

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

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

Workshop and Regular Town Council

Tuesday, December 15, 2020 - 6:00 PM
Town Council Chambers
100 West Eldorado Parkway
Little Elm, TX 75068

1. Notice Regarding **Public Participation and Town Council/Town Staff Attendance.**
2. **Call to Order** Council Work Shop at 6:00 p.m.
 - 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 - C. Items to be **Withdrawn from Consent Agenda.**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. **Update** on Alarm Permit Program. **8**
 - G. **Discuss** the Rebranding of the Little Elm Community Recreation Center to The Rec at The Lakefront™.
 - H. Presentation of **Monthly Updates.**
 - I. Town Council to **Highlight Items on the Agenda Needing Further Discussion or Comments Prior to the Regular Session.**
3. **Roll Call/Call to Order Regular Town Council Immediately Following Council Workshop.**
4. **Presentation** for Ron Trees for his service on the DCTA Board of Directors.

5. **Public Comments.** Persons may address the Town Council on any issue. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meeting Act, the council may not comment or deliberate such statements during this period, except as authorized by Section 551.072, Texas Government Code.
6. **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. **Approve** Minutes from the December 1, 2020, Regular Meeting.
 - B. **Approve** Resolution No. 1215202001 Opposing Any Further Alignment of U.S. Hwy 380 that Expands the Right-Of-Way Along the Corridor between F.M. 423 and F.M. 720, within the Town Of Little Elm, Denton County, Texas; and Providing for an Immediate Effective Date.
 - C. **Consider Action** on Resolution Number 1215202002 suspending the January 23, 2021, effective date of CoServ Gas, LTD. required increase to permit the Town time to study the request and to establish reasonable rates; approving cooperation with other cities in the CoServ Gas, Ltd. service area; hiring legal and consulting services to negotiate with the company and direct any necessary litigation and appeals; authorizing intervention in docket OS-20-00005136 at the Railroad Commission; requiring reimbursement of Cities' rate case expenses; finding that the meeting at which the resolution is passed is open to the public as required by law; requiring notice of this resolution to the Company and legal counsel.
 - D. **Approve** Resolution 1215202003 approving an amendment to the Town's Investment Policy; authorized broker/dealers; recording the annual review; and an effective date.
 - E. **Approve** Resolution No. 1215202005 Approving the Resolution of the Board of Directors of Little Elm Economic Development Corporation Authorizing the First Amendment to Promissory Note and Loan Agreement No. 6863 and Resolving other Matters Incident and Related Thereto.
 - F. **Approve** the 2020–2021 Interlocal Cooperation Agreement allowing the Town of Little Elm to extend Ambulance Services to Denton County.
 - G. **Approve** the 2020–2021 Interlocal Cooperation Agreement allowing the Town of Little Elm to extend Fire Protection Services to Denton County.

- H. **Approve** an Agreement between the Town of Little Elm and Patricia Adams for services as presiding Municipal Judge and Magistrate of the Little Elm Municipal Court for a period of two years.
 - I. **Authorization** of Task Order with Parkhill/Schrickel Rollins for the FM 423 Green Ribbon Landscaping Project
 - J. **Authorization** to execute Change Order #2 to D&S Engineering Labs, LLC for Construction Materials Testing associated with the Little Elm Aquatic Center Project.
 - K. **Authorization** of Task Order with Teague Nall and Perkins, Inc. for the King Road Expansion Project.
 - L. **Authorization** to execute Change Order #1 to Hidell and Associates Architects, Inc. for the Town Building Expansion Project.
7. **Public Hearing** to consider amending an Ordinance of the Town Council of the Town of Little Elm, Texas, Amending Ordinance Nos.1406, 1371, 1310, 1258, 1255 Concerning Reinvestment Zone Number Five, Town of Little Elm, Texas, Established Pursuant to Chapter 311 of the Texas Tax Code, by Amending and Changing the Boundaries and Size of Tax Increment Financing Reinvestment Zone Number Five, Town of Little Elm, Texas, by Adding an Approximately 5.001 Acres of Land to Reinvestment Zone Number Five, Town of Little Elm, Texas, as Described and/or Depicted in Exhibit A of this Ordinance, to Provide that Reinvestment Zone Number Five, Town of Little Elm, Texas Now Consists of 948.501 Acres of Land, as Described and/or Depicted in Exhibit B of this Ordinance, Which is Attached Hereto and Incorporated Herein for All Purposes; Providing a Severability Clause; and Providing for an Effective Date.
- A. Staff Report:
 - B. Open Public Hearing:
 - C. Receive Public Comments:
 - D. Close Public Hearing:
 - E. **Discussion and Action** to adopt Ordinance No. 1584 of the Town of Little Elm, Texas, Amending Ordinance Nos.1406, 1371, 1310, 1258, 1255 Concerning Reinvestment Zone Number Five, Town of Little Elm, Texas, Established Pursuant to Chapter 311 of the Texas Tax Code, by Amending and Changing the Boundaries and Size of Tax Increment Financing Reinvestment Zone Number Five, Town of Little Elm, Texas, by Adding an Approximately 5.001 Acres of Land to Reinvestment Zone Number Five, Town of Little Elm, Texas, as Described and/or Depicted in Exhibit A of this Ordinance, to Provide that Reinvestment Zone Number Five, Town of Little Elm, Texas Now Consists of 948.501 Acres of Land, as Described and/or Depicted in Exhibit B of this Ordinance, Which is

