photo No. 56 Entrance Gate at North end



Photo No. 57 Entrance Gate & Driveway at West end



Photo No. 58 Storm Drain inlet on West W/ damaged landscape



Photo No. 59 ATT building for antenna on SW corner



Photo No. 60 Incoming wires to ATT building



Photo No. 61 West Side Site Grading



Photo No. 62 South Side Site Grading



Photo No. 63 East Side Site Grading



Photo No. 64 North Side Site Grading



Photo No. 65 2 MG Steel Tank on North Side



Photo No. 66 Vault adjacent to steel tank



Photo No. 67 Pump House Sign Board



Photo No. 68 Pump House & driveway



Photo No. 69 Water Meter



Photo No. 70 Outlet pipe from tank to Pump House



Photo No. 71 Outlet pipe



Photo No. 72 Back view of Pump House



Photo No. 73 Generator adjacent to pump house



Photo No. 74 Pump inside Pump House



Photo No. 75 Electrical configuration in Pump House

5.6 ROOF DRAINAGE

An overall site structures and components were inspected to observe if there were any traces of sanitary contamination. Each observed structure is described below to elaborate on it.

5.6.1 Roof

The existing roof was observed to be in good condition. The walls had minor cracking, but no traces of leakage were observed. The roof drainage had no ponding issue.

5.6.2 Roof Hatch

The hatch was in good condition with no water ponding in the vicinity with moderate corrosion on the interior. However, no opening was observed that could lead to any contamination.

5.6.3 Venting

The roof vent had no noted corrosion and contamination issue.

5.6.4 Screening

The purpose of screen is to prevent entry of animals, birds, insects, and heavy air contaminants. The existing roof vent screen was observed to be damaged and recommended to be replaced to prevent air contaminants.

5.6.5 Overflows

The existing overflow flap valve was sealed completely. Thus, no leak was observed and was in good condition.

6 LIMITATION

No structural destructive testing of any kind nor analysis was performed to verify the adequacy of structural members. Only visual observation was performed. The perimeter wall foundation was buried and therefore not observed in its entirety. The exterior surface of the wall had limited observation due to having been observed from the ground.

This report reflects the observations and recommendations for Mansell Pump Station 5.0 MG Ground Storage Tank based on the condition assessment conducted on August 29, 2022. The current conditions may differ.

7 CONCLUSIONS AND RECOMMENDATIONS

Based on the assessment performed by the project team on August 29, 2022, the following table provides the summary of recommended improvements.

Table (4) – Rehabilitation of Mansell Pump Station 5.0 MG Ground Storage Tank

Asset	Physical Rating	Performance Rating	Code Compliance	Description	Recommendation
Coating - Piping	3 - Moderate. Worn. Treatable surface corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	Piping has spotted corrosion.	Monitor corrosion to determine if area affected increases
Operational - 20-inch Inlet pipe	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	Spotted corrosion and staining on interior.	Blast and Recoat
Operational - 36-inch Outlet pipe	4 - Poor. In need of repair. Corrosion may weaken structural capacity	4 - Poor. Functions less than required or requires significant resources to function as required	1 - No Code issues	Severe corrosion and staining.	Blast and Recoat
Operational - 24-inch Overflow pipe	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	Minor staining and spotted corrosion. Straight with no deflection.	Monitor corrosion to determine if area affected increases.
Operational - Overflow Flap Valve	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	Moderate corrosion on the lid and hinges.	No Action

Asset	Physical Rating	Performance Rating	Code Compliance	Description	Recommendation
Operational - Overflow Pipe Catchment Concrete	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	No spalling or crack. Staining on the existing grating.	No Action
Operational - Roof Vents	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	The screen has been damaged.	Remove and replace screening with new stainless or galvanized mesh.
Safety and Security - Exterior Ladder	3 - Moderate. Worn. Treatable surface corrosion	3 - Moderate. Higher O&M required to keep component functioning as required	3 - Minor Code issue	Spotted minor corrosion and staining. Existing conduit on standoff is in violation of OSHA.	Relocate the conduit of the standoff to meet the OSHA requirement. No action required for coating.
Safety and Security - Exterior Ladder Fall Protection System	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	The safety rail was in good working condition. Minor staining.	No Action
Safety and Security - Ladder Guard	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	Locked at time of visit and in good working condition.	No Action
Safety and Security - Interior Ladder	4 - Poor. In need of repair. Corrosion may weaken structural capacity	3 - Moderate. Higher O&M required to keep component functioning as required	1 - No Code issues	Spotted corrosion and staining. The ladder standoff has corrosion with delamination and biological growth observed below water level.	Remove and replace ladder and treat for biological growth.
Safety and Security - Interior Ladder Fall Protection System	4 - Poor. In need of repair. Corrosion may weaken structural capacity	4 - Poor. Functions less than required or requires significant resources to function as required	5 - IRREPAIRABLE Code issue (asset must be replaced)	The ladder was equipped with a pipe for safety protection and doesn't comply with OSHA regulations.	Remove and replace Fall Protection System.

Asset	Physical Rating	Performance Rating	Code Compliance	Description	Recommendation
Safety and Security - Roof Access Hatch North	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	2 - Possible Code issue	Overall, in good condition. No confined space entry placard was installed	Install Confined space entry placard.
Safety and Security - Roof Access Hatch West	3 - Moderate. Worn. Treatable surface corrosion	2 - Good. Component functioning as required with normal maintenance	2 - Possible Code issue	Overall, in good condition. No confined space entry placard was installed	Install Confined space entry placard.
Safety and Security - Roof Railing	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	2 - Possible Code issue	Roof railing was limited to access hatch only.	Install roof railing all the way to center for added safety and security.
Safety and Security - Site Assessment	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	Relatively flat on all site. No water ponding observed. Small portion of landscape was worn and torn.	Repair worn and torn landscape.
Safety and Security - Brick Fence	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	7-feet brick wire.	No Action
Safety and Security - Entrance Gate	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	Both the gate was in working condition.	No Action
Safety and Security - Driveway	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	The concrete observed to have no cracks and in good condition	No Action

Asset	Physical Rating	Performance Rating	Code Compliance	Description	Recommendation
Structural - Roof Slab (Exterior)	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	The observed minor cracks do not have any noticeable leaks, the roof is in good condition.	No Action
Structural - Roof Slab (Interior)	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	The roof is in good condition.	Pressure wash cleaning
Structural - Walls (Exterior)	2 - Good. Minor wear. Minor Corrosion	3 - Moderate. Higher O&M required to keep component functioning as required	1 - No Code issues	There are areas of cracking and spalling.	Repair effected areas with cementitious grout and recoat repaired areas.
Structural - Walls (Interior)	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	The walls are in good condition.	The walls are in good condition.
Structural - Columns	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	The columns are in good condition.	Pressure wash cleaning
Structural - Membrane Slab	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	The membrane slab is in good condition.	Pressure wash cleaning
Structural - Wall Foundation	2 - Good. Minor wear. Minor Corrosion	2 - Good. Component functioning as required with normal maintenance	1 - No Code issues	The foundation is mostly covered by soil.	Regrading of the areas around the tank to allow for a mow strip to be installed.

8 OPINION OF PROBABLE CONSTRUCTION COST (OPCC)

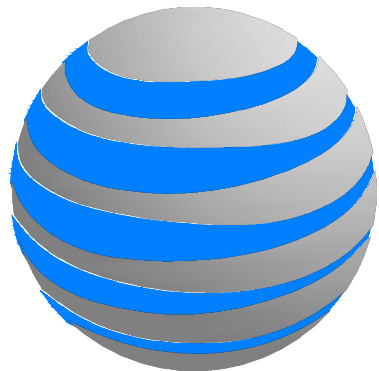
8.1 MANSELL PUMPING STATION 5.0 MG GROUND STORAGE TANK

Tank System/ Component	Description	Estimated Cost
PART A		
Structural	<ul style="list-style-type: none"> Repair of exterior wall 	\$ 30,000
Safety & Security – Hatches	<ul style="list-style-type: none"> Install Roof railing to center Install confined space signage (4) 	\$ 20,000
Safety & Security – Roof Ladders	<ul style="list-style-type: none"> Remove and replace interior fall protection system Remove and replace interior ladder and fall protection system 	\$ 20,000
Operation	<ul style="list-style-type: none"> Remove and replace roof vent mesh Remove and replace 30-inch outlet pipe Blast and recoat inlet pipe 	\$ 15,000
Site	<ul style="list-style-type: none"> Repair worn and torn landscaping 	\$ 10,000
Alternative (Miscellaneous)	<ul style="list-style-type: none"> Mow Strip around tank 	\$ 40,000
	Sub Total	\$ 135,000
	Contingency (~30%)	\$ 40,500
	Total OPCC (approximate)	\$ 175,500



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at&t

1801 VALLEY VIEW LANE
FARMERS BRANCH, TX 75234

SITE NAME:

FAIRWAY GREEN PARK

FA # / SITE ID:

12677370 / DX2847

PROJECT TYPE:

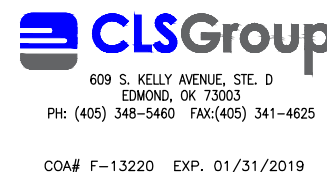
**LTE 5C / LTE 6C / RTXR
ANTENNA RETROFIT**

LTE PROJECT ID:

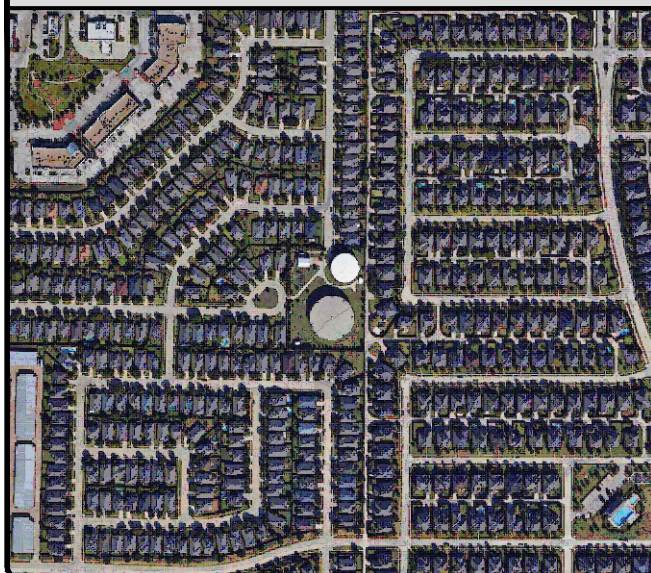
DXL02847

STRUCTURE TYPE:

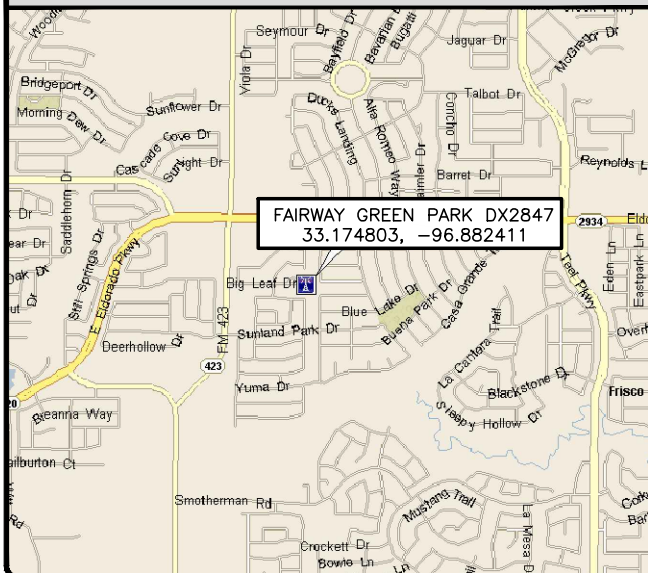
**COLLOCATION 35'-6" WATER
TANK**



AERIAL PHOTO



LOCATION MAP



PROJECT INFORMATION

LATITUDE: (NAD 83) 33.174803*
LONGITUDE: (NAD 83) -96.882411*

SITE ADDRESS: DX2847-FAIRWAY GREEN PARK
3096 BIG LEAF DRIVE
LITTLE ELM, TX 75068

GROUND ELEVATION: 581' AMSL

MARKET: NORTH TEXAS

JURISDICTION: CITY OF LITTLE ELM

COUNTY: DENTON

OCCUPANCY TYPE: UNMANNED

A.D.A. COMPLIANCE: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION.

DRAWING INDEX

SHEET #	SHEET DESCRIPTION	REV. #
T1	TITLE SHEET	0
GN1	GENERAL NOTES	0
A1	SITE PLAN	0
A2	EXISTING EQUIPMENT PLAN	0
A2.1	PROPOSED EQUIPMENT PLAN	0
A3	TOWER ELEVATION	0
A4	ANTENNA PLAN	0
A5	EQUIPMENT DETAILS	0
A6	EQUIPMENT DETAILS	0

REVISIONS

REV.	DATE	DESCRIPTION	INITIALS
A	02/28/18	PRELIMINARY ISSUE	JRL
0	03/26/18	FOR CONSTRUCTION	JRL

NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET

SCOPE OF WORK

- TOWER SOW:**
1. REMOVE (1) EXISTING SBNH-1D6565B ANTENNA IN POSITION 3 EACH SECTOR.
 2. RELOCATE (1) EXISTING SBNH-1D65B ANTENNA IN POSITION 2 TO POSITION 3 EACH SECTOR.
 3. RELOCATE (1) EXISTING SBNH-1D65B ANTENNA IN POSITION 4 TO POSITION 5 EACH SECTOR.
 4. REMOVE AND REPLACE (1) EXISTING RRUS-12 FOR 850 LTE IN POSITION 4 WITH (1) PROPOSED RRUS-4478 B5 AND INSTALL IN POSITION 1 EACH SECTOR.
 5. REMOVE (1) EXISTING RRUS-01 FOR 850 UMTS IN POSITION 3 EACH SECTOR.
 6. RELOCATE (1) EXISTING RRUS-11 FOR 700 LTE IN POSITION 2 TO POSITION 5 EACH SECTOR.
 7. RELOCATE (1) EXISTING RRUS-32 FOR 1900 LTE IN POSITION 2 TO POSITION 5 EACH SECTOR.
 8. RELOCATE (1) EXISTING RRUS-32 FOR 2300 LTE IN POSITION 4 TO POSITION 3 EACH SECTOR.
 9. INSTALL (2) PROPOSED JAHH-65B-R3B ANTENNAS IN POSITION 1 TO BE MOUNTED ON A BSAMNT-SBS-2-2 DUAL ANTENNA MOUNTING BRACKET EACH SECTOR.
 10. INSTALL (1) PROPOSED RRUS-4478 B14 FOR 700 LTE AND (1) RRUS-32 B66 FOR 2100 LTE IN POSITION 1 EACH SECTOR.
 11. INSTALL (1) PROPOSED DC6-48-60-18-8C SQUID.
 12. INSTALL (1) DC POWER TRUNK.

