

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

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

Work Shop, Public Hearings and Regular Council Meeting

Tuesday, March 15, 2011 - 6:00 PM

Town Hall Center---Council Conference Room and Chamber---100 W Eldorado Parkway

1. Call to Order Work Shop at 6:00 p.m.
 - A. Discuss Aramco Multi-Family Tracts (Interim Director of Planning)
 - B. Presentation on the 2011 Street Maintenance Program. (Public Works Director/Town Engineer)
 - C. Hear Auditor's Report on the Town's Comprehensive Annual Financial Report (CAFR) as of September 30,2010 from the audit firm of Rylander, Clay & Optiz, LLP.(Finance)
 - D. Items to be withdrawn from Consent Agenda.
 - E. Emergency Items if posted.
 - F. Request by the Town Council for items to be placed on the next regular council agenda for discussion, and recognition of excused absences.
2. Roll Call/Call to Order Public Hearings and Regular Meeting at 7:00 p.m.
3. Opening Prayer: Minister George Bewley-Crossridge Church.
4. Pledge to the Flags:
 - A. United States Flag

B. Texas Flag:

Honor the Texas Flag I pledge allegiance to thee
Texas, one state under God, one and indivisible.

5. Public Hearing: regarding a request to rezone approximately 5.05 acres of land from Light Commercial (LC) to Planned Development District (PD-LC), located at 26740 Hwy 380, Aubrey, Texas 76227, within the Town Limits of Little Elm, Denton County, Texas. All interested citizens are welcome to attend the hearing and participate in same. (Please fill out speaker form on the table outside the chambers and present to the Town Secretary prior to public hearing). (Interim Director of Planning)

A. Staff Report.

B. Open Public Hearing.

C. Applicant and Public Comments.

D. Close Public Hearing.

- E. Discussion and Action to adopt Ordinance No. 1038 an Ordinance of the Town of Little Elm amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, herefore amended, by changing the zoning on approximately 5.05 acres of land generally located at 26740 U.S. Highway 380 from Light Commercial (LC) with 380 Overlay District to Planned Development District with Light Commercial Base Zoning and 380 Overlay District (PD-LC) in order to expand an existing storage facility; providing for a saving clause; correcting the official Zoning Map; providing a penalty; providing a severability clause; providing a repealer clause; and providing for an effective date.

6. Public Hearing: regarding a request to rezone approximately 110 acres of land from Agricultural (AG) and Light Commercial (LC) district to Planned Development District for Multi Family Uses (PD-MF), generally located at the southwest corner of Little Elm Parkway & FM 423 and the southeast corner of Smotherman Road & FM 423 and a request to re-categorize 110 acres of land from Medium Density Residential and Retail/Office to High Density Residential. All interested citizens are welcome to attend the hearing and participate in same. (Please fill out speaker form on the table outside the chambers and present to the Town Secretary prior to public hearing). (Interim Director of Planning)

A. Staff Report.

- B. Open Public Hearing.
 - C. Applicant and Public Comments.
 - D. Close Public Hearing.
 - E. Discussion and Action to adopt Ordinance No. 1039 an Ordinance of the Town of Little Elm, Texas, amending the Future Lane Use Plan of the 2008 Comprehensive Plan to re-categorize approximately 110 acres of land from Medium Density Residential and Retail/Office to High Density Residential; amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, herefore amended, by changing the zoning on approximately 110 acres of land generally located at the southwest corner of Little Elm Parkway and FM 423 and the southeast corner of Smotherman Road and FM 423 from Agriculture (AG) and Light Commercial (LC) Districts to Planned Development District for Multi-Family Uses (PD-MF); providing a savings clause; correcting the official zoning map; providing a penalty; providing a severability clause; providing a repealer clause; and providing an effective date.
7. Presentations and announcement: Persons may address the Town Council on any issue. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. Please observe the time limit of three (3) minutes. In accordance with the State of Texas Open Meeting Act, the Council may not comment or deliberate such statements during this period, except as authorized by Section 551.072, Texas Government Code.
8. Consent Agenda: All matters listed under the Consent Agenda are considered to be routine by the Town Council and require little or no deliberation. There will not be a separate discussion of these items and the agenda will be enacted by one vote. If the Council expresses a desire to discuss a matter listed, that item will be removed from the consent agenda and considered separately:
- A. Minutes of the March 1, 2011 Pre-Session and Regular Meeting
 - B. Final Plat for Frisco Ranch, Phase 4A, from Petit Barraza, generally located at the southwest corner of Frisco Ranch Drive & FM 423, within the Town's ETJ. (Interim Director of Planning)
 - C. Final Plat for Frisco Ranch Phase 4B, from Petit Barraza, generally located at the southwest corner of Frisco Ranch Drive & FM 423, within the Town's ETJ. (Interim

Director of Planning)

D. Receive Comprehensive Annual Audited Financial Report (CAFR) as audited by the Town's independent auditors, Rylander, Clay & Optiz, LLP. (Finance Director)