Attached Hereto and Incorporated Herein for All Purposes; Providing a Severability Clause; and Providing for an Effective Date.

8. **Public Hearing** to consider an Ordinance of the Town of Little Elm, Texas, Amending Ordinance Nos. 1256, 1259, 1311, And 1410, by Approving an Amendment to the Reinvestment Zone Number Five, Town of Little Elm, Texas, Final Project and Financing Plan, by Increasing the Size of Tax Increment Financing Reinvestment Zone Number Five, Town of Little Elm, to a Total of 948.501 Acres and Making Amendments Related Thereto; Providing a Severability Clause; Providing a Repealer Clause; and Providing for an Immediate Effective Date.
 - A. Staff Report:
 - B. Open Public Hearing:
 - C. Receive Public Comments:
 - D. Close Public Hearing:
 - E. **Discussion and Action** to adopt Ordinance No. 1585 of the Town of Little Elm, Texas, Amending Ordinance Nos. 1256, 1259, 1311, And 1410, by Approving an Amendment to the Reinvestment Zone Number Five, Town of Little Elm, Texas, Final Project and Financing Plan, by Increasing the Size of Tax Increment Financing Reinvestment Zone Number Five, Town of Little Elm, to a Total of 948.501 Acres and Making Amendments Related Thereto; Providing a Severability Clause; Providing a Repealer Clause; and Providing for an Immediate Effective Date.
9. **Public Hearing** for a Resolution of the Town of Little Elm, Texas Authorizing and Creating the Spiritas Ranch Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code.
 - A. Staff Report:
 - B. Open Public Hearing:
 - C. Receive Public Comments:
 - D. Close Public Hearing:
 - E. **Discussion and Action** to Approve Resolution 1215202006 of the Town of Little Elm, Texas Authorizing and Creating the Spiritas Ranch Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code.
10. **Public Hearing** regarding a request to rezone approximately 4.4 acres of land from Lakefront LF) w/Specific Use Permit for Child Care to Planned Development-Lakefront (PD-LF) to allow for the use of Mixed-Use and

Commercial with modified development standards, generally located at the southwest corner of Eldorado Parkway and Hillside Drive, within Little Elm's town limits.

- A. Staff Report:
- B. Open Public Hearing:
- C. Receive Public Comments:
- D. Close Public Hearing:
- E. **Discussion and Action** to adopt Ordinance No. 1581 an Ordinance of the Town of Little Elm, Texas amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, herefore amended, by rezoning approximately 4.4 acres of land from Lakefront (LF) with Specific Use Permit for Child Care Center to Planned Development-Lakefront (PD-LF) with Specific Use Permit for Child Care Center to allow for the use of commercial and mixed-use with modified development standards, generally located at the southwest corner of Hillside Drive and Eldorado Parkway; correcting the official zoning map; providing a saving clause; providing a severability clause; providing for a penalty; and providing for an effective date.
- F. **Discussion and Action** to approve the Development Agreement for the Lakeshore Plaza Planned Development between the Town of Little Elm and Matt Mahdi Shekari with Lakeshore Plaza and authorize the Town Manager to execute amendment for the same subject to the Planned Development Ordinance being approved.