GROUND SOW:

1. INSTALL (4) PROPOSED NEQ.15930 RECTIFIERS IN EXISTING POWER PLANT.
2. INSTALL (3) 30 AMP BREAKERS FOR 2100 LTE IN EXISTING POWER PLANT.
3. INSTALL (3) 25 AMP BREAKERS FOR 700 LTE IN EXISTING POWER PLANT.

TOWER ELEVATION



DRIVING DIRECTIONS

DEPARTING DALLAS/FORT WORTH INTERNATIONAL AIRPORT, HEAD NORTH ON INTERNATIONAL PKWY. IN 4.0 MILES, MERGE ONTO TX-121 N. IN 4.2 MILES CONTINUE ONTO SAM RAYBURN TOLLWAY. IN 3.5 MILES, CONTINUE ONTO TX-121/SAM RAYBURN TOLLWAY. IN 1.4 MILES, CONTINUE ONTO SAM RAYBURN TOLLWAY. IN 0.5 MILES, KEEP LEFT AT THE FORK, FOLLOW SIGNS FOR DALLAS NORTH TOLLWAY N AND MERGE ONTO DALLAS NORTH TOLLWAY N. IN 6.0 MILES, TAKE EXIT ELDORADO PKWY TO MERGE ONTO DALLAS PKWY. IN 0.2 MILES, MERGE ONTO DALLAS PKWY. IN 0.2 MILES, USE THE LEFT 2 LANES TO TURN LEFT ONTO ELDORADO PKWY. IN 2.4 MILES, TURN LEFT ONTO RED SPRUCE DR. CONTINUE STRAIGHT FOR 0.3 MILES TO ARRIVE AT YOUR DESTINATION STRAIGHT AHEAD.

ONE CALL



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1-800-344-8377

PROJECT TEAM

ENGINEER/ARCHITECT:
CLS GROUP
609 S. KELLY AVENUE, STE. D
EDMOND, OK 73003
PM: DAVID ROGERS
405-348-5460

TOWER OWNER:
TOWN OF LITTLE ELM
100 W ELDORADO PKWY
LITTLE ELM, TX 75068
CONTACT: JASON LAUMER
PHONE: 214-975-0473

CUSTOMER:
AT&T MOBILITY
1801 VALLEY VIEW LANE
FARMERS BRANCH, TX 75234
CONTACT: DANIEL NUTT
PHONE: 281-405-6747

SITE NAME: FAIRWAY GREEN PARK
SITE NUMBER: DX2847

CODE COMPLIANCE

ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING APPLICABLE CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES.

BUILDING/DWELLING CODE: IBC 2012
STRUCTURAL CODE: IBC 2012
PLUMBING CODE: IPC 2012
MECHANICAL CODE: IMC 2012
ELECTRICAL CODE: NEC 2017
FIRE & LIFE SAFETY CODE: IFC 2012

DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS, EXISTING DIMENSIONS, CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT OR ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR THE SAME.



Tyler M. Barker
CLS - Director of Engineering
PE # 124473 Exp. 9/30/2018
COA # F - 13220 Exp. 1/31/2019

PE# 124473 EXP: 09/30/2018

DX2847
FAIRWAY GREEN PARK

FA#: 12677370
3096 BIG LEAF DRIVE
LITTLE ELM, TX 75068

SHEET TITLE

TITLE SHEET

SHEET NUMBER

T1

GENERAL NOTES

1. FOR THE PURPOSE OF CONSTRUCTION DRAWING, THE FOLLOWING DEFINITIONS SHALL APPLY:
CONTRACTOR – GENERAL CONTRACTOR
SUBCONTRACTOR – GENERAL CONTRACTOR (CONSTRUCTION)
OWNER – AT&T MOBILITY
OEM – ORIGINAL EQUIPMENT MANUFACTURER
2. PRIOR TO THE SUBMISSIONS OF BIDS, THE BIDDING SUBCONTRACTOR SHALL VISIT THE CELL SITE TO FAMILIARIZE THEMSELVES WITH THE EXISTING CONDITIONS AND TO CONFIRM THAT THE WORK CAN BE ACCOMPLISHED AS SHOWN ON THE CONSTRUCTION DRAWINGS. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS, QUANTITIES AND DIMENSIONS BEFORE STARTING ANY WORK. NOTIFY THE CONSTRUCTION MANAGER OF ANY DISCREPANCIES OR INSONSISTENCIES BEFORE PROCEEDING WITH THE WORK.
3. ALL MATERIALS FURNISHED AND INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES. SUBCONTRACTOR SHALL ISSUE ALL APPROPRIATE NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS, AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY REGARDING THE PERFORMANCE OF THE WORK. ALL WORK CARRIED OUT SHALL COMPLY WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS AND LOCAL JURISDICTIONAL CODES, ORDINANCES AND APPLICABLE REGULATIONS.
4. DRAWINGS PROVIDED HERE ARE NOT TO BE SCALED AND ARE INTENDED TO SHOW OUTLINE ONLY.
5. UNLESS NOTED OTHERWISE, THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES, AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
6. THE SUBCONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY STATED OTHERWISE.
7. IF THE SPECIFIED EQUIPMENT CANNOT BE INSTALLED AS SHOWN ON THESE DRAWINGS, THE SUBCONTRACTOR SHALL PROPOSE AN ALTERNATIVE INSTALLATION FOR APPROVAL BY THE CONTRACTOR.
8. SUBCONTRACTOR SHALL DETERMINE ACTUAL ROUTING OF CONDUIT, POWER AND TI CABLES, GROUNDING CABLES AS SHOWN ON THE POWER, GROUNDING AND TELCO PLAN DRAWING. SUBCONTRACTOR SHALL UTILIZE EXISTING TRAYS AND/OR SHALL ADD NEW TRAYS AS NECESSARY. SUBCONTRACTOR SHALL CONFIRM THE ACTUAL ROUTING WITH THE CONTRACTOR. ROUTING OF TRENCHING SHALL BE APPROVED BY CONTRACTOR.
9. THE SUBCONTRACTOR SHALL PROTECT EXISTING IMPROVEMENTS, PAVEMENTS, CURBS, LANDSCAPING AND STRUCTURES. ANY DAMAGED PART SHALL BE REPAIRED AT SUBCONTRACTOR'S EXPENSE TO THE SATISFACTION OF THE OWNER.
10. SUBCONTRACTOR SHALL LEGALLY AND PROPERLY DISPOSE OF ALL SCRAP MATERIALS SUCH AS COAXIAL CABLES AND OTHER ITEMS REMOVED FOR THE EXISTING FACILITY. ANTENNAS REMOVED SHALL BE RETURNED TO THE OWNER'S DESIGNATED LOCATION.
11. SUBCONTRACTOR SHALL LEAVE PREMISES IN CLEAN CONDITION.
12. ALL CONCRETE REPAIR WORK SHALL BE DONE IN ACCORDANCE WITH AMERICAN CONCRETE INSTITUTE (ACI) 301.
13. ANY NEW CONCRETE NEEDED FOR THE CONSTRUCTION SHALL HAVE 4000 PSI STRENGTH AT 28 DAYS UNLESS OTHERWISE SPECIFIED. ALL CONCRETING WORK SHALL BE DONE IN ACCORDANCE WITH ACI 318 CODE REQUIREMENTS.
14. ALL STRUCTURAL STEEL WORK SHALL BE DONE IN ACCORDANCE WITH AISC 13 EDITION SPECIFICATIONS.
15. CONSTRUCTION SHALL COMPLY WITH SPECIFICATION 25741-000-3APS-A00Z-00002, "GENERAL CONSTRUCTION SERVICES".
16. SUBCONTRACTOR SHALL VERIFY ALL EXISTING DIMENSIONS AND CONDITIONS PRIOR TO COMMENCING ANY WORK. ALL DIMENSIONS OF EXISTING CONSTRUCTION SHOWN ON THE DRAWINGS MUST BE VERIFIED. SUBCONTRACTOR SHALL NOTIFY THE CONTRACTOR OF ANY DISCREPANCIES PRIOR TO ORDERING MATERIAL OR PROCEEDING WITH CONSTRUCTION.
17. THE EXISTING CELL SITE IS IN FULL COMMERCIAL OPERATION. ANY CONSTRUCTION WORK BY SUBCONTRACTOR SHALL NOT DISRUPT THE EXISTING NORMAL OPERATION. ANY WORK ON EXISTING EQUIPMENT MUST BE COORDINATED WITH CONTRACTOR. ALSO, WORK MAY NEED TO BE SCHEDULED FOR AN APPROPRIATE MAINTENANCE WINDOW USUALLY IN LOW TRAFFIC PERIODS AFTER MIDNIGHT.
18. SINCE THE CELL SITE MAY BE ACTIVE, ALL SAFETY PRECAUTIONS MUST BE TAKEN WHEN WORKING AROUND HIGH LEVELS OF ELECTROMAGNETIC RADIATION. EQUIPMENT SHOULD BE SHUT DOWN PRIOR TO PERFORMING ANY WORK THAT COULD EXPOSE THE WORKERS TO DANGER. PERSONAL RF EXPOSURE MONITORS ARE REQUIRED TO BE WORN TO ALERT OF ANY DANGEROUS EXPOSURE LEVELS.
19. ALL ANTENNA PIPES SHALL BE SCHEDULE 80.
20. LIMITS OF LIABILITY – ITEMS REFERENCED ARE OWNER/CLIENT DICTATED ITEMS, OR SUPPLIED ITEMS WHICH ARE REPRODUCED WITHOUT ALTERATION AS DIRECTED BY OWNER/CLIENT, AND OWNER/CLIENT ASSUMES ANY AND ALL LIABILITY FOR USE OF, CONSEQUENCES OF, OR INTERPRETATION OF SAID ITEM, SPECIFICATION, OR DIRECTIVE; AND AGREES TO INDEMNIFY AND HOLD ENGINEER COMPLETELY HARMLESS.
21. PROFESSIONAL SEAL – DETAILS, SPECIFICATION(S), OR ITEMS REFERENCED, ARE NOT PART OF THE PROFESSIONAL DESIGN PERFORMED BY LICENSEE AND THE PROFESSIONAL SEAL DOES NOT APPLY.
22. LIMITS OF LIABILITY – ITEMS REFERENCED ARE OWER/CLIENT DICTATED ITEMS, OR SUPPLIED ITEMS WHICH ARE REPRODUCED WITHOUT ALTERATION AS DIRECTED BY OWNER/CLIENT, AND OWNER/CLIENT ASSUMES ANY AND ALL LIABILITY FOR USE OF, CONSEQUENCES OF, OR INTERPRETATION OF SAID ITEM, SPECIFICATION, OR DIRECTIVE; AND AGREES TO INDEMNIFY AND HOLD ENGINEER COMPLETELY HARMLESS.

ELECTRICIAL INSTALLATION NOTES

1. WIRING, RACEWAY AND SUPPORT METHODS AND MATERIALS SHALL COMPLY WITH THE REQUIREMENTS OF THE NEC AND TELCORDIA.
2. SUBCONTRACTORS SHALL MODIFY EXISTING CABLE TRAY SYSTEM AS REQUIRED TO SUPPORT RF AND TRANSPORT CABLING TO THE NEW BTS EQUIPMENT. SUBCONTRACTOR SHALL SUBMIT MODIFICATIONS TO CONTRACTOR FOR APPROVAL.

ELECTRICAL INSTALLATION NOTES CONT.

