



CITY OF ANNA AGENDA NOTICE – CITY COUNCIL WORKSHOP

April 12, 2011

6:30 p.m. – Anna City Hall Administration Building

The City Council of the City of Anna will meet in Workshop Session at 6:30 p.m., April 12, 2011, at the Anna City Hall Administration Building, located at 111 North Powell Parkway (Hwy 5), regarding the following items.

1. Call to Order
2. Roll Call and Establishment of Quorum.
3. Presentation and review of the City's Utility and General Obligation Debt.
4. **CLOSED SESSION (EXCEPTIONS):** Under Tex. Gov't Code Chapter 551, the City Council may enter into closed session to discuss any items listed or referenced on this agenda under the following exceptions:

a. discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072); discussion regarding acquisition of property for park purposes.

b. consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (Tex. Gov't Code §551.071); discussion regarding Weston Annexation; and discussion regarding delinquent tax matters and related annexations.

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

1. The Council may vote and/or act upon each of the items listed in this agenda.
2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.
3. Persons with a disability who want to attend this meeting who may need assistance should contact the City Secretary at 972 924-3325 two working days prior to the meeting so that appropriate arrangements can be made.

5. Discussion regarding any item on the City Council's April 12, 2011 Regular Meeting Agenda Notice, which was posted at the same date, time and place of this Workshop Agenda Notice.

6. Adjourn.

This is to certify that I, Natha Wilkison, City Secretary, posted this agenda at a place readily accessible to the public at the Anna City Hall and on the City Hall bulletin board at or before 5:00 p.m., April 8, 2011.

Natha Wilkison
Natha Wilkison, City Secretary

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CITY OF ANNA AGENDA NOTICE – CITY COUNCIL REGULAR MEETING

April 12, 2011

7:30 p.m. – Anna City Hall Administration Building

The City Council of the City of Anna will meet in Regular Session at 7:30 p.m., April 12, 2011, at the Anna City Hall Administration Building, located at 111 North Powell Parkway (Hwy 5), to consider the following items.

Welcome to the City Council Meeting. Please sign the Sign-In-Sheet as a record of attendance. If you wish to speak on an open-session agenda item please fill out the Opinion/Speaker Registration Form and turn it in to the City Secretary before the meeting starts.

1. Call to Order.
2. Invocation and Pledge of Allegiance.
3. Citizen comments. *Citizens are allowed 3 minutes to speak. The Council is unable to respond to or discuss any issues that are brought up during this section that are not on the agenda, other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.*
4. Receive reports from Staff or the City Council about items of community interest. *Items of community interest include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen (but not including a change in status of a person's public office or public employment); a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.*

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5. Consent Items. *These items consist of non-controversial or “housekeeping” items required by law. Items may be considered individually by any Council member making such request prior to a motion and vote on the Consent Items.*
- a. City Council Minutes for Town Hall Meeting March 5, 2011.
 - b. City Council Minutes for Regular Meeting March 8, 2011.
 - c. City Council Minutes for Regular Meeting March 22, 2011.
 - d. Review P & Z Minutes for Regular Meeting February 7, 2011.
 - e. Review P & Z Minutes for Special Meeting February 15, 2011.
 - f. Review Anna CDC minutes for January 13, 2011 and February 3, 2011.
 - g. Review Anna EDC minutes for January 13, 2011 and February 3, 2011.
 - h. Approve a Resolution supporting HB 3302 to allow a 4A corporation in a city under 10,000 who also has a 4B corporation to pool their resources in meaningful projects such as tourism and retail. (Jessica Perkins)
 - i. Approve a Resolution approving and authorizing execution of purchase agreements For Bid No. 11-03 PW, purchase of interior warehouse lights; Bid No. 11-04 PW, finish and paint interior drywall; Bid No. 11-05 PW, purchase and installation of flooring; and Bid No. 11-06 PW, purchase and installation of propane tank. (James Parkman)
6. (a) Public Hearing: To consider public comment regarding an ordinance amending the City’s comprehensive plan, zoning map, and zoning ordinance and changing the zoning of certain properties. The current zoning is Restricted Commercial (C1) zoning. The City of Anna has initiated a zoning change to Planned Development zoning to include Restricted Commercial (C1) zoning with additional uses on the tract. The property is located on the north side of West White Street (Hwy 455) and west of South Powell Pkwy. and generally known as 402 W. White Street and 516 South Powell Pkwy. (Maurice Schwanke)
- (b) Consider/Discuss/Action regarding adopting an ordinance amending the City’s comprehensive plan, zoning map, and zoning ordinance and changing the zoning of certain property. The current zoning is Restricted Commercial (C1) zoning. The City of Anna has initiated a zoning change to Planned Development zoning to include Restricted Commercial (C1) zoning with additional uses on the tract. The properties are located on the north side of West White Street (Hwy 455)