11. **Public Hearing** to Discuss an Ordinance of the Town Of Little Elm, Texas Amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, Herefore Amended, by Rezoning Approximately 108.0 Acres of Land from Community Facilities (Cf) to Planned Development-Community Facilities (Pd-Cf) to Allow for an Expansion to the High School Campus and Stadium with Modified Development Standards, Generally Located at the Southeast Corner Of US 380 and Navo Road; Correcting the Official Zoning Map; Providing a Savings Clause, Providing a Severability Clause; Providing a Penalty; and Providing for an Effective Date.

- A. Staff Report:
- B. Open Public Hearing:
- C. Receive Public Comments:
- D. Close Public Hearing:

- E. **Discussion and Action** to Approve Ordinance No. 1583 of the Town Of Little Elm, Texas Amending the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, Herefore Amended, by Rezoning Approximately 108.0 Acres of Land from Community Facilities (Cf) to Planned Development-Community Facilities (Pd-Cf) to Allow for an Expansion to the High School Campus and Stadium with Modified Development Standards, Generally Located at the Southeast Corner Of US 380 and Navo Road; Correcting the Official Zoning Map; Providing a Savings Clause, Providing a Severability Clause; Providing a Penalty; and Providing for an Effective Date.

12. Convene into Executive Session.

Town Council will convene into Executive Session pursuant to Texas Government Code:

- Section 551.071 to discuss the COVID-19 pandemic and municipal authority to respond to the COVID-19 outbreak.
- Section 551.071 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).
 - Town Secretary
- Section 551.076 to discuss security matters.
- Section 551.087 to discuss Economic Development.

13. Reconvene into Open Session.

Town Council will reconvene into open session to discuss and consider actions necessary as a result of the Executive Session:

- Reconvene into open session to discuss and take action, if deemed appropriate, on the 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 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).
 - Town Secretary
- Section 551.076 to discuss security matters.
- Section 551.087 to discuss Economic Development.

14. 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 214-975-0404 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 Posted on December 10, 2020, before 5 p.m..



Alarm Permits

Background:

Alarm permits became required in the Town of Little Elm in September 2003 with the passage of Ordinance 605. To reflect changes made to State law with SB 568, the Town passed Ordinance 730 in October of 2005. This added additional provisions regarding alarm permitting and adjusted the fees for recurring false alarms. This is the ordinance that the Town follows today.

PMAM has been contracted by the Town since April 2009 to maintain databases of registered alarm permits and false alarms, identify locations where alarms have been installed but not permitted, bill and collect payments in accordance to the Town's ordinance, generate renewal and suspension notices, and generate reports for the Town. The contract with PMAM is up for renewal every 2 years, with the latest renewal period being 05/01/20 - 04/30/2022.

Details of Current Process:

When a resident installs an alarm system, the alarm company is required by state law to tell the homeowner to look into the Town's alarm permitting. The resident can find the alarm permit application on the Town's website or at the Public Safety building. The resident then fills out the application by hand and mails it to PMAM. PMAM handles processing new registrations, payment, and adds the new alarm permit to their existing database of all alarm systems in Town. Once a month, checks are sent to PMAM for 39% of the fees and to the Town for 61% of the fees.

Every month, a PD staff member sends a report to PMAM of all the false alarms that occur over the month. PMAM runs this list against its database of registered alarms and contacts any homeowner that does not have a permit for their alarm system. PMAM is responsible for maintaining the database and ensuring alarm permits are renewed annually.

Each day an alarm system is operated without a permit, the owner can be fined up to \$500.00. The holder of a permit shall pay a fine of: (1) Fifty dollars if the location has had more than three but fewer than six other false alarm notifications in the preceding 12-month period; (2) Seventy five dollars if the location has had more than five but fewer than eight other false alarm notifications in the preceding 12-month period; or (3) One hundred dollars if the location has had eight or more other false alarm notifications in the preceding 12-month period.

Grounds of Terminating Contract:

The Town may terminate the contract at any time by giving 90 days written notice to PMAM. The Town shall pay all that is payable until the day PMAM stops providing services under the agreement. There are no additional penalties for terminating the contract.

Importance of False Alarm Reduction:

The primary goal of alarm permits is to reduce false alarms. False alarms are a drain on police resources because they require officers to check out the alarm instead of being around Town for other calls/protection. This can also increase call response times. In 2019, Little Elm had a total of 2,039 false alarms with an average of 170 per month. From January to October of this year, there have been 1,530 false alarms with an average of 153 per month.

Additional Ideas:

Regular social media campaign to remind residents to register/renew their permit.