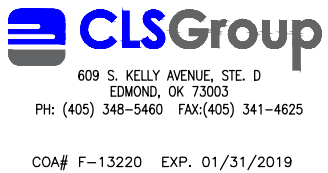
3. ALL CIRCUITS SHALL BE SEGREGATED AND MAINTAIN MINIMUM CABLE SEPARATION AS REQUIRED BY THE NEC AND TELCORDIA.
4. CABLES SHALL NOT BE ROUTED THROUGH LADDER-STYLE CABLE TRAY RUNGS.
5. EACH END OF EVERY POWER, GROUNDING, AND T1 CONDUCTOR AND CABLE SHALL BE LABELED WITH COLOR-CODED INSULATION OR ELECTRICAL TAPE (3M BRAND, 1/2 INCH PLASTIC ELECTRICAL TAPE WITH UV PROTECTION, OR EQUAL). THE IDENTIFICATION METHOD SHALL CONFORM WITH NEC & OSHA, AND MATCH EXISTING INSTALLATION REQUIREMENTS.
6. POWER PHASE CONDUCTORS (I.E., HOTS) SHALL BE LABELED WITH COLOR-CODED INSULATION OR ELECTRICAL TAPE (3M BRAND, 1/2 INCH PLASTIC ELECTRICAL TAPE WITH UV PROTECTION, OR EQUAL). PHASE CONDUCTOR COLOR CODES SHALL CONFORM WITH THE NEC & OSHA, AND MATCH EXISTING INSTALLATION REQUIREMENTS
7. ALL ELECTRICAL COMPONENTS SHALL BE CLEARLY LABELED WITH ENGRAVED LAMACOID PLASTIC LABELS. ALL EQUIPMENT SHALL BE LABELED WITH THEIR VOLTAGE RATING, PHASE CONFIGURATION, WIRE CONFIGURATION, POWER OR AMPACITY RATING, AND BRANCH CIRCUIT ID NUMBERS (I.E., PANELBOARD AND CIRCUIT ID'S).
8. PANELBOARDS (ID NUMBERS) AND INTERNAL CIRCUIT BREAKERS (CIRCUIT ID NUMBERS) SHALL BE CLEARLY LABELED WITH ENGRAVED LAMACOID PLASTIC LABELS.
9. ALL TIE WRAPS WHERE PERMITTED SHALL BE CUT FLUSH WITH APPROVED CUTTING TOOL TO REMOVE SHARP EDGES. USE LOW PROFILES TIE WRAPS.
10. POWER, CONTROL, AND EQUIPMENT GROUND WIRING IN TUBING OR CONDUIT SHALL BE SINGLE CONDUCTOR (12 AWG OR LARGER), 600V, OIL RESISTANT THHN OR THWN-2, CLASS B STRANDED COPPER CABLE RATED FOR 90°C (WET AND DRY) OPERATION; LISTED OR LABELED FOR THE LOCATION AND RACEWAY SYSTEM USED, UNLESS OTHERWISE SPECIFIED.
11. SUPPLEMENTAL EQUIPMENT GROUND WIRING LOCATED INDOORS SHALL BE SINGLE CONDUCTOR (6 AWG OR LARGER), 600V, OIL RESISTANT THHN OR THWN-2, CLASS B STRANDED COPPER CABLE RATED FOR 90°C (WET AND DRY) OPERATION; LISTED OR LABELED FOR THE LOCATION AND RACEWAY SYSTEM USED, UNLESS OTHERWISE SPECIFIED.
12. SUPPLEMENTAL EQUIPMENT GROUND WIRING LOCATED OUTDOORS, OR BELOW GRADE, SHALL BE SINGLE CONDUCTOR 2 AWG SOLID TINNED COPPED CABLE, UNLESS OTHERWISE SPECIFIED.
13. POWER WIRING, NOT IN TUBING OR CONDUIT, SHALL BE MULTI-CONDUCTOR, TYPE TC CABLE (12 AWG OR LARGER), 600V, OIL RESISTANT THHN OR THWN-2, CLASS B STRANDED COPPER CABLE RATED FOR 90°C (WET AND DRY) OPERATION; LISTED OR LABELED FOR THE LOCATION USED, UNLESS OTHERWISE SPECIFIED.
14. ALL POWER AND GROUNDING CONNECTIONS SHALL BE CRIMP-STYLE, COMPRESSION WIRE LUGS AND WIRENUTS BY THOMAS AND BETTS (OR EQUAL). LUGS AND WIRENUTS SHALL BE RATED FOR OPERATION AT ON LESS THAN 75°C (90°C IF AVAILABLE).
15. RACEWAY AND CABLE TRAY SHALL BE LISTED OR LABELED FOR ELECTRICAL USE IN ACCORDANCE WITH NEMA, UL, ANSI/IEEE, AND NEC.
16. NEW RACEWAY OR CABLE TRAY WILL MATCH THE EXISTING INSTALLATION WHERE POSSIBLE.
17. ELECTRICAL METALLIC TUBING (EMT) OR RIGID NONMETALLIC CONDUIT (I.E., RIGID PVC SCHEDULE 40, OR RIGID PVC SCHEDULE 80 FOR LOCATIONS SUBJECT TO PHYSICAL DAMAGE) SHALL BE USED FOR EXPOSED INDOOR LOCATIONS.
18. ELECTRICAL METALLIC TUBING (EMT) OR ELECTRICAL NONMETALLIC TUBING (ENT), OR RIGID NONMETALLIC CONDUIT (RIGID PVC SCHEDULE 40) SHALL BE USED FOR CONCEALED INDOOR LOCATIONS.
19. GALVANIZED STEEL INTERMEDIATE METALLIC CONDUIT (IMC) SHALL BE USED FOR OUTDOOR LOCATIONS ABOVE GRADE.
20. RIGID NONMETALLIC CONDUIT (I.E., RIGID PVC SCHEDULE 40, OR RIGID PVC SCHEDULE 80) SHALL BE USED UNDERGROUND; DIRECT BURIED, IN AREAS OF OCCASIONAL LIGHT VEHICLE TRAFFIC OR ENCASED IN REINFORCED CONCRETE IN AREAS OF HEAVY VEHICLE TRAFFIC.
21. LIQUID-TIGHT FLEXIBLE METALLIC CONDUIT (LIQUID-TITE FLEX) SHALL BE USED INDOORS AND OUTDOORS, WHERE VIBRATION OCCURS OR FLEXIBILITY IS NEEDED.
22. CONDUIT AND TUBING FITTINGS SHALL BE THREADED OR COMPRESSION-TYPE AND APPROVED FOR THE LOCATION USED. SETSCREW FITTINGS ARE NOT ACCEPTABLE.
23. CABINETS, BOXES, AND WIREWAYS SHALL BE LISTED OR LABELED FOR ELECTRICAL USE IN ACCORDANCE WITH NEMA, UL, ANSI/IEEE AND NEC.
24. CABINETS, BOXES AND WIREWAYS TO MATCH THE EXISTING INSTALLATION WHERE POSSIBLE.
25. WIREWAYS SHALL BE EPOXY-COATED (GRAY) AND INCLUDE A HINGED COVER, DESIGNED TO SWING OPEN DOWNWARD; SHALL BE PANDUIT TYPE E (OR EQUAL); AND RATED NEMA 1 (OR BETTER) INDOORS, OR NEMA 34 (OR BETTER) OUTDOORS.
26. EQUIPMENT CABINETS, TERMINAL BOXES, JUNCTION BOXES, AND PULL BOXES SHALL BE GALVANIZED OR EPOXY-COATED SHEET STEEL, SHALL MEET OR EXCEED UL 50, AND RATED NEMA 1 (OR BETTER) INDOORS, OR NEMA 34 (OR BETTER) OUTDOORS.
27. METAL RECEPACLE, SWITCH, AND DEVICE BOXES SHALL BE GALVANIZED, EPOXY-COATED, OR NON-CORRODING; SHALL MEET OR EXCEED UL 514A AND NEMA OS 1; AND RATED NEMA 1 (OR BETTER) INDOORS, OR WEATHER PROTECTED (WP OR BETTER) OUTDOORS.
28. NONMETALLIC RECEPACLE, SWITCH, AND DEVICE BOXES SHALL MEET OR EXCEED NEMA OS 2; AND RATED NEMA 1 (OR BETTER) INDOORS, OR WEATHER PROTECTED (WP OR BETTER) OUTDOORS.
29. THE SUBCONTRACTOR SHALL NOTIFY AND OBTAIN NECESSARY AUTHORIZATION FROM THE CONTRACTOR BEFORE COMMENCING WORK ON THE AC POWER DISTRIBUTION PANELS.
30. THE SUBCONTRACTOR SHALL PROVIDE NECESSARY TAGGING ON THE BREAKERS, CABLES AND DISTRIBUTION PANELS IN ACCORDANCE WITH THE APPLICABLE CODES AND STANDARDS TO SAFEGUARD AGAINST LIFE AND PROPERTY.

GROUNDING NOTES

1. THE SUBCONTRACTOR SHALL REVIEW AND INSPECT THE EXISTING FACILITY GROUNDING SYSTEM AND LIGHTNING PROTECTION SYSTEM (AS DESIGNED AND INSTALLED) FOR STRICT COMPLIANCE WITH THE NEC (AS ADOPTED BY THE AHJ). THE SITE-SPECIFIC (UL, LPI, OR NFPA) LIGHTING PROTECTION CODE, AND GENERAL COMPLIANCE WITH TELCORDIA AND TIA GROUNDING STANDARDS. THE SUBCONTRACTOR SHALL REPORT ANY VIOLATIONS OR ADVERSE FINDINGS TO THE CONTRACTOR FOR RESOLUTION.
2. ALL GROUND ELECTRODE SYSTEMS (INCLUDING TELECOMMUNICATION, RADIO, LIGHTNING PROTECTION, AND AC POWER GES'S) SHALL BE BONDED TOGETHER, AT OR BELOW GRADE, BY TWO OR MORE COPPER BONDING CONDUCTORS IN ACCORDANCE WITH THE NEC.
3. THE SUBCONTRACTOR SHALL PERFORM IEEE FALL-OF-POTENTIAL RESISTANCE TO EARTH TESTING (PER IEEE 1100 AND 91) FOR NEW GROUND ELECTRODE SYSTEMS. THE SUBCONTRACTOR SHALL FURNISH AND INSTALL SUPPLEMENTAL GROUND ELECTRODES AS NEEDED TO ACHIEVE A TEST RESULT OF 5 OHMS OR LESS. TESTS SHALL BE PERFORMED IN ACCORDANCE WITH 25471-000-3PS-EG00-0001, DESIGN & TESTING OF FACILITY GROUNDING FOR CELL SITES.
4. METAL RACEWAY SHALL NOT BE USED AS THE NEC REQUIRED EQUIPMENT GROUND CONDUCTOR. STRANDED COPPER CONDUCTORS WITH GREEN INSULATION, SIZED IN ACCORDANCE WITH THE NEC, SHALL BE FURNISHED AND INSTALLED WITH THE POWER CIRCUITS TO BTS EQUIPMENT.
5. EACH BTS CABINET FRAME SHALL BE DIRECTLY CONNECTED TO THE MASTER GROUND BAR WITH GREEN INSULATED SUPPLEMENTAL EQUIPMENT GROUND WIRES, 6 AWG STRANDED COPPER OR LARGER INDOORS BTS; 2 AWG STRANDED COPPER FOR OUTDOORS BTS.
6. EXOTHERMIC WELDS SHALL BE USED FOR ALL GROUNDING CONNECTIONS BELOW GRADE.
7. APPROVED ANTIOXIDANT COATINGS (I.E., CONDUCTIVE GEL OR PASTE) SHALL BE USED ON ALL COMPRESSION AND BOLTED GROUND CONNECTIONS.
8. ICE BRIDGE BONDING CONDUCTORS SHALL BE EXOTHERMICALLY BONDED OR BOLTED WITH STAINLESS STEEL HARDWARE TO THE BRIDGE AND THE TOWER GROUND BAR.
9. ALUMINUM CONDUCTOR OR COPPER CLAD STEEL CONDUCTOR SHALL NOT BE USED FOR GROUNDING CONNECTIONS.
10. MISCELLANEOUS ELECTRICAL AND NON-ELECTRICAL METAL BOXES, FRAMES AND SUPPORTS SHALL BE BONDED TO THE GROUND RING, IN ACCORDANCE WITH THE NEC.
11. METAL CONDUIT AND TRAY SHALL BE GROUNDED AND MADE ELECTRICALLY CONTINUOUS WITH LISTED BONDING FITTINGS OR BY BONDING ACROSS THE DISCONTINUITY WITH 6 AWG COPPER WIRE UL APPROVED GROUNDING TYPE CONDUIT CLAMPS.
12. GROUND CONDUCTORS USED IN THE FACILITY GROUND AND LIGHTNING PROTECTION SYSTEMS SHALL NOT BE ROUTED THROUGH METALLIC OBJECTS THAT FORM A RING AROUND THE CONDUCTOR, SUCH AS METALLIC CONDUITS, METAL SUPPORT CLIPS OR SLEEVES THROUGH WALLS OR FLOORS. WHEN IT IS REQUIRED TO BE HOUSED IN CONDUIT TO MEET CODE REQUIREMENTS OR LOCAL CONDITIONS, NON-METALLIC MATERIAL, SUCH AS PVC PLASTIC CONDUIT SHALL BE USED. WHERE USE OF METAL CONDUIT IS UNAVOIDABLE (E.G., NON-METALLIC CONDUIT PROHIBITED BY LOCAL CODE) THE GROUND CONDUCTOR SHALL BE BONDED TO EACH END OF THE METAL CONDUIT.
13. ALL TOWER GROUND SYSTEMS SHALL COMPLY WITH THE REQUIREMENTS OF ANSI/TIA 222. FOR TOWERS BEING BUILT TO REV G OF THE STANDARD, THE WIRE SIZE OF THE BURIED GROUND RING AND CONNECTIONS BETWEEN THE TOWER AND THE BURIED GROUND RING SHALL BE CHANGED FROM 2 AWG TO 2/0 AWG. IN ADDITION, THE MINIMUM LENGTH OF THE GROUND RODS SHALL BE INCREASED FOR 8 FEET TO 10 FEET.
14. ALL GROUND WIRE TO RRUS SHALL BE #2 GREEN STRANDED.
15. ALL OUTDOOR LUGS SHALL USE BLACK HEAT SHRINK AND INDOOR LUGS SHALL USE CLEAR HEAT SHRINK.
16. ALL OUTDOOR LUGS TO BE LONG BARREL 2 HOLE WITHOUT INSPECTION HOLES AND INDOOR LUGS TO HAVE INSPECTION HOLES.

ABBREVIATIONS

AGL	ABOVE GRADE LEVEL	MFR	MANUFACTURER
AMSL	ABOVE MEAN SEA LEVEL	MBG	MASTER GROUND BAR
AWG	AMERICAN WIRE GAUGE	MIN	MINIMUM
BLDG	BUILDING	N.T.S.	NOT TO SCALE
DWG	DRAWING	(P)	PROPOSED
FT	FOOT	PPC	POWER PROTECTION CABINET
EMT	ELECTRICAL METALLIC TUBING	RBS	RADIO BASE STATION
ELEV	ELEVATION	IN	INCH(ES)
EQUIP	EQUIPMENT	INT	INTERIOR
(E)	EXISTING	LB(S) OR #	POUND(S)
EXT	EXTERIOR	SF	SQUARE FOOT
FND	FOUNDATION	TYP	TYPICAL
F	FIBER	W/	WITH
GALV	GALVANIZED	XFMR	TRANSFORMER
GPS	GLOBAL POSITIONING SYSTEM		
GND	GROUND		
LTE	LONG TERM EVOLUTION		
MAX	MAXIMUM		



REVISIONS			
REV.	DATE	DESCRIPTION	INITIALS
A	02/28/18	PRELIMINARY ISSUE	JRL
0	03/26/18	FOR CONSTRUCTION	JRL
NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET			



