

DRAFT

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

REGULAR TOWN COUNCIL MEETING TUESDAY AUGUST 20, 2024 - 6:00 p.m.

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

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

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

Meeting was called to order at 6:10 p.m.

A. Present and Discuss **Participants for the 2024 Citizen's Government Academy Class.**

The randomizer was generated three times with the final top 25 applicants:

1. **Ronaldo Mateo**
2. **Shalu Pasricha Dua**
3. **Damian Igbe**
4. **Joselyn Passerelle**
5. **Harish Nandhakumar**
6. **Monica Groch**
7. **Nisha Singla**
8. **Paula Ward**
9. **Paul Hensley**
10. **Christine Millard**
11. **Sathiya Murthy**
12. **Steve Koscielak**
13. **Tamyra Cooper-Spears**
14. **Brandon McLemore**
15. **George James**
16. **Eva Davis**

17. ***Paul Wayne Mersiovsky***
18. ***Nicole Johnson***
19. ***Mehelly Bam***
20. ***Robert Passerelle***
21. ***Robert Washington***
22. ***Ariana Lujan***
23. ***Manasi Mahankali***
24. ***Sherrie Patrick***
25. ***Kimberly Nash***

- B. Present and Discuss **Options for a Christmas Event.**

Managing Director of Business Development & Tourism Drew Bailey gave an overview of the two options to Town Council. One option charges admission and is hosted in Little Elm Park, the other option is free and hosted at The Lawn.

Town Council gave direction for staff to focus on the free option at The Lawn.

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

- A. Invocation.

Mayor Pro Tem Jamell Johnson 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- C. Items to be Withdrawn from Consent Agenda.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.

None.

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

None.

3. **Presentations.**

- A. Recognize **Keep Little Elm Beautiful's Chalk Art Winners.**

The Mayor presented the certificates.

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.

KLEB presented the awards to Town Council they received for 2023-2024.

5. **Consent Agenda**

All matters listed under the Consent Agenda are considered to be routine by the Town Council and require little or no deliberation. There will not be a separate discussion of these items and the agenda will be enacted by one vote. If the Council expresses a desire to discuss a matter listed, that item will be removed from the consent agenda and considered separately.

Motion by Mayor Pro Tem Jamell T. Johnson, seconded by Deputy Mayor Pro Tem Tony Singh **to approve the Consent Agenda.**

Vote: 7 - 0 - Unanimously

- A. Consider Action to Approve the **Minutes from the August 6, 2024, Regular Town Council Meeting.**
- B. Consider Action to Approve **Ordinance No. 1768 Approving the 2024-2025 Annual Service Plan Update for the Lakeside Estates Public Improvement District Number Two.**
- C. Consider Action to Approve **Ordinance No. 1769 Approving the 2024-2025 Annual Service Plan Update for the Hillstone Pointe Public Improvement District Number Two.**
- D. Consider Action to Approve **Ordinance No. 1770 Approving the 2024-2025 Annual Service Plan Update for the Rudman Tract Public Improvement District.**
- E. Consider Action to Approve **Ordinance No. 1771 Approving the 2024-2025 Annual Service Plan Update for the Valencia Public Improvement District.**