Implement online applications/payment to make PMAM more customer friendly and efficient. This is already an option, so staff would need to implement this on the Town's website and let the public know. www.famspermit.com/littleelm

Surrounding Cities with Alarm Permit Ordinances:

Surrounding cities show to have a pretty even breakdown between servicing permits in-house, through PMAM, or through CryWolf.

In-house: Corinth, Denton, Lewisville, Prosper

PMAM: Allen, Coppell, Keller, The Colony

CryWolf: Addison, Carrollton, Celina, Frisco, Garland, McKinney, Plano

Option	Details	Pros	Cons
Eliminate Permit Requirement	The Town does not legally have to require alarm permits. Ordinance 730 would need to be repealed by Town Council in order to eliminate the permit requirement.	Residents would not need to go through the process of registering or paying for a permit.	Town loses the \$60,000 annual revenue generated from alarm permits. Heightened false alarms which are a strain on police resources.
Maintain the Status Quo	Continue the process the Town currently has with PMAM. Staff can easily implement online services for applications and payment.	Less than 5 complaints with the current system over the last year. The Town has not fully utilized the online functionality of PMAM applications and payments for residents. If the Town pursues this, it would increase efficiency and customer service at no added cost. The Town has a signed contract with PMAM effective until 4/30/2022.	PMAM has been unresponsive to residents and Town staff. Information is stored at PMAM, so PD doesn't have real-time access to owner information. Citizens aren't given a permit number, so they have a hard time communicating with PMAM.
Outsourcing to a Different Company	Based on Staff research, CryWolf by Central Square Technologies is another entity that provides these services in the DFW Metro.	Potential for better customer service, higher efficiency, and/or more profit. Real time access to information. CryWolf has the ability to locate every Alarm installer doing business in our jurisdiction, request the list of all installations and send letters out to each person that does not have a permit.	Spend resources on retraining staff. Some neighboring cities that use CryWolf, require more staff involvement than what PMAM currently requires. May be confusing for those that have permits through PMAM, but will have to renew using CryWolf.

Moving In-House	Town staff would take on the role of processing and keeping track of all alarm permits. The Police Department could take on the role or it could be brought into the permitting division of Development Services.	All data would be stored in house which allows for easier/faster access to the information when it's needed (i.e. when an alarm goes off).	Current police administrative staffing (3 FTE) does not have the capacity to add this function. Development Services staffing (2 FTE) does not have the capacity to add this function. Alarm permits alone don't make enough revenue (\$60,000) to support an additional FTE.
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TOWN OF LITTLE ELM, TEXAS

ORDINANCE NO. 730

AN ORDINANCE OF THE TOWN OF LITTLE ELM, TEXAS ADOPTING REGULATIONS RELATING TO ALARM SYSTEMS WITHIN THE TOWN; PROVIDING DEFINITIONS; PROVIDING PROVISIONS REGARDING AN APPLICATION FOR AND ISSUANCE OF AN ANNUAL ALARM PERMIT; PROVIDING FOR PROPER ALARM SYSTEM OPERATION AND MAINTENANCE; PROVIDING FOR THE DISABLING OF ALARM SYSTEMS; PROVIDING A FINE FOR EXCESSIVE FALSE ALARMS; PROVIDING FOR PERMIT REVOCATION AND REINSTATEMENT; PROVIDING THAT THIS ORDINANCE SHALL APPLY TO ALARMS IN THE TOWN FROM AND AFTER OCTOBER 4, 2005; PROVIDING FOR OTHER MATTERS IN CONNECTION WITH AN ALARM; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING A SAVINGS CLAUSE, AND REPEALING ORDINANCE NO. 605 OF THE TOWN IN ITS ENTIRETY, EXCEPT AS PROVIDED FOR HEREIN; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Definitions. For the purpose of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Alarm system means a device or system that emits, transmits or relays a signal intended to summon an emergency service of the city, including, but not limited to, local alarms. An alarm system does not include:

- (1) An alarm installed on a motor vehicle unless installed at a permanent site.
- (2) An alarm system designed to alert only the inhabitants within a premises.
- (3) An alarm system that has been disabled and does not have the ability to send an alarm notification to emergency service personnel.

Alarm notification means a notification intended to summon emergency service personnel of the city, which is designed either to be initiated purposely by a person or by an alarm system that responds to a stimulus characteristic of fire or unauthorized intrusion.