PE# 124473 EXP: 09/30/2018

DX2847

FAIRWAY GREEN PARK

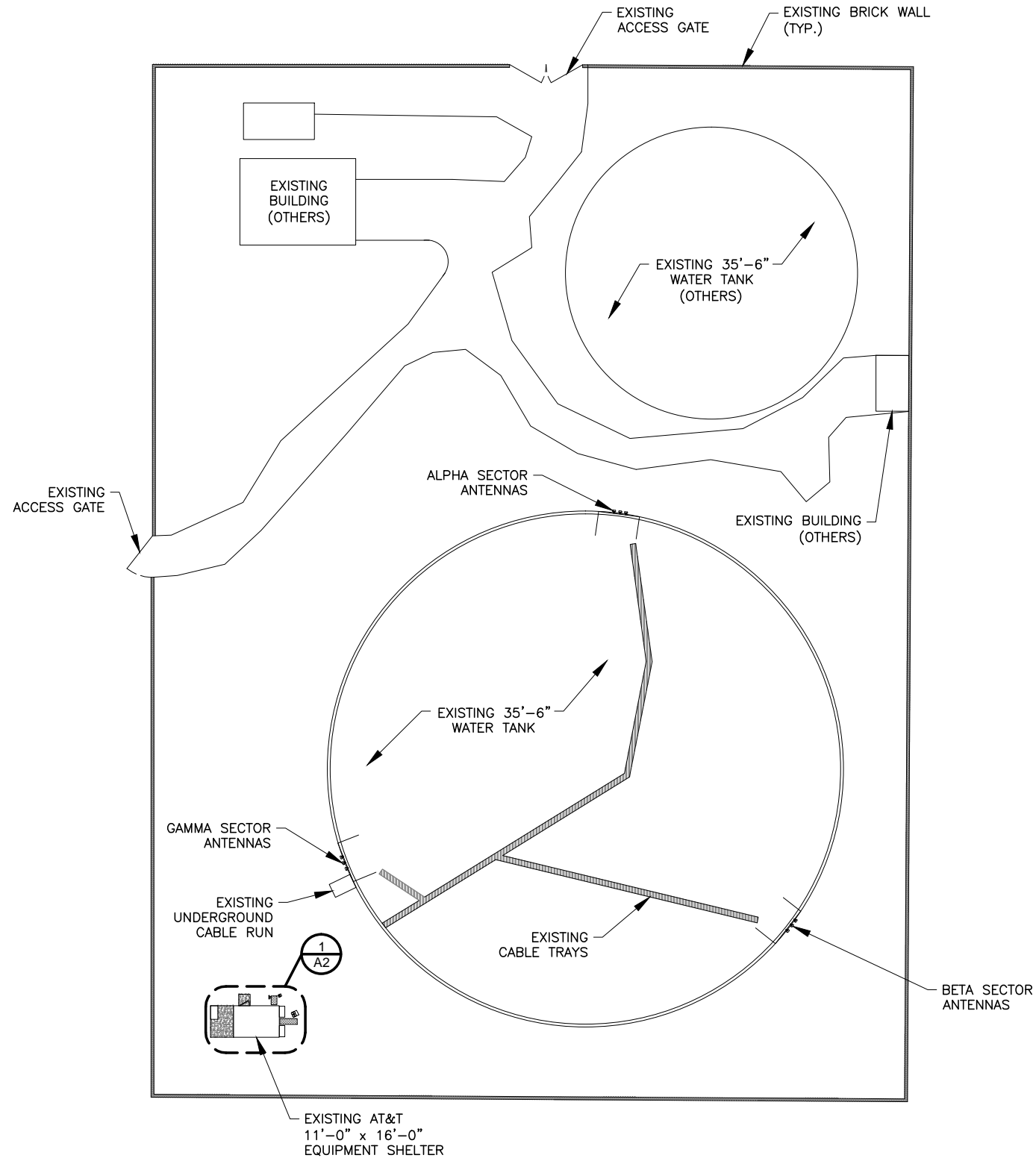
FA#: 12677370

3096 BIG LEAF DRIVE
LITTLE ELM, TX 75068

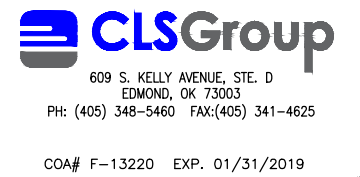
SHEET TITLE
GENERAL NOTES

SHEET NUMBER

GN1



1 SITE PLAN
 SCALE: 0' 25' 50' 100' 1"=50'



REVISIONS			
REV.	DATE	DESCRIPTION	INITIALS
A	02/28/18	PRELIMINARY ISSUE	JRL
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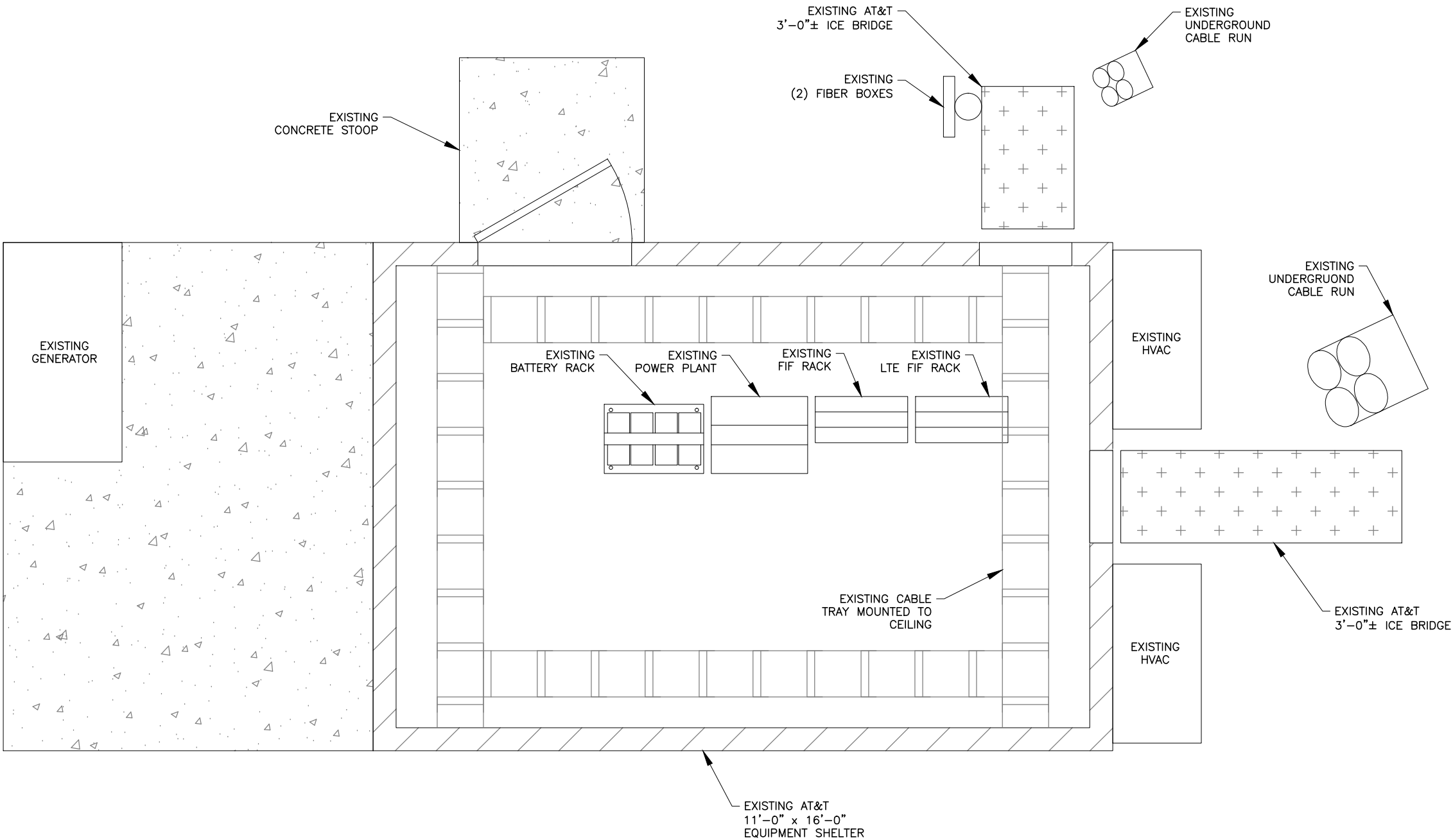
Tyler M. Barker
 CLS - Director of Engineering
 PE # 124473 Exp. 9/30/2018
 COA # F - 13220 Exp. 1/31/2019

PE# 124473 EXP: 09/30/2018

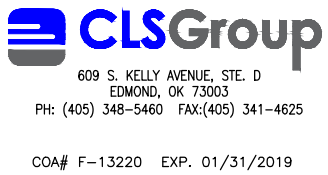
DX2847
FAIRWAY GREEN PARK
 FA#: 12677370
 3096 BIG LEAF DRIVE
 LITTLE ELM, TX 75068

SHEET TITLE
SITE PLAN

SHEET NUMBER
A1



1 EXISTING EQUIPMENT PLAN
SCALE: 3/8"=1'-0"



REVISIONS			
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A	02/28/18	PRELIMINARY ISSUE	JRL
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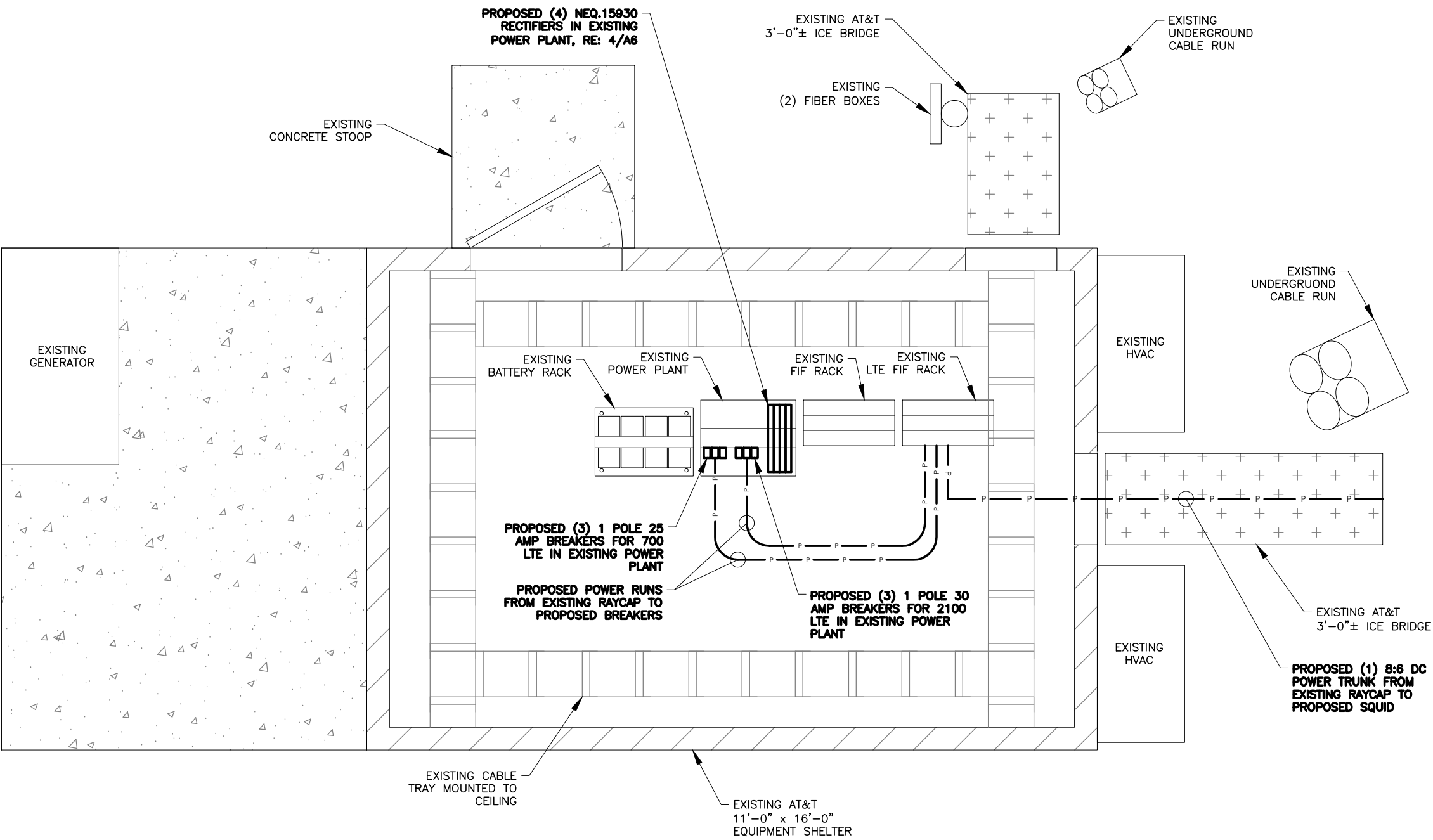


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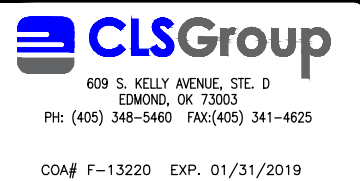
DX2847
FAIRWAY GREEN PARK
FA#: 12677370
3096 BIG LEAF DRIVE
LITTLE ELM, TX 75068

SHEET TITLE
**EXISTING
EQUIPMENT PLAN**

SHEET NUMBER
A2



1 PROPOSED EQUIPMENT PLAN
SCALE: 3/8"=1'-0"



REVISIONS			
REV.	DATE	DESCRIPTION	INITIALS
A	02/28/18	PRELIMINARY ISSUE	JRL
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Tyler M. Barker
CLS - Director of Engineering
PE # 124473 Exp. 9/30/2018
COA # F - 13220 Exp. 1/31/2019

PE# 124473 EXP: 09/30/2018

DX2847
FAIRWAY GREEN PARK
FA#: 12677370
3096 BIG LEAF DRIVE
LITTLE ELM, TX 75068

SHEET TITLE
PROPOSED EQUIPMENT PLAN

SHEET NUMBER
A2.1

LOADING NOTE:

OTHER CARRIERS EQUIPMENT MAY BE OMITTED FOR CLARITY.