9. Reports and requests for Town Council consideration and appropriate action:

A. Discussion and Action to adopt Ordinance No.1042 an Ordinance of the Town of Little Elm amending the Code of Ordinance by repealing Ordinance No. 906 save and except Items #50 and #54, providing for the adoption of the International Fire Code, 2009 Edition; providing amendments to the International Fire Code, 2009 Edition; providing for a severability clause; providing for a repealing clause; providing a saving clause; providing a penalty for violation of this Ordinance not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date. (Fire Marshal)

B. Discussion and Action to adopt Ordinance No. 1043 an Ordinance of the Town of Little Elm, Texas adopting the following: (A) International Residential Code 2009 Edition, (B) International Building Code 2009 Edition, (C) International Energy Conservation Code 2009 Edition, (D) International Fuel Gas Code 2009 Edition, (F) International Mechanical Code 2009 Edition, (G) International Plumbing Code 2009 Edition, (H) International Property Maintenance Code 2009 Edition, (I) International Existing Building Code 2009 Edition, and (J) National Electric Code 2008 Edition, providing amendments to the various Code and Standards adopted herein; repealing Ordinance No. 929 of the Town relating to International Residential Code 2006 Edition, International Building Code 2006 Edition, International Energy Conservation Code 2006 Edition, International Fuel Gas Code 2006 Edition, International Mechanical Code 2006 Edition, International Plumbing Code 2006 Edition, International Property Maintenance Code 2006 Edition, National Electric Code 2005; providing for enforcement; providing a savings clause; providing a penalty not to exceed the sum of \$2,000.00 for each offense governing Fire Safety, Zoning or Public Health and Sanitation and the sum of \$500.00 for all other offenses, and a separate offense shall be deemed committed each day during or on which a violation occurs or continues; providing a severability clause; providing an effective date. (Building Official)

C. Discussion and Action to adopt Ordinance No. 1041 an Ordinance of the Town of Little Elm, Texas amending Chapter 22, Article IV, entitled "Capital Improvements Impact Fees," of the Code of Ordinances of the Town of Little Elm, Texas, by providing revised procedures and related administrative provisions regarding the implementation of the Town's existing Water, Wastewater and Roadway Impact Fees; providing for the Ordinance be cumulative; providing for severability and a limited repealer; and providing for an effective date. (Town Engineer)

- D. Discussion and Action to approve the Comptroller of Public Accounts Grant Agreement (ARRA) for Distributed Renewable Energy Program between the Town of Little Elm and the Comptroller of Public Accounts to accept a grant in the amount of \$798,676.20 and authorize the Town Manager to execute a contract for the same. (Town Engineer)

- E. Discussion and Action to approve Ordinance No. 1045 an Ordinance of the Town of Little Elm, Texas, amending the Town's Budget for the fiscal year, October 01, 2010 through September 30, 2011, so as to include therein certain adjustments which are for General Fund appropriations pertaining to a Renewable Energy Technology Grant Award and required matching funds for which are not included in the current year budget; providing that expenditures from said fiscal year shall be made in accordance with said amended budget; and providing for an effect date. (Finance Director)

- F. Discussion and Action to approve the Distributed Renewable Technology Stimulus Grant for the Design-Build of Solar Energy for Town Hall and the Public Safety Center between the Town of Little Elm and McKinstry Essention, Inc. in the amount of \$958,411.44 and authorize the Town Manager to execute a contract for the same. (Town Engineer)

- G. Discussion and Action to approve revised Organization Chart and revised Employee Pay Plan. (Town Manager)

- 10. The Town Council will hold a Closed (executive) session meeting pursuant to Chapter 551, Texas Government Code, Vernon's Texas Code Annotated, in accordance with the authority contained in:
 - A. Section 551.071: Consultation with Town Attorney to receive legal advice concerning legal matters and contemplated litigations:
 - 1. Consultation with Town Attorney regarding the Texas Constitution Article XI, Section 11, Article XVI, Section 65, Article XVI Section 17; and Town Charter Section 3.05.

- 11. Reconvene into Open Session: Discussion and consideration to take any action necessary as the result of the Closed (executive) session.
 - A. Section 551.071:

1. Consultation with Town Attorney regarding the Texas Constitution Article XI, Section 11, Article XVI, Section 65, Article XVI Section 17; and Town Charter Section 3.05.

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

A. Town Secretary Monthly Report for February 2011

B. Planning and Development Report for February 2011

13. Adjourn Work Shop and Regular Meeting.

Pursuant to the Texas Open Meeting Act, (Chapter 551, Texas Government Code), one or more of the above items will be taken or conducted in open session following the conclusion of the executive closed session.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aide of service such as interpreters for the hearing impaired, reader or large print are requested to contact the secretary at 214-975-0404 two days prior to the meeting so appropriate arrangements can be made. **BRILLE IS NOT PROVIDED.**

Respectfully


Town Secretary

This is to certify that the above notice was posted on the bulletin board at the Town Hall Center this 11th day of March 2011.