Alarm site means a single premises or location (one street address) served by an alarm system or systems that are under the control of one owner or tenant.

Director means the chief of police or fire department of the city or the Director's authorized representative.

City means Town of Little Elm

False alarm notification means an alarm notification to an emergency service department where an agency of the city responds within thirty (30) minutes of the alarm notification and determines from an inspection of the interior or exterior of the premises that there was no evidence of actual or attempted intrusion, fire or threat to life, as the case may be.

Local alarm means an alarm system which emits a signal at an alarm site that is audible or visible from the exterior of a structure and has as its purpose the summoning of aid from a city department.

Permit means a certificate, license, permit or other form of permission that authorizes a person to engage in an action.

Person means an individual, corporation, partnership, association, organization, or similar entity.

Section. 2. Permit required; application; issuance.

(a) A person commits an offense if he operates or causes to be operated an alarm system without first obtaining a valid permit issued by the director for such system. This requirement is applicable to the person responsible for the management and control of the property which the alarm system is designed to protect.

(b) An alarm system user or his agent shall obtain a permit for each alarm site within thirty (30) days after the effective date.

(c) Application for a permit under the provisions of this article constitutes a grant of approval for members of the police department to conduct a search for intruders or the fire department to conduct a search for injured or ill persons on the interior of any building on the alarm site found to be unsecured when responding to the alarm site as a result of an alarm notification.

(d) Upon receipt of a completed application form, the director shall issue a permit to the applicant unless the applicant has failed to pay a fee assessed under section 11 or has had a permit for the alarm site revoked, and the violation causing revocation has not been corrected.

(e) Each permit application must contain the following information:

(1) Name, address, and telephone number of the person who will be the permit holder and be responsible for the proper maintenance and operation of the alarm system and payment of fees assessed under this article;

(2) The street address of the property on which the alarm system is to be installed and operated;

(3) Classification of the alarm site as either residential or commercial;

(4) Any business name or title used for the premises on which the alarm system is to be installed and operated;

(5) The name of one other person who will respond to an alarm in the event the permit holder is unavailable;

(6) Name, address and phone number of the entity that monitors the alarm system; and

(7) Any other information required by the director which is necessary for the enforcement of this article.

(f) Any false statement of a material matter made by the applicant for the purpose of obtaining an alarm permit shall be sufficient cause for refusal to issue a permit and/or for revocation of a permit already issued.

(g) A permit shall not be transferred to another person. A permit holder shall inform the director of any change that alters any information listed on the permit application within five days of the occurrence of the change. A fee shall not be assessed for such changes.

(h) The fee for a permit issued pursuant to this article shall be \$25.00 per year for residences and businesses. Notwithstanding the foregoing, in the event a permit holder experiences excessive false alarms as set forth in section 11, a renewal fee of \$50.00 shall be assessed on all future renewals following such 12-month period.

Section 3. Permit duration and renewal.

A permit is valid from the date of issuance for one year, upon receipt of the annual fee. A permit will be automatically renewed for a period of one year upon receipt of the annual fee unless revoked by the chief or cancelled by the permit holder.

Section 4. Proper alarm system operation and maintenance.

(a) A permit holder or alarm system user shall:

(1) Maintain the premises containing an alarm system in a manner that ensures proper operation of the alarm system.

(2) Maintain the alarm system in a manner that will minimize false alarm notifications.

(3) Respond or cause a representative to respond within a reasonable period of time when notified by the city to repair or inactivate a malfunctioning alarm system and to provide access to the premises or to provide security for the premises. A permit holder may present extenuating circumstances regarding the reasonableness of his/her response time at any administrative hearing under this article.

(4) Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report.

(b) A permit holder or person in control of an alarm system shall adjust the mechanism or cause the mechanism to be adjusted so that an alarm signal will sound for no longer than 15 minutes after being activated.

(c) A permit holder or person in control of an alarm system shall maintain at each alarm site a complete set of written operating instructions for each alarm system. Special codes, combinations, or passwords shall not be included in these instructions.

(d) A permit holder or person in control of an alarm system which has an automatic resetting device and which system causes three or more alarms within a 24-hour period, shall manually reset the system.

Section 5. Authority of the director to disable alarm systems.

The director may take all necessary measures to disable any malfunctioning alarm system within the city. The director shall not be liable for any damages to property if such alarm is disabled.

Section 6. Reporting of alarm signals by permit holder.