- F. Consider Action to Approve **Ordinance No. 1772 Approving the 2024-2025 Annual Service Plan Update for the Valencia Public Improvement District Number Two.**
 - G. Consider Action to Approve **Resolution No. 0820202401 Approving Certain Project Expenditures for TIRZ 4; Providing a Severability Clause; and Providing an Effective Date**
 - H. Consider Action to Approve **Resolution No. 0820202402 Approving Certain Project Expenditures for TIRZ Six; Providing a Severability Clause; and Providing an Effective Date.**
 - I. Consider Action to Approve **Resolution 0820202403 Approving a Negotiated Settlement Between the Atmos Cities Steering Committee (ACSC) and Atmos Energy Corp., Mid-Tex Division Regarding the Company's 2024 Rate Review Mechanism Filing; Declaring Existing Rates to be Unreasonable; Adopting Tariffs that reflect Rate Adjustments consistent with the Negotiated Settlement; Finding the Rates to be set by the attached Settlement Tariffs to be Just and Reasonable and in the Public Interest; Approving an Attachment Establishing a Benchmark for Pensions and Retiree Medical Benefits; Requiring the Company to Reimburse ACSC's Reasonable Ratemaking Expenses; Determining that this Resolution was Passed in Accordance with the requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; and Requiring Delivery of this Resolution to the Company and the ACSC's Legal Counsel.**
 - J. Consider Action to Approve a **Ground and Tower Lease Agreement with New Cingular Wireless PCS, LLC, for the Installation, Maintenance, and Operation of Telecommunication Equipment and Associated Antenna at the Town's Elevated Storage Tank Located on the Southwest Corner of Little Elm Parkway and Eldorado Parkway.**
 - K. Consider Action to Approve a **Performance Agreement between Little Elm Economic Development and 99 Singthin Investments, LLC.**
 - L. Consider Action to Approve the **First Amendment to the Ground Lease Purchase Agreement between Little Elm Economic Development and Shops at Lakefront, LLC.**
 - M. Consider Action to Approve a **Performance Agreement between Little Elm Economic Development and Bates Towne Crossing, LLC.**
 - N. Consider Action to Approve a **Proposal from RUTS Construction, LLC., for the replacement of Lift Station #5 Pump Supports and Guild Rails in an Amount not to Exceed \$150,000.**
 - O. Consider Action to Approve **Ordinance No. 1773 Approving the 2024-2025 Annual Service Plan Update for the Spiritas Ranch Public Improvement District.**
 - P. Consider Action to Approve **Ordinance No. 1774 Approving the 2024-2025 Annual Service Plan Update for the Spiritas East Public Improvement District.**
 - Q. Consider Action to Approve **Resolution No. 0820202404 Authorizing the Submission of a Grant Application and Designating the Town Manager as Authorized Representative in matters related to the Safe Streets and Roads for All (SS4A) Program.**
6. **Regular Items.**

- A. Hold a Public Hearing, Present and Discuss the **Proposed Budget for the Town of Little Elm for Fiscal Year 2024-2025.**

Open Public Hearing:
Receive Public Comments:
Close Public Hearing:

Open Public Hearing: 6:48 p.m.
Receive Public Comments: None
Close Public Hearing: 6:49 p.m.

- B. Hold a Public Hearing, Present, Discuss, and Consider Action on **Ordinance No. 1775 Regarding a Request to Amend the Existing Planned Development, Currently Zoned as Planned Development, Based on Light Commercial Standards, Through Ordinance No. 953, Generally Located on the Northwest Corner of the Intersection of F.M. 423 and Little Elm Parkway, within Little Elm's Town Limits, in Order to Allow for Two Additional Outparcels.**

- **Open Public Hearing:**
- **Receive Public Comments:**
- **Close Public Hearing:**
- **Take Action on Ordinance No. 1775:**

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

Open Public Hearing: 6:58 p.m.
Receive Public Comments: None
Close Public Hearing: 6:59 p.m.

Motion by Council Member Andrew Evans, seconded by Council Member Ken Eaken ***to approve Ordinance No. 1775.***

Vote: 7 - 0 - Unanimously

- C. Present, Discuss, and Consider Action a **Development Agreement between the Town of Little Elm and Rosebriar Little Elm, L.P.**

Motion by Council Member Michel Hambrick, seconded by Mayor Pro Tem Jamell T. Johnson ***to approve the Development Agreement.***

Vote: 7 - 0 - Unanimously

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.

Council convened into Executive Session at 7:00 p.m.

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.

Council reconvened into Open Session at 8:28 p.m. No action was taken.

9. Adjourn.

Meeting was adjourned at 8:29 p.m.

Respectfully,

Caitlan Biggs
Town Secretary

Passed and Approved this _____ day of _____ 2024.