TOWER NOTES

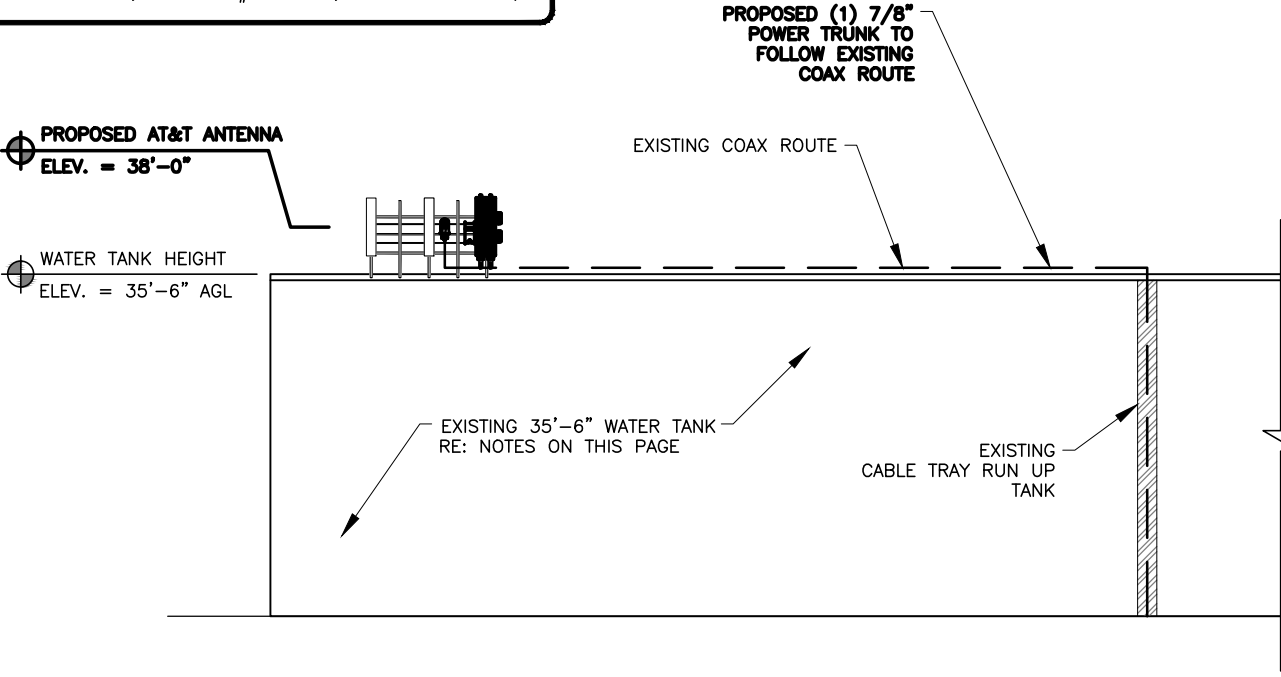
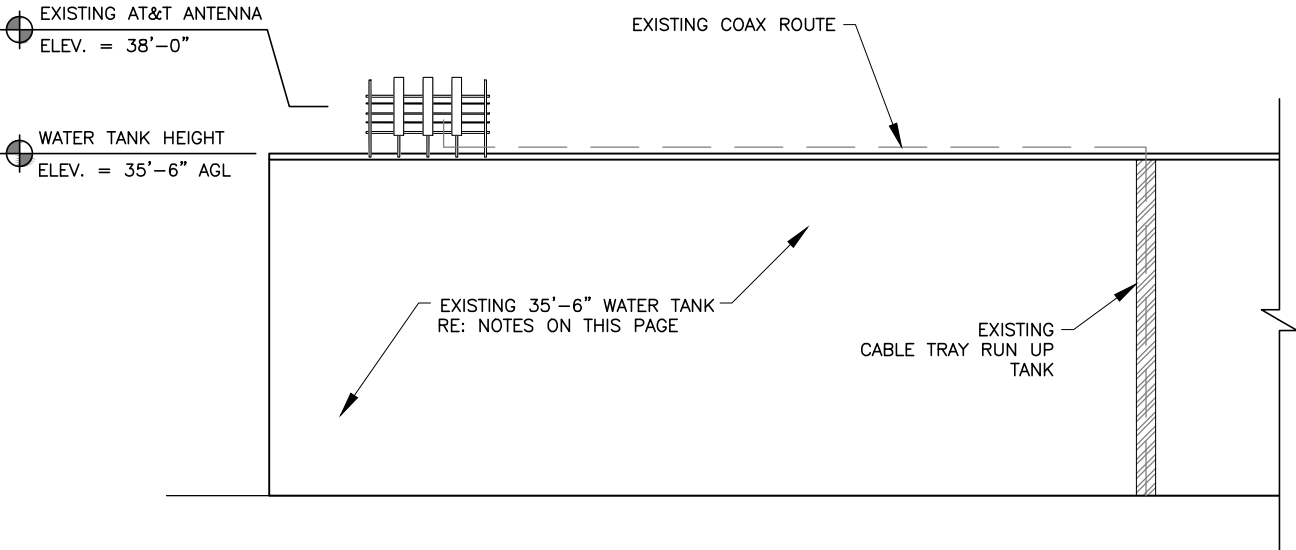
WATER TANK IS SHOWN FOR ILLUSTRATION ONLY AND FOR LOCATION OF APPURTENANCE(S).

REFER TO WATER TANK SURVEY FOR ALL EXISTING WATER TANK COMPONENTS TO INCLUDE ANTENNAS, LIGHTS, LIGHTNING ROD & WATER TANK HEIGHT.

CONTRACTOR(S) TO COMPLY WITH ALL FCC AND FAA REGULATIONS ON THIS PROJECT.
COAX ROUTING MUST BE PER STRUCTURAL ANALYSIS.

PRIOR TO CONSTRUCTION:
CONTRACTOR SHALL VERIFY THAT A WATER TANK AND MOUNT STRUCTURAL ANALYSIS, DEPICTING THE LOADING SHOWN, HAS BEEN PERFORMED AND SHOWS A "PASS" OR AN "ACCEPTABLE" RATING. UNDER NO CIRCUMSTANCE WHAT SO EVER SHALL THE PROPOSED EQUIPMENT BE INSTALLED WITHOUT SAID STRUCTURAL ANALYSIS. IF SAID STRUCTURAL ANALYSIS REQUIRES THAT THE WATER TANK AND/OR MOUNT BE MODIFIED, SUCH MODIFICATIONS SHALL BE COMPLETED PRIOR TO INSTALLATION OF THE PROPOSED EQUIPMENT.

MOUNT ANALYSIS AND STRUCTURAL ANALYSIS DONE BY CELERIS GROUP, PROJECT #16-9047, DATED MARCH 22, 2018.



EXISTING EQUIPMENT
REMOVING EQUIPMENT IS ITALICIZED

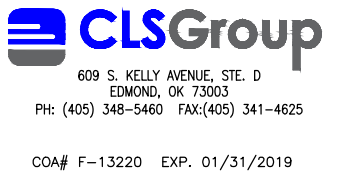
EQUIPMENT	TOTAL
RAD	38
AZIMUTH	8/128/248
MOUNT TYPE	Wall Mount
ANTENNAS	(E) (3) SBNH-1D6565B (E) (6) SBNHH-1D65B
TMA's	
DIPLEXERS	
RRUs	(E) (3) RRUS-11 (700 LTE) (E) (3) RRUS-32 (1900 LTE) (E) (3) RRUS-01 (850 UMTS) (E) (3) RRUS-11 (850 UMTS) (E) (3) RRUS-32 (2300 LTE) (E) (3) RRUS-12 (850 LTE)
RRU LOCATION	BEHIND ANTENNA
ADD'L EQUIPMENT	(E) (3) DC6-48-60-18-8F
COAX	
CABLES	(E) (1) RET (E) (3) 1/2" FIBER (E) (6) 7/8" POWER

FINAL EQUIPMENT
PROPOSED EQUIPMENT IS BOLDED

EQUIPMENT	TOTAL
RAD	38
AZIMUTH	8/128/248
MOUNT TYPE	Wall Mount
ANTENNAS	(P) (6) JAHH-65B-R3B-V3 (E) (6) SBNHH-1D65B
TMA's	
DIPLEXERS	
RRUs	(E) (3) RRUS-11 (700 LTE) (E) (3) RRUS-32 (1900 LTE) (E) (3) RRUS-11 (850 UMTS) (E) (3) RRUS-32 (2300 LTE) (P) (3) RRUS-4478 B14 (700 LTE) (P) (3) RRUS-4478 B5 (850 LTE) (P) (3) RRUS-32 B66 (2100 LTE)
RRU LOCATION	BEHIND ANTENNA
ADD'L EQUIPMENT	(E) (3) DC6-48-60-18-8F (P) (1) DC6-48-60-18-8C
COAX	
CABLES	(E) (1) RET (E) (3) 1/2" FIBER (E) (6) 7/8" POWER (P) (1) 7/8" POWER

1 EXISTING ELEVATION
SCALE: N.T.S.

2 PROPOSED ELEVATION
SCALE: N.T.S.



REVISIONS			
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A	02/28/18	PRELIMINARY ISSUE	JRL
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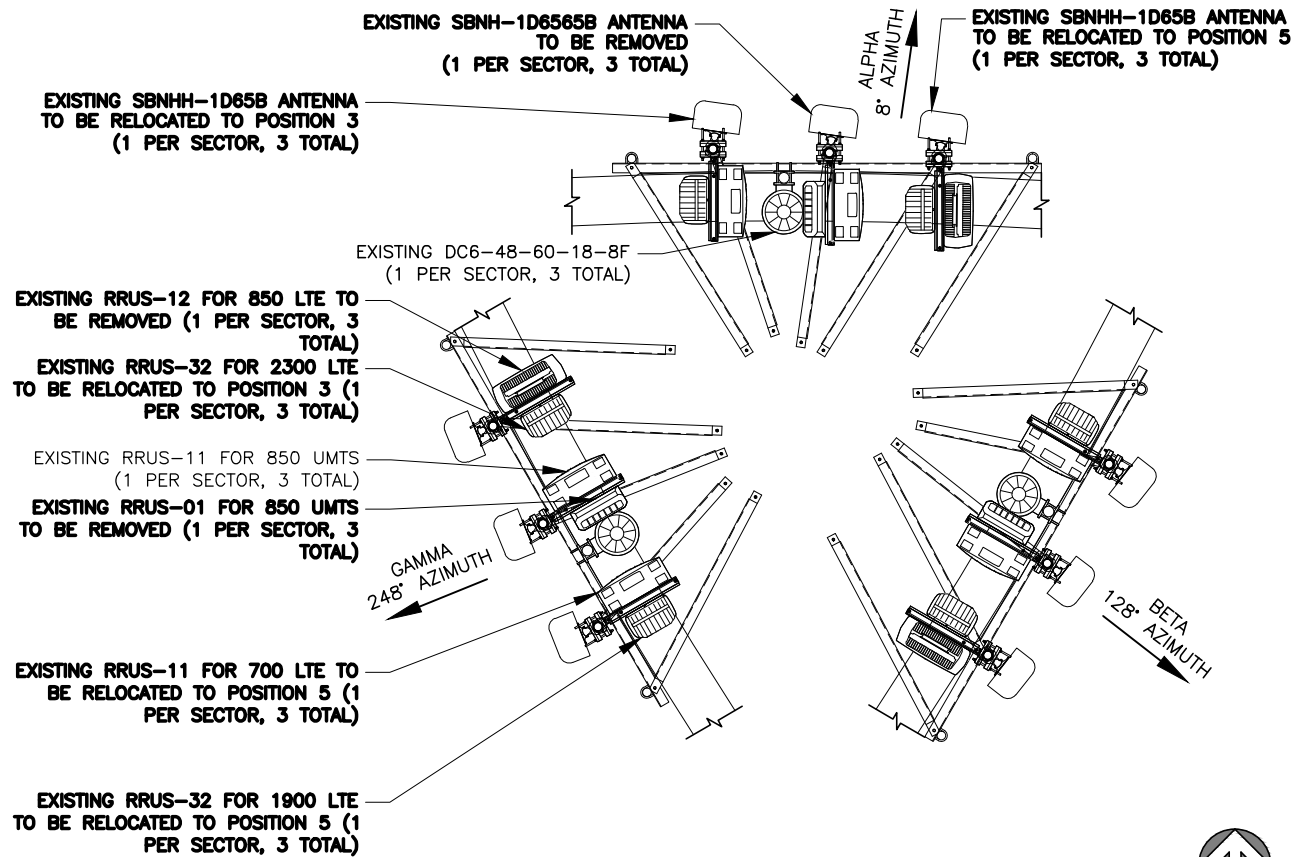


PE# 124473 EXP: 09/30/2018

DX2847
FAIRWAY GREEN PARK
FA#: 12677370
3096 BIG LEAF DRIVE
LITTLE ELM, TX 75068

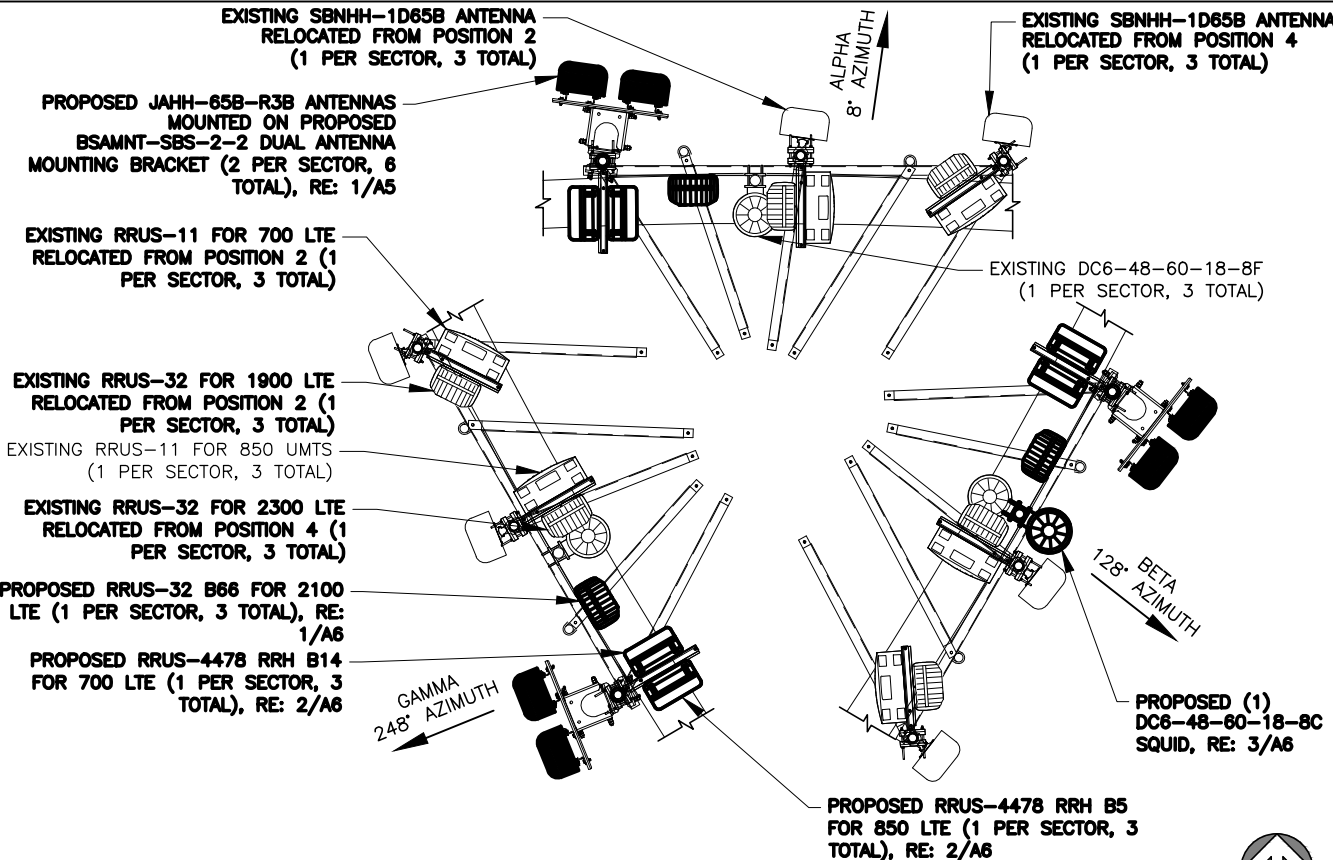
SHEET TITLE
TOWER ELEVATION

SHEET NUMBER
A3



1 EXISTING ANTENNA PLAN

SCALE: N.T.S.



2 PROPOSED ANTENNA PLAN

SCALE: N.T.S.