A permit holder or person in control of an alarm system shall not allow alarm signals to be reported through a relaying intermediary that does not comply with the requirements of this article and any rules and regulations promulgated by the chief, or is not licensed by the state board of private investigators and private security agencies.

Section 7. Alarm reporting.

A person who is engaged in the business of relaying alarm notifications to the city shall:

(a) Make notification by a human operator. The reporting of alarms by means of a recorded message is prohibited.

(b) Communicate alarm notifications to the city in a manner and form designated by the director.

Section 8. Automatic dialing prohibited.

No person shall operate or cause to be operated any automatic dialing device which, when activated, uses a telephone device or attachment to automatically select a telephone line leading into an emergency services department and then transmit any prerecorded message or signal.

Section 9. Alarm dispatch records.

Emergency personnel responding to a dispatch resulting from an alarm system notification shall record such information as necessary to permit the director to maintain appropriate records.

Section 10. Excessive False Alarms.

The holder of a permit shall pay a fine of: (a) \$50.00 if the location has had more than three but fewer than six other false alarm notifications in the preceding 12-month period; (b) \$75.00 if the location has had more than five but fewer than eight other false alarm notifications in the preceding 12-month period; or (c) \$100.00 if the location has had eight or more other false alarm notifications in the preceding 12-month period.

A permit holder shall pay assessed fees for any false alarm notification within ten days after notification by certified mail that such fees have been assessed. Failure to pay fees may result in a citation being issued for each false alarm there after or revocation of the alarm permit. A certified letter will be sent to homeowner for every false alarm with fees assessed until the annual renewal.

Section 11. Revocation of permit; appeal; forfeiture of fees; reapplication.

(a) *Revocation.* The director may revoke a permit if determined that:

- (1) There is any violation of this Ordinance;
- (2) There is a false statement of a material matter in the application for a permit;
- (3) An alarm system has generated in excess of 8 false alarms during any 12-month period; or
- (4) The permit holder has failed to make payment of any fee assessed under Section 10 within 30 days of the assessment;

(b) *Appeal of denial or revocation of a permit.*

- (1) If the director refuses to issue or renew a permit, or revokes a permit, he shall send to the applicant or permit holder by certified mail, return receipt requested, written notice of his action and a statement of the right to an appeal. The applicant or permit holder may appeal the decision of the director to the city manager by filing with the city manager a written request for a hearing setting forth the reason for the appeal, within ten days after receipt of the notice of the director. The filing of a request for an appeal

hearing with the city manager stays the action of the director to the denial of a permit or the revocation of a permit until the city manager makes a final decision. If a request for an appeal hearing is not made within the ten-day period, the action of the director is final.

(2) The city manager shall serve as hearing officer at an appeal, and consider evidence by any interested person. The formal rules of evidence do not apply at an appeal hearing, but the hearing officer shall make his decision on the basis of a preponderance of the evidence presented. A decision shall be made within thirty days after the request for an appeal hearing is filed. The hearing officer shall affirm, reverse, or modify the action of the director. The decision of the hearing officer is final as to administrative remedies within the city.

(3) In addition to prohibiting or requiring certain conduct of individuals, it is the intent of this article to hold a corporation, partnership, or other associations responsible for acts or omissions performed by an agent acting in behalf of the corporation, partnership, or other association, within the scope of this employment.

(c) *Forfeiture of application fee upon revocation of permit.* When the revocation of a permit is final, all permit fees shall be forfeited.

(d) *Reapplication for permit after revocation.*

(1) Should an alarm system user or the user's agent, after final permit revocation, desire to reapply for a permit, the user shall be required to submit a new permit application, including required permit fees.

(2) The applicant shall also submit satisfactory proof of ability to comply with this Ordinance.

Section 12. Confidentiality of information.

All information provided by a permit holder pursuant to this article shall be confidential pursuant to the Texas Government Code, Chapter. 552 and Texas Occupations Code § 1702.284, to the extent allowed by law, and shall be utilized solely for law enforcement purposes. However, the information shall be available to the permit holder.

Section 13. Penalties.

(a) It shall be unlawful to operate an alarm system during the period in which an alarm permit is revoked. Each day, or part thereof, of such operation shall constitute a separate offense.

(b) It shall be unlawful for any person to operate an alarm system without a permit or in violation of any provision of this Ordinance. Each day, or part thereof, of such operation shall constitute a separate offense.

(c) Any person in violation of any provision of this ordinance shall, upon conviction, be subject to a fine not to exceed \$500.00 for each offense.

Section 14. Implementation.

(a) This Ordinance shall be enforced and shall apply to all alarm systems in the Town from and after October 4, 2005.


(b) Any person who has an alarm system on his property on the effective date of this Ordinance shall have 60 days from said date to comply with the terms and provisions herein.

Section 15. Savings. This Ordinance shall be cumulative of all other ordinances of the Town and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those Ordinances are in direct conflict with the provisions of this Ordinance; provided, however, that Ordinance No. 605 of the Town is hereby repealed, but provided that any complaint, action, cause of action, matter, or claim which prior to the effective date of this Ordinance has been initiated or has arisen under or pursuant to Ordinance No. 605 shall continue to be governed by the provisions of that Ordinance and for that purpose Ordinance No. 605 shall be deemed to remain and shall continue in full force and effect.

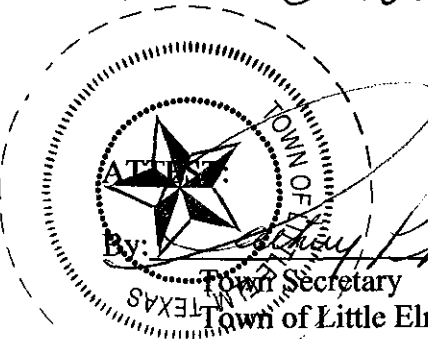

Section 16. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the Town Council of the Town of Little Elm, Texas hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 17. Effective Date. This Ordinance shall become effective from and after its date of adoption and publication as provided by law.

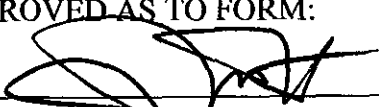
PASSED AND APPROVED by the Town Council of the Town of Little Elm, Texas this 4th day of October, 2005.



Doug Cravey, Mayor
Town of Little Elm, Texas


By: 

Town Secretary
Town of Little Elm, Texas

APPROVED AS TO FORM:


Town Attorney
Town of Little Elm, Texas

TOWN OF LITTLE ELM

AGENDA INFORMATION SHEET

COUNCIL MEETING DATE: October 4, 2005

PROJECT: Beginning September 1, 2005 all new Texas laws will take affect. Included in those changes is Senate Bill 568 -Alarm Systems.

DESCRIPTION: It is necessary to amend the Town's current alarm ordinance to comply with S. B. 568. Amendments to the Town's alarm ordinance are now current and do reflect the language associated with the changes in the new law. Additionally, the department is working to put together a system (Spreadsheet) to track alarm permit information such as, number of permit holders, number of false alarms, number of warning notices, number of fine notices and monthly revenues from false alarms.

COST: N/A

FUNDING: N/A

SCHEDULE: 2005

RECOMMENDED ACTION: Recommend that Town Council accept the changes made by adopting Ordinance No. 730 to the current alarm ordinance as they now meet the new State of Texas law associated with the S. B. 568

ATTACHMENTS: Copy of Ordinance No 730

TOWN CONTACT: Waylan Rhodes, Chief of Police @ 214-975-0465



TOWN OF LITTLE ELM

AGENDA INFORMATION SHEET:

COUNCIL MEETING

DATE: December 15, 2020

PROJECT: **Rebrand the Little Elm Community Recreation Center to The Rec at The Lakefront™ and approve the attached facility logo.**

DESCRIPTION: During the August 18, 2020, Regular Town Council meeting, the Town Council approved the logo for The Cove at the Lakefront™. As the Town has moved to brand and promote The Lakefront™ district by making the area distinct with signage, banners, development standards, and specific branding, staff is recommending that the existing Little Elm Community Recreation Center be rebranded to The Rec at The Lakefront™ to create cohesion and further advance brand awareness of the district.

The Marketing & Communications Department has worked with a graphic design professional and staff to develop a companion logo that creates a unified brand.

COST: Costs associated with the rebranding will be budgeted for and phased in, including uniforms, marketing materials, and signage.

FUNDING: N/A

SCHEDULE: Upon Approval

RECOMMENDED ACTION: **Staff requests direction from Town Council regarding the proposed logo and new name for the facility.**

TOWN CONTACT: Chad Hyde, Director of Community Services, Jason Peebles,

Managing Director of Recreation, and Erin Mudie, Managing Director of Marketing & Communications.

ATTACHMENTS:

Proposed Logo