EXISTING EQUIPMENT

REMOVING EQUIPMENT IS ITALICIZED

	ALPHA	BETA	GAMMA	TOTAL
EQUIPMENT RAD	38	38	38	38
AZIMUTH	128	128	248	8/128/248
MOUNT TYPE	Wall Mount	Wall Mount	Wall Mount	Wall Mount
ANTENNAS	(E) (1) SBNH-1D6565B (E) (2) SBNHH-1D65B	(E) (1) SBNH-1D6565B (E) (2) SBNHH-1D65B	(E) (1) SBNH-1D6565B (E) (2) SBNHH-1D65B	(E) (3) SBNH-1D6565B (E) (6) SBNHH-1D65B
TMA's				
DIPLEXERS				
RRUs	(E) (1) RRUS-11 (700 LTE) (E) (1) RRUS-32 (1900 LTE) (E) (1) RRUS-01 (850 UMTS) (E) (1) RRUS-11 (850 UMTS) (E) (1) RRUS-32 (2300 LTE) (E) (1) RRUS-12 (850 LTE)	(E) (1) RRUS-11 (700 LTE) (E) (1) RRUS-32 (1900 LTE) (E) (1) RRUS-01 (850 UMTS) (E) (1) RRUS-11 (850 UMTS) (E) (1) RRUS-32 (2300 LTE) (E) (1) RRUS-12 (850 LTE)	(E) (1) RRUS-11 (700 LTE) (E) (1) RRUS-32 (1900 LTE) (E) (1) RRUS-01 (850 UMTS) (E) (1) RRUS-11 (850 UMTS) (E) (1) RRUS-32 (2300 LTE) (E) (1) RRUS-12 (850 LTE)	(E) (3) RRUS-11 (700 LTE) (E) (3) RRUS-32 (1900 LTE) (E) (3) RRUS-01 (850 UMTS) (E) (3) RRUS-11 (850 UMTS) (E) (3) RRUS-32 (2300 LTE) (E) (3) RRUS-12 (850 LTE)
RRU LOCATION	BEHIND ANTENNA	BEHIND ANTENNA	BEHIND ANTENNA	BEHIND ANTENNA
ADD'L EQUIPMENT	(E) (1) DC6-48-60-18-8F	(E) (1) DC6-48-60-18-8F	(E) (1) DC6-48-60-18-8F	(E) (3) DC6-48-60-18-8F
COAX				
CABLES	(E) (1) RET (E) (1) 1/2" FIBER (E) (2) 7/8" POWER	(E) (1) 1/2" FIBER (E) (2) 7/8" POWER	(E) (1) 1/2" FIBER (E) (2) 7/8" POWER	(E) (1) RET (E) (3) 1/2" FIBER (E) (6) 7/8" POWER

FINAL EQUIPMENT

PROPOSED EQUIPMENT IS BOLDED

	ALPHA	BETA	GAMMA	TOTAL
EQUIPMENT RAD	38	38	38	38
AZIMUTH	128	128	248	8/128/248
MOUNT TYPE	Wall Mount	Wall Mount	Wall Mount	Wall Mount
ANTENNAS	(P) (2) JAHH-65B-R3B-V3 (E) (2) SBNHH-1D65B	(P) (2) JAHH-65B-R3B-V3 (E) (2) SBNHH-1D65B	(P) (2) JAHH-65B-R3B-V3 (E) (2) SBNHH-1D65B	(P) (6) JAHH-65B-R3B-V3 (E) (6) SBNHH-1D65B
TMA's				
DIPLEXERS				
RRUs	(E) (1) RRUS-11 (700 LTE) (E) (1) RRUS-32 (1900 LTE) (E) (1) RRUS-11 (850 UMTS) (E) (1) RRUS-32 (2300 LTE) (P) (1) RRUS-4478 B14 (700 LTE) (P) (1) RRUS-4478 B5 (850 LTE) (P) (1) RRUS-32 B66 (2100 LTE)	(E) (1) RRUS-11 (700 LTE) (E) (1) RRUS-32 (1900 LTE) (E) (1) RRUS-11 (850 UMTS) (E) (1) RRUS-32 (2300 LTE) (P) (1) RRUS-4478 B14 (700 LTE) (P) (1) RRUS-4478 B5 (850 LTE) (P) (1) RRUS-32 B66 (2100 LTE)	(E) (1) RRUS-11 (700 LTE) (E) (1) RRUS-32 (1900 LTE) (E) (1) RRUS-11 (850 UMTS) (E) (1) RRUS-32 (2300 LTE) (P) (1) RRUS-4478 B14 (700 LTE) (P) (1) RRUS-4478 B5 (850 LTE) (P) (1) RRUS-32 B66 (2100 LTE)	(E) (3) RRUS-11 (700 LTE) (E) (3) RRUS-32 (1900 LTE) (E) (3) RRUS-11 (850 UMTS) (E) (3) RRUS-32 (2300 LTE) (P) (3) RRUS-4478 B14 (700 LTE) (P) (3) RRUS-4478 B5 (850 LTE) (P) (3) RRUS-32 B66 (2100 LTE)
RRU LOCATION	BEHIND ANTENNA	BEHIND ANTENNA	BEHIND ANTENNA	BEHIND ANTENNA
ADD'L EQUIPMENT	(E) (1) DC6-48-60-18-8F	(E) (1) DC6-48-60-18-8F (P) (1) DC6-48-60-18-8C	(E) (1) DC6-48-60-18-8F	(E) (3) DC6-48-60-18-8F (P) (1) DC6-48-60-18-8C
COAX				
CABLES	(E) (1) RET (E) (1) 1/2" FIBER (E) (2) 7/8" POWER	(E) (1) 1/2" FIBER (E) (2) 7/8" POWER (P) (1) 7/8" POWER	(E) (1) 1/2" FIBER (E) (2) 7/8" POWER	(E) (1) RET (E) (3) 1/2" FIBER (E) (6) 7/8" POWER (P) (1) 7/8" POWER



REVISIONS			
REV.	DATE	DESCRIPTION	INITIALS
A	02/28/18	PRELIMINARY ISSUE	JRL
0	03/26/18	FOR CONSTRUCTION	JRL
NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET			



PE# 124473 EXP: 09/30/2018

DX2847
FAIRWAY GREEN PARK
FA#: 12677370
3096 BIG LEAF DRIVE
LITTLE ELM, TX 75068

SHEET TITLE
ANTENNA PLAN

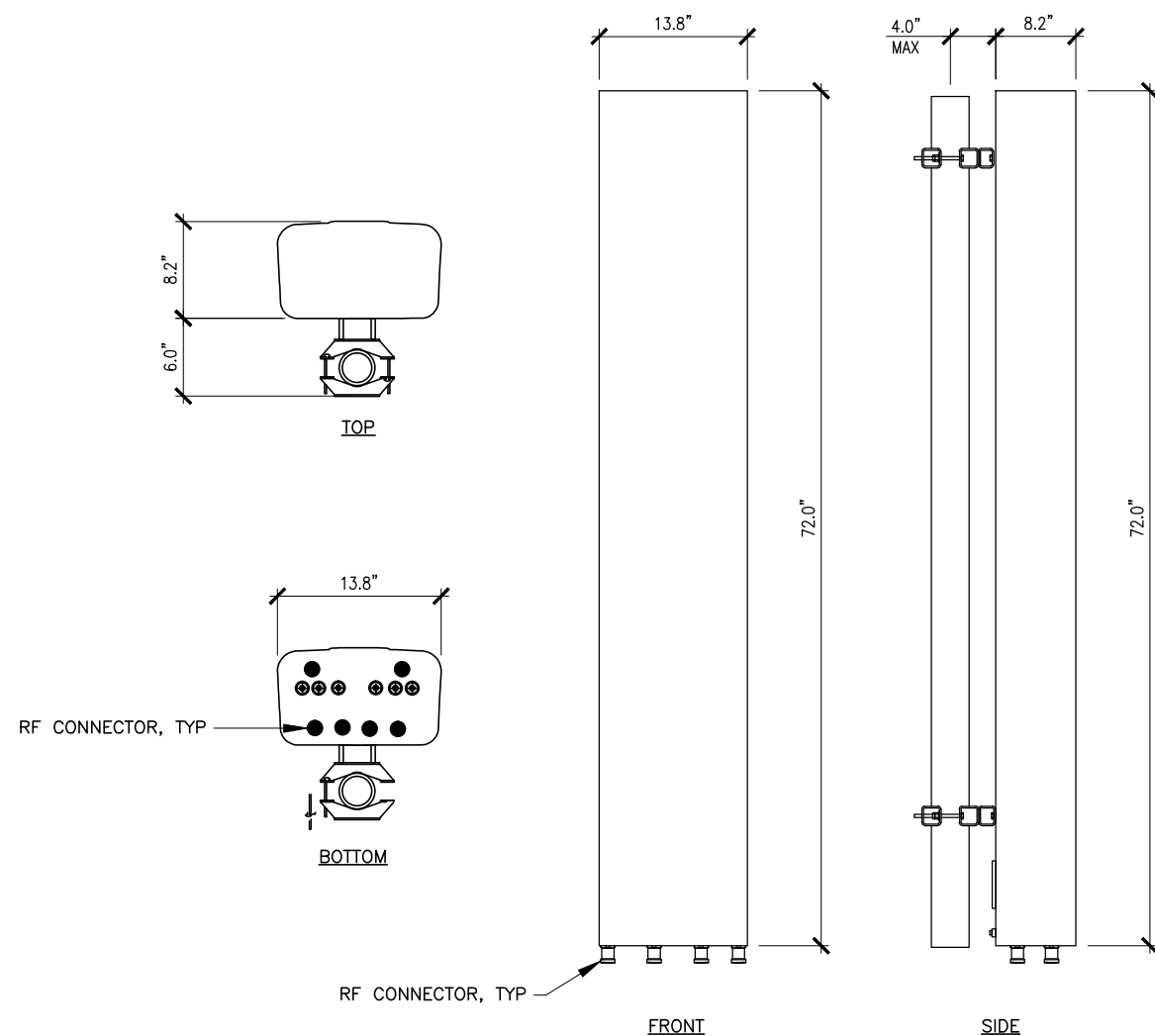
SHEET NUMBER

A4

ANTENNA INFORMATION
PULLED FROM PRELIMINARY
PRODUCT DATA SHEET

COMMSCOPE JAHH-65B-R3B

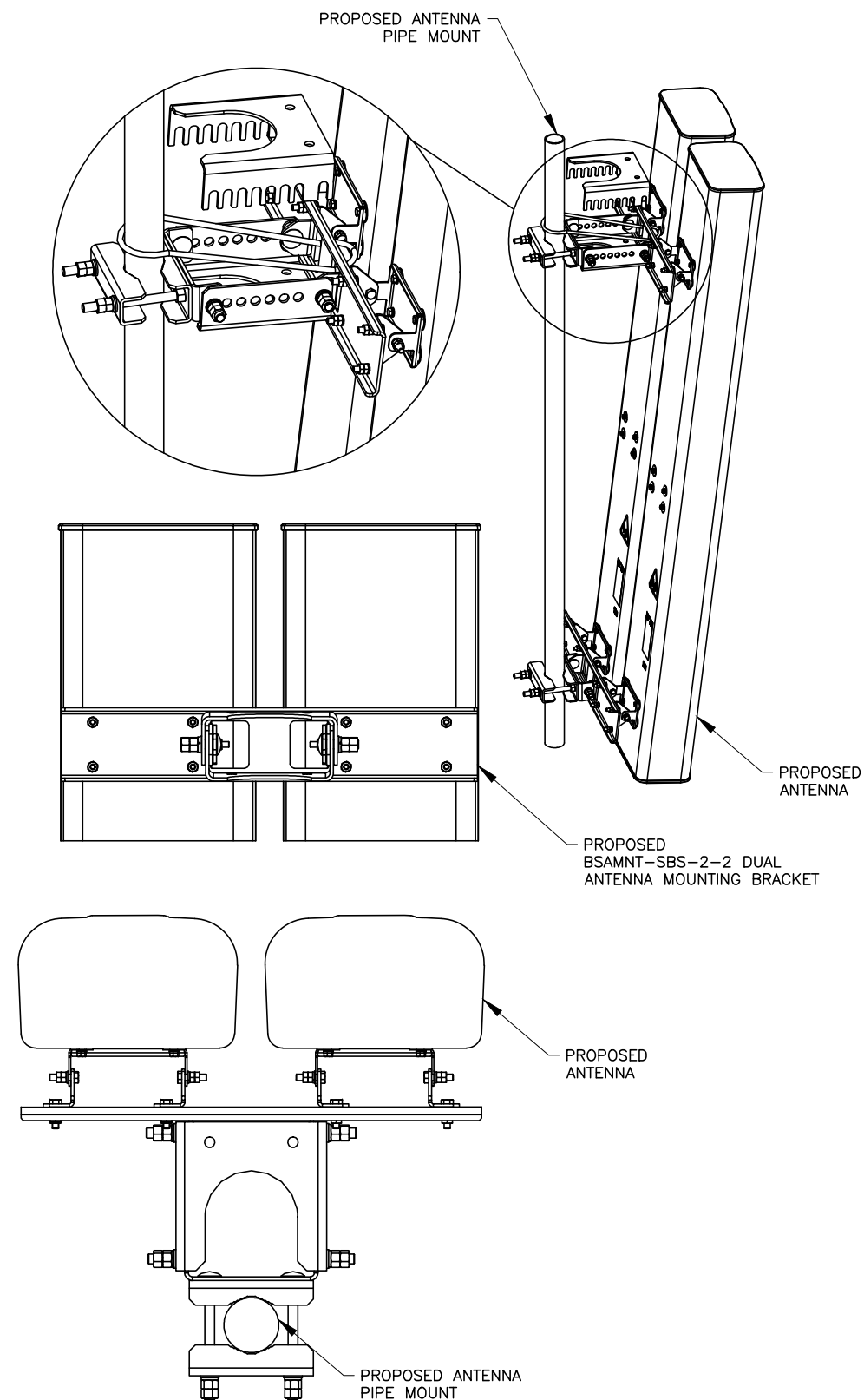
MANUFACTURE: COMMSCOPE
MODEL: JAHH-65B-R3B
DIMENSIONS: 72.0" X 13.8" X 8.2"
H X W X D
WEIGHT: 63.3 LBS
FREQUENCY: REFER TO RF DATA SHEET



1 ANTENNA SPECIFICATIONS

SCALE: N.T.S.

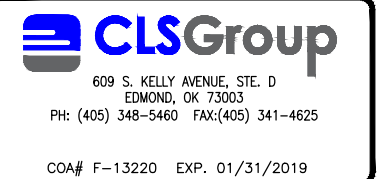
RE: GN22/GN1



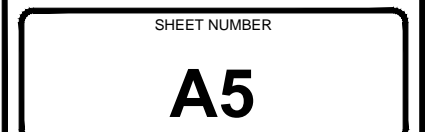
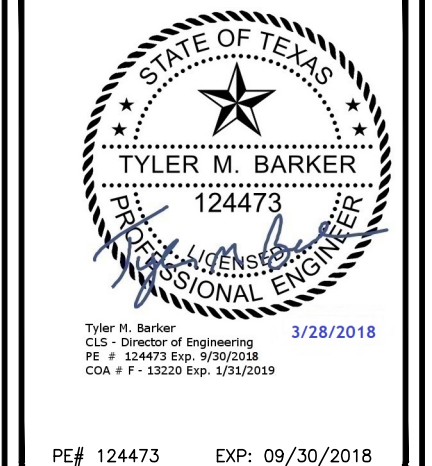
2 BSAMNT-SBS-2-2 ANTENNA MOUNT SPECIFICATIONS

SCALE: N.T.S.

RE: GN22/GN1



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ERICSSON 4478 RRH B5 & B14

MANUFACTURE:

ERICSSON

MODEL:

RADIO 4478 B5 & B14

DIMENSIONS:

H X W X D

15.0" X 13.2" X 7.3"

WEIGHT (LBS):

59.4 LBS

FREQUENCY:

REFER TO RF DATA SHEET

13.2"

15.0"

7.3"

ERICSSON

NOTE:

RRUS CAN ONLY BE PAINTED ON SOLAR SHIELD.

2

4478 RRH SPECIFICATIONS

SCALE: N.T.S.

RE: GN22/GN1

RAYCAP DC6-48-60-18-8C

MANUFACTURE:

RAYCAP

MODEL:

DC6-48-60-18-8C

DIMENSIONS:

H X W X D

23.5" X 9.7" X 9.7"

WEIGHT:

26 LB W/ BRACKET

NOMINAL OPERATION:

VOLTAGE

48 VDC

VOLTAGE PROTECTION:

RATING

400 VOLTS

EQUIPMENT INFORMATION
PULLED FROM PRELIMINARY
PRODUCT DATA SHEET

TOP

FRONT

3

SURGE PROTECTOR SPECIFICATIONS

SCALE: N.T.S.

RE: GN22/GN1

ERICSSON RRUS-32 B2 & B66

MANUFACTURE:

ERICSSON

MODEL:

RRUS-32 B2 & B66

DIMENSIONS:

H X W X D

27.2" X 12.1" X 7.0"

WEIGHT:

53 LBS

FREQUENCY:

REFER TO RF DATA SHEET

27.2"

12.1"

7.0"

ERICSSON

BOTTOM

1

REMOTE RADIO UNIT SPECIFICATIONS

SCALE: N.T.S.

RE: GN22/GN1

NEQ. 15930 RECTIFIER

MANUFACTURE:

EMERSON

MODEL:

UM1R482000e3

DIMENSIONS:

H X W X D (IN)

1.7" X 3.3" X 9.9"

WEIGHT (LBS):

2.49 LBS

NOMINAL:

-48 VOLTS DC

OUTPUT VOLTAGE:

42 TO 58 VOLTS DC

4

NEQ. 15930 RECTIFIER (UM1R482000e3)

SCALE: N.T.S.

RE: GN22/GN1

at&t

1801 VALLEY VIEW LANE
FARMERS BRANCH, TX 75234

ERICSSON

6300 LEGACY DRIVE
PLANO, TX 75024

CLSGroup

609 S. KELLY AVENUE, STE. D
EDMOND, OK 73003
PH: (405) 348-5460 FAX:(405) 341-4625

COA# F-13220 EXP. 01/31/2019

REVISIONS

REV.	DATE	DESCRIPTION	INITIALS
A	02/28/18	PRELIMINARY ISSUE	JRL
0	03/26/18	FOR CONSTRUCTION	JRL

NOT FOR CONSTRUCTION UNLESS
LABELED AS CONSTRUCTION SET

STATE OF TEXAS

TYLER M. BARKER

124473

Professional Engineer

Tyler M. Barker

CLS - Director of Engineering

PE # 124473 Exp. 9/30/2018

COA # F - 13220 Exp. 1/31/2019

3/28/2018

PE# 124473

EXP: 09/30/2018

DX2847

FAIRWAY GREEN PARK

FA#: 12677370

3096 BIG LEAF DRIVE
LITTLE ELM, TX 75068

SHEET TITLE

EQUIPMENT
DETAILS

SHEET NUMBER

A6



KLEINFELDER

Bright People. Right Solutions.

Inspection Report

Date of Inspection: 8/29/2022

Location: Town of Little Elm,
Mansell pump station, Kleinfelder

Inspector: Joshua Jones

Type: Ground

Size: 5,000,000 Gallons

TCEQ Title 30. CHAPTER 290.46 (m)(1). (1) Each of the system's ground, elevated, and pressure tanks shall be inspected annually by water system personnel or a contracted inspection service.

(A) Ground and elevated storage tank inspections must determine that the vents are in place and properly screened, the roof hatches closed and locked, flap valves and gasketing provide adequate protection against insects, rodents, and other vermin, the interior and exterior coating systems are continuing to provide adequate protection to all metal surfaces, and the tank remains in a watertight condition.



Tank Overview

Vents in place and properly screened? **No.** Vent screen needs to be replaced.

STATE RULE: TCEQ Title 30. CHAPTER 290.43 (c) (1) Roof vents shall be gooseneck or roof ventilator and be designed by the engineer based on the maximum outflow from the tank. Vents shall be installed in strict accordance with current AWWA standards and shall be equipped with approved screens to prevent entry of animals, birds, insects and heavy air contaminants. Screens shall be fabricated of corrosion-resistant material and shall be 16-mesh or finer. Screens shall be securely clamped in place with stainless or galvanized bands or wires and shall be designed to withstand winds of not less than tank design criteria (unless specified otherwise by the engineer).



Top vent structure



Top vent screen needs to be replaced

Roof Hatch closed and properly locked? **Yes**
 Roof: Hatch proper size and design? **Yes**

STATE RULE: TCEQ Title 30. CHAPTER 290.43 (c) (2) All roof openings shall be designed in accordance with current AWWA standards. If an alternate 30 inch diameter access opening is not provided in a storage tank, the primary roof access opening shall not be less than 30 inches in diameter. Other roof openings required only for ventilating purposes during cleaning, repairing or painting operations shall be not less than 24 inches in diameter or as specified by the licensed professional engineer. An existing tank without a 30-inch in diameter access opening must be modified to meet this requirement when major repair or maintenance is performed on the tank. Each access opening shall have a raised curbing at least four inches in height with a lockable cover that overlaps the curbing at least two inches in a downward direction. Where necessary, a gasket shall be used to make a positive seal when the hatch is closed. All hatches shall remain locked except during inspections and maintenance.



Roof Hatch closed



Roof hatch opened

Is there a 30" Hatch, manway or bolted panel at any location on the tank? **No, only roof hatches. Lower manway was removed at one point.**

STATE RULE: TCEQ Title 30. CHAPTER 290.43 (c) (10) Access manways in the riser pipe, shell area, access tube, bowl area or any other location opening directly into the water compartment shall be located in strict accordance with current AWWA standards. These openings shall not be less than 24 inches in diameter. However, in the case of a riser pipe or access tube of 36 inches in diameter or smaller, the access manway may be 18 inches times 24 inches with the vertical dimension not less than 24 inches. The primary access manway in the lower ring or section of a ground storage tank shall be not less than 30 inches in diameter. Where necessary, for any access manway which allows direct access to the water compartment, a gasket shall be used to make a positive seal when the access manway is closed.



Inside of manway that was filled in

Overflow flapper valves and gaskets provide adequate protection against insects, rodents and other vermin? **Yes.** Flapper was in **good** condition.

STATE RULE: TCEQ Title 30. CHAPTER 290.43 (c) (3) Overflows shall be designed in strict accordance with current AWWA standards and shall terminate with a gravity-hinged and weighted cover. The cover shall fit tightly with no gap over 1/16 inch. If the overflow terminates at any point other than the ground level, it shall be located near enough and at a position accessible from a ladder or the balcony for inspection purposes. The overflow(s) shall be sized to handle the maximum possible fill rate without exceeding the capacity of the overflow(s). The discharge opening of the overflow(s) shall be above the surface of the ground and shall not be subject to submergence.



Overflow flapper and splashpad



Overflow flapper

Interior was found in **good** condition.



Inside wall



Inside roof and pillars



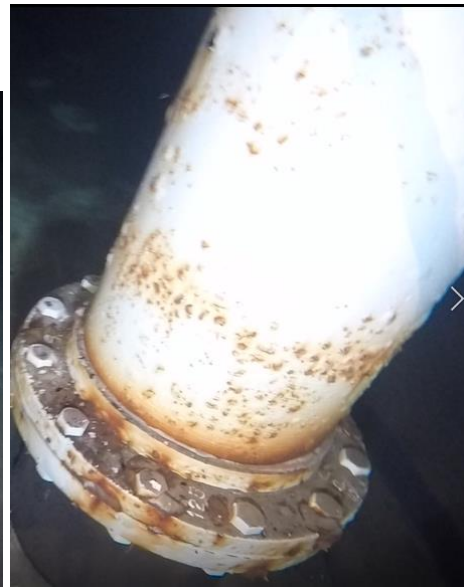
Inside roof and pillars



Inside wall behind the ladder



Outlet pipe



Inlet pipe



One piece of concrete found on the floor from an edge somewhere in the tank

Exterior was in **good** condition.

STATE RULE: TCEQ Title 30. CHAPTER 290.43 (c) (8) All clearwells, ground storage tanks, standpipes, and elevated tanks shall be painted, disinfected, and maintained in strict accordance with current AWWA standards. However, no temporary coatings, wax grease coatings, or coating materials containing lead will be allowed. No other coatings will be allowed which are not approved for use (as a contact surface with potable water) by the EPA, National Sanitation Foundation (NSF), or United States Food and Drug Administration (FDA). All newly installed coatings must conform to American National Standards Institute/National Sanitation Foundation (ANSI/NSF) Standard 61 and must be certified by an organization accredited by ANSI.



Side of tank



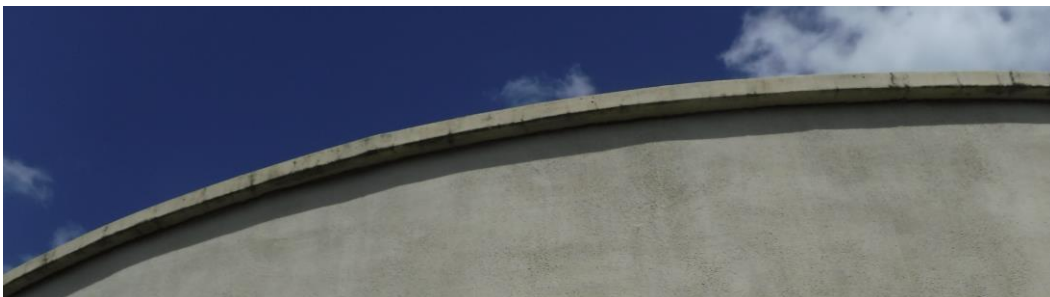
Side of tank



Side of tank with cracking in the texture



Side of tank with some chipped texture



Side of tank and lip



Roof of tank with antennas and cables



Roof of tank



Roof of tank and concrete hatch

The tank is in watertight condition? **Yes**

Potable water leaking out? **No**

Rain water leaking in? **No**

STATE RULE: TCEQ Title 30. CHAPTER 290.43 (c) (6) Clearwells and potable water storage tanks shall be thoroughly tight against leakage, shall be located above the groundwater table, and shall have no walls in common with any other plant units containing water in the process of treatment. All associated appurtenances including valves, pipes, and fittings shall be tight against leakage.

Outside access ladder corroded rungs? **No**

Loose rungs or bolts? **No**

The outside ladder was found in **good** condition.



Outside ladder

Inside ladder above waterline corroded? **No** Below waterline? **No**

Loose rungs or bolts above waterline? **No** Below waterline? **No**



Inside Ladder growth on lower ladder

Foundation: Settling, cracking, anchor bolt problems, deterioration, foundation settling , Spalling, exposed reinforcing steel, vegetation at tank base? **No**

Foundation was found in **good** condition



Foundation

Cathodic Protection: **No.** Anode Plates sealed and secured. **N/A**

Low spots on roof **No** Holes along seams on roof. **No**

Water Quality: Insects or birds in tank? **No**

Debris on the floor of the tank? **Yes, two unidentified objects**



Object 1 and 2 where on other ends of the tanks but both near inlet pipes

Sediment on bottom? **Yes.** Estimated Depth of sediment (if any)? $\frac{1}{4}$ "



Sediment

Oil on the surface of stored water? **No**

Floating debris on the surface of the water? **No**

Is the water level indicator working? **Yes**

STATE RULE: TCEQ Title 30. CHAPTER 290.43 (c)(4) All clearwells and water storage tanks shall have a liquid level indicator located at the tank site. The indicator can be a float with a moving target, an ultrasonic level indicator, or a pressure gauge calibrated in feet of water. If an elevated tank or standpipe has a float with moving target indicator, it must also have a pressure indicator located at ground level. Pressure gauges must not be less than three inches in diameter and calibrated at not more than two-foot intervals. Remote reading gauges at the owner's treatment plant or pumping station will not eliminate the requirement for a gauge at the tank site unless the tank is located at the plant or station.



Bottom of float cable

Basic Security Evaluation: 1). Intruder resistant fence in place? **Yes.**

2). Condition of fence. **Good**

3). Security Lighting? **Yes**

4). Ladder guards in place, or the ladder is 8 or more feet from the ground? **Yes**

5). Illegal entry points noted? **None**

STATE RULE: TCEQ Title 30. CHAPTER 290.43 (e) Facility security. All potable water storage tanks and pressure maintenance facilities must be installed in a lockable building that is designed to prevent intruder access or enclosed by an intruder-resistant fence with lockable gates. Pedestal-type elevated storage tanks with lockable doors and without external ladders are exempt from this requirement. The gates and doors must be kept locked whenever the facility is unattended.

Other Notes: **None**



Fence



Fence since



Date: 03/05/2024
Agenda Item #: 5. E.
Department: Development Services
Strategic Goal: Ensure excellence in public services while keeping up with the growth in the community
Staff Contact: Wesley Brandon, Town Engineer

AGENDA ITEM:

Consider Action to Approve an **Escrow Agreement between the Town of Little Elm and ALTA 3EIGHTY LLC regarding Traffic Improvements.**

DESCRIPTION:

In 2021, the ALTA 380 project was approved, which included a 10-acre development of 288 apartment units near the intersection of US 380 and FM 2931. The project is part of a larger 35-acre development that includes additional commercial areas. As part of the ALTA 380 project, a traffic impact analysis (TIA) was reviewed and approved that includes recommended off-site turn lane improvements to mitigate the project's traffic impacts.

The ALTA 380 development is located adjacent to US 380, which is currently under construction. In order to avoid conflicts with the construction project, the developer has requested an escrow agreement be executed to provide funding for their portion of the required improvements once the US 380 improvements are completed. Since the overall development will also have a property owners association established in the near future, this funding would then be transferred from the Town to the association, along with the responsibility to complete the improvements.

If approved, this escrow agreement will serve as an approved template for use on other projects within the development until the property owners association is established. The draft agreement has been reviewed and approved by the Town Attorney.

BUDGET IMPACT:

There is no direct budget impact to the Town for this item. The proposed developer funding amount for all improvements is \$598,400 and will be divided among the contributing lots within the overall development. The proportional amount will be based on the traffic impacts generated by each project within the development.

RECOMMENDED ACTION:

Staff recommends approval.

Attachments

Draft Escrow Agreement
Cost Estimate

ESCROW AGREEMENT REGARDING ALTA 3EIGHTY OFF-SITE IMPROVEMENTS

This **ESCROW AGREEMENT REGARDING US 380 & FM2931 TIA Recommended Improvements** (“*Escrow Agreement*”) is entered into by and between ALTA 3EIGHTY LLC, a Texas limited liability company (“*Alta 3Eighty*”), and the Town of Little Elm, Texas, (“*Town*”), to be effective March [REDACTED], 2024.

RECITALS

WHEREAS, Alta 3Eighty is the owner of that certain property and development located on approximately 10 acres of land situated in the Town of Little Elm, Denton County, Texas, as more particularly described on Exhibit “A” attached hereto and incorporated herein (the “*Property*”).

WHEREAS, Alta 3Eighty has completed construction of a multi-family development on the Property (the “*Project*”).

WHEREAS, The Town has requested that Alta 3Eighty deposit \$ [REDACTED] (the “*Escrow Funds*”) in escrow with Escrow Agent. The Town plans to use the Escrow Funds to partially fund the construction of right-hand turn lanes (the “*Turn Lane Construction*”) to be built in connection with a proposed future widening of Highway 380 near the Project, as depicted on Exhibit B attached hereto (the “*Highway 380 Expansion*”).

NOW, THEREFORE, the parties to this Escrow Agreement agree as follows:

AGREEMENTS

1. The parties to this Escrow Agreement acknowledge that the RECITALS are true and correct and constitute a part of this Escrow Agreement.
2. The Town, by its execution of this Escrow Agreement: (i) acknowledges the receipt of the Escrow Funds from Alta 3Eighty; (ii) agrees to deposit the Escrow Funds in an FDIC insured interest-bearing account over which the Town has exclusive control; and (iii) agrees to disburse the Escrow Funds solely in accordance with the terms and conditions set forth in this Escrow Agreement. Interest, if any, earned on the Escrow Funds shall be retained by the Town as earned to offset the administrative costs of maintaining the escrow account.
3. The Escrow Funds shall be used by the Town solely for the purposes for which such funds were escrowed for the off-site improvements as set forth in the Kimley-Horn Traffic Impact Analysis dated February 26, 2021 and revised on March 31, 2021, April 26, 2021 and May 5, 2021.
4. Each of the parties to this Escrow Agreement acknowledges and agrees that: (i) it has the requisite power and authority to enter into this Escrow Agreement; (ii) this Escrow Agreement has been duly authorized and approved; and (iii) the person executing this Escrow Agreement on its behalf has been duly authorized to do so.
5. If a future Property Owners Association (“*POA*”) is formed to cover ALTA 380 Addition Block A, Lots 1-11 and the Town elects to assign the Escrow Funds to the POA, the POA

will facilitate the construction of the improvements. The future POA will be responsible for any future assessments related to the improvements.

6. By signing this Agreement, the Town represents and warrants that, as of the Effective Date, Alta 3Eighty has complied with all of the terms and conditions of the Development Agreement and any and all requirements or conditions of the Approvals for the Project. Upon Alta 3Eighty's delivery of the Escrow Funds to the Town, the Town will issue the Approvals (as defined in paragraph 9, below) on or before the Approval Deadline (as defined in paragraph 9, below) without further requirements or conditions.

7. The Town agrees that the Escrow Funds shall be the maximum amount that the Town will request or require that Alta 3Eighty, as owner of the Property, or any of its successors or assigns as future owners of the Property, contribute to the Turn Lane Construction, regardless of whether the actual costs of the Turn Lane Construction exceed the amount of the Escrow Funds (provided the foregoing shall not constitute a representation or warranty by the Town that a future POA may not request additional funds from Alta 3Eighty or any successor owner of the Property for the Turn Lane Construction). The Town further agrees that it will not require Alta 3Eighty to contribute any additional funds to the Turn Lane Construction as a requirement for the issuance of any future Approval (e.g., a license or permit renewal).

8. If the Town fails to issue the Approvals by the Approvals Deadline, Escrow Agent shall immediately refund the entirety of the Escrow Funds to Alta 3Eighty without any further action required by either Party and the Town shall reimburse Alta 3Eighty for the Escrow Fees within thirty (30) days of the Approval Deadline (the "***Reimbursement Deadline***").

9. The Town agrees that no later than five (5) business days after Alta 3Eighty posts the Escrow Funds with the Town (the "***Approvals Deadline***"), the Town will issue the final Certificate of Occupancy for The Project and all other certificates, permits, licenses, and permissions controlled by the Town that are necessary to approve the occupancy of the Project (the "***Approvals***").

10. The Town hereby agrees to hold, invest, and disburse the Escrow Funds and any earnings and interest thereon in accordance with the terms of this Agreement. The Town further agrees that the Escrow Funds held by the Town hereunder shall be segregated from all other property held by the Town and shall be identified as being held in connection with this Agreement.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the Effective Date.

ALTA 3EIGHTY:

ALTA 3EIGHTY LLC, a Texas limited liability company

Signature:_____

Print Name:_____

Title:_____

THE TOWN:

THE TOWN OF LITTLE ELM

Signature:_____

Print Name:_____

Title:_____

EXHIBIT "A"
The Property

ALTA 380 Addition Block A, Lot 1

Exhibit “B”
Depiction of Turn Lane Improvements

Town of Little Elm
Conceptual Level Project Cost Projection



Date: Feb 26, 2024

Project Information:		Description:
Name:	US 380 & FM 2931 TIA Recommendation Improvements	PRE-DESIGN opinion of probable cost for turn lane roadway improvements along US 380 and FM 2931 to access existing and future development. Resulting configuration per the TIA prepared by Kimley-horn dated August 15, 2023. Reference Exhibit A - Four (4) right turn lanes, two (2) left turn lanes. Additional considerations included at the end.

Roadway Construction Cost Projection:				
Item Description	Quantity	Unit	Unit Price	Item Cost
Unclassified Excavation	1,740	CY	\$ 87.00	\$ 151,377
8" Flexible Base	740	CY	Inc. in Pavement cost	
10" Reinforced Concrete Pavement & Curb	3,000	SY	\$ 90.00	\$ 270,000
18" RCP	85	LF	\$ 175.00	\$ 14,875
30" RCP	35	LF	\$ 225.00	\$ 7,875
18" Headwall	4	EA	\$ 6,500.00	\$ 26,000
30" Headwall	1	EA	\$ 8,500.00	\$ 8,500
Traffic Control, Pavement Markings, Roadway Drainage, and Erosion Control	1	EA	\$ 20,000.00	\$ 20,000
10% Contingency				\$ 49,863
Engineering Design Fee (10%)				\$ 49,863
	Construction Cost Total:			\$ 598,400

The Consultant has no control over the cost of labor, materials, equipment, or the Contractor's methods of determining prices or competitive bidding or market conditions. Opinions of probable costs provided herein are based on the information known to the Consultant at this time and represent only the Consultant's judgment as a design professional familiar with the construction industry. The Consultant cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from its opinions of probable costs.

Reference Exhibit A for locations of improvements



Date: 03/05/2024
Agenda Item #: 6. A.
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 the **Order of Cancellation for the May 4, 2024, General Election for the Mayor Race.**

DESCRIPTION:

In accordance with Section 2.051 of the Texas Election Code, elections are canceled in an unopposed at-large race in elections that appear on the same ballot as elections in territorial units, regardless of whether an opposed race is to appear on the ballot in a particular territorial unit.

The Mayor race was unopposed after the filing deadline (February 16, 2024) and the write-in candidacy deadline (February 20, 2024).

In order to cancel this portion of the election, Town Council must accept the Order of Cancellation. This order does not affect the District 3 race. District 3 candidates will still appear on the May 4, 2024, General Election ballot.

BUDGET IMPACT:

There is no budget impact for this item.

RECOMMENDED ACTION:

Staff recommends acceptance.

Attachments

Order of Cancellation

ORDER OF CANCELLATION

ORDEN DE CANCELACIÓN

The Town of Little Elm hereby cancels the Mayoral election scheduled to be held on May 4, 2024, in accordance with Section 2.053(a) of the Texas Election Code. The following candidates have been certified as unopposed and are hereby elected as follows:

El Town of Little Elm por la presente cancela la elección de alcalde que, de lo contrario, se hubiera celebrado el May 4, 2024, de conformidad, con la Sección 2.053(a) del Código de Elecciones de Texas. Los siguientes candidatos han sido certificados como candidatos únicos y por la presente quedan elegidos como se haya indicado a continuación:

Candidate (<i>Candidato</i>)	Office Sought (<i>Cargo al que presenta candidatura</i>)
Curtis J. Cornelious	Mayor

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

El Día de las Elecciones se exhibirá una copia de esta orden en todas las mesas electorales que se hubieran utilizado en la elección.

Mayor (*Alcalde*)

Secretary (*Secretario*)

Date of adoption (*Fecha de adopción*)



Date: 03/05/2024
Agenda Item #: 6. 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 **Ordinance No. 1753 Canceling a Portion of the May 4, 2024, General Election and Declaring the Unopposed Candidate Elected to Office.**

DESCRIPTION:

In accordance with Chapter 2, Subsection C of the Texas Election Code, a political subdivision must cancel an election upon receipt of certification of unopposed status for a candidate.

On March 5, 2024, Town Council received and accepted the notification from the Town Secretary in writing that Curtis J. Cornelious was certified as unopposed for the Mayor race and is declared elected. A copy of the Order of Cancellation is attached. The date of notification is after the filing deadline (February 16, 2024) and the write-in candidate deadline (February 20, 2024).

The attached ordinance will cancel the Mayor race but not the District 3 race. District 3 candidates will still appear on the May 4, 2024, General Election ballot.

Curtis J. Cornelious will be sworn in during the canvassing period for the May 4, 2024, General Election.

BUDGET IMPACT:

There is no budget impact for this item.

RECOMMENDED ACTION:

Staff recommends approval.

Attachments

Ordinance No. 1753
Order of Cancellation

TOWN OF LITTLE ELM, TEXAS

ORDINANCE NO. 1753

AN ORDINANCE OF THE TOWN OF LITTLE ELM, TEXAS, CANCELING A PORTION OF THE MAY 4, 2024, GENERAL ELECTION AND DECLARING THE UNOPPOSED CANDIDATE ELECTED TO OFFICE; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Little Elm, Texas ("**Town**"), is a home rule municipal corporation organized and existing by virtue of the Constitution and laws of the State of Texas and by its Town Charter; and

WHEREAS, by Ordinance No. 1749, duly passed and approved by the Town Council of the Town of Little Elm, Texas, on February 6, 2024, the Town ordered a general election for May 4, 2024, for the purpose of electing a Mayor (for a three-year term) and a Council Member of the Town of Little Elm, Texas, to Place 3 (for a three-year term); and

WHEREAS, the Town Secretary has certified in writing that the Mayoral candidate is unopposed for the election to office for Mayor; and

WHEREAS, the filing deadlines for placement on the ballot and declaration of a write-in candidacy for the Mayor and Council candidates has passed; and

WHEREAS, Section 2.053 of the Texas Election Code authorizes a governing body of a political subdivision, by order or ordinance to declare the unopposed candidate elected to office and cancel a portion of the election; and

WHEREAS, the Town Council hereby finds that the Mayoral candidate for the May 4, 2024, General Election should be declared to be elected to office, and that this portion of the May 4, 2024, General Election, should be canceled.

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

SECTION 1. - INCORPORATION OF PREMISES

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. - CANCELATION OF ELECTION

The Mayoral race for the May 4, 2024, General Election is hereby canceled. The Place 3 race will appear on the ballot.

SECTION 3. - DECLARATION OF ELECTION TO OFFICE

The following candidate is unopposed in the May 4, 2024, General Election, and is hereby declared to be elected to serve for the terms indicated below for the following offices:

Mayor – Curtis J. Cornelious for a three -year term;

He shall be issued a certificate of election on or after May 4, 2024.

SECTION 4. - OATH OF OFFICE AND EXERCISE OF DUTIES

The candidate elect so named in Section 3 of this Ordinance shall be administered the Oath of Office at Little Elm Town Hall and may exercise the duties of office immediately upon swearing in to office.

SECTION 5. - DIRECTIONS TO TOWN SECRETARY

The Town Secretary is hereby directed to post a copy of this Ordinance at all Election Day polling sites on Election Day, May 4, 2024.

SECTION 6. - CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of said Ordinances except those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in forces at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided, however, that any complaint, action, claim or lawsuit that has been initiated or has arisen under or pursuant to any of the Ordinances or sections thereof that have been specifically repealed on the date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance or section thereof and for that purpose the Ordinance or section thereof shall remain in full force and effect.

SECTION 7. - SEVERABILITY

If any section, article, paragraph, sentence, clause, phrase, or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the Town Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 8. - ENGROSSMENT AND ENROLLMENT

The Town Secretary of the Town of Little Elm is hereby directed to engross and enroll this Ordinance by filing this Ordinance in the ordinance records of the Town.

SECTION 9. - EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its date of passage.

PASSED AND APPROVED by the Town Council of the Town of Little Elm, Texas this the 5th day of March, 2024.

Curtis J. Cornelious, Mayor

ATTEST:

Caitlan Biggs, Town Secretary

APPROVED AS TO FORM:

Robert F. Brown, Town Attorney

ORDER OF CANCELLATION

ORDEN DE CANCELACIÓN

The Town of Little Elm hereby cancels the Mayoral election scheduled to be held on May 4, 2024, in accordance with Section 2.053(a) of the Texas Election Code. The following candidates have been certified as unopposed and are hereby elected as follows:

El Town of Little Elm por la presente cancela la elección de alcalde que, de lo contrario, se hubiera celebrado el May 4, 2024, de conformidad, con la Sección 2.053(a) del Código de Elecciones de Texas. Los siguientes candidatos han sido certificados como candidatos únicos y por la presente quedan elegidos como se haya indicado a continuación:

Candidate (<i>Candidato</i>)	Office Sought (<i>Cargo al que presenta candidatura</i>)
Curtis J. Cornelious	Mayor

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

El Día de las Elecciones se exhibirá una copia de esta orden en todas las mesas electorales que se hubieran utilizado en la elección.

Mayor (*Alcalde*)

Secretary (*Secretario*)

Date of adoption (*Fecha de adopción*)