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and west of South Powell Pkwy. and generally known as 402 W. White Street and 516 South Powell Pkwy. (Maurice Schwanke)

7. Consider/Discuss/Action regarding a Resolution of public necessity for the public welfare and convenience to acquire certain easements necessary for the construction and maintenance of facilities and improvements related to the Texas Community Development Block Grant Program project for utility lines to service areas on and near Cunningham Blvd., Powell Parkway (HWY 5), Interurban Street, Riggins Street, 5th Street, and 7th Street in the City of Anna. (Clark McCoy)
8. Consider/Discuss/Action regarding a Resolution approving the sale of land to the Texas Department of Transportation. (Philip Sanders)
9. Consider/Discuss/Action regarding a Resolution approving the sale of right-of-way to Collin County. (Philip Sanders)
10. Discussion regarding charges for filling swimming pools. (Philip Sanders)
11. Consider/Discuss/Action approving a Resolution regarding the appointment of a Charter Review Commission. (Philip Sanders)
12. CLOSED SESSION (EXCEPTIONS): Under Tex. Gov't Code Chapter 551, the City Council may enter into closed session to discuss any items listed or referenced on this agenda under the following exceptions:

- a. discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072); discussion regarding acquisition of property for park purposes. .

- b. consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (Tex. Gov't Code §551.071); discussion regarding Weston Annexation; and discussion regarding delinquent tax matters and related annexations.

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

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13. Consider/Discuss/Action on any items listed on posted agenda for April 12, 2011 City of Anna Workshop Session or any closed session occurring during this Regular Meeting, as necessary.

14. Adjourn.

This is to certify that I, Natha Wilkison, City Secretary, posted this agenda at a place readily accessible to the public at the Anna City Hall and on the City Hall bulletin board at or before 5:00 p.m., April 8, 2011.

Natha Wilkison
Natha Wilkison, City Secretary

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City of Anna City Council Agenda Staff Report

Council Meeting: March 22, 2011
Sanders

Staff Contact: Philip

Account Code #: N/A

Date Prepared: 3/17/11

Budgeted Amount: N/A

Exhibits: Yes No

AGENDA SUBJECT: Consent Items. *These items consist of non-controversial or “housekeeping” items required by law. Items may be considered individually by any Council member making such request prior to a motion and vote on the Consent Items.*

- a. City Council Minutes for Town Hall Meeting March 5, 2011.
- b. City Council Minutes for Regular Meeting March 8, 2011.
- c. City Council Minutes for Regular Meeting March 22, 2011.
- d. Review P & Z Minutes for Regular Meeting February 7, 2011.
- e. Review P & Z Minutes for Special Meeting February 15, 2011.
- f. Review Anna CDC minutes for January 13, 1011 and February 3, 2011.
- g. Review Anna EDC minutes for January 13, 2011 and February 3, 2011.
- h. Approve a Resolution supporting HB 3302 to allow a 4A corporation in a city under 10,000 who also has a 4B corporation to pool their resources in meaningful projects such as tourism and retail. (Jessica Perkins)
- i. Approve a Resolution approving and authorizing execution of purchase agreements For Bid No. 11-03 PW, purchase of interior warehouse lights; Bid No. 11-04 PW, finish and paint interior drywall; Bid No. 11-05 PW, purchase and installation of flooring; and Bid No. 11-06 PW, purchase and installation of propane tank. (James Parkman)

RECOMMENDATION: Motion to approve the consent items.



**City of Anna
City Council Agenda
Staff Report**

Council Meeting: April 12, 2011

Staff Contact: Jessica Perkins

Account Code #: _____

Budgeted Amount: _____

Exhibits: Yes No

AGENDA SUBJECT: CONSENT G Approve a Resolution supporting HB 3302 to allow a Type A corporation in a city under 10,000 who also has a Type B corporation to pool their resources in meaningful projects such as tourism and retail. (Jessica Perkins)

SUMMARY: Support of the bill was requested by ARCIT (Association of Rural Communities in Texas.) If passed our corporation would have the ability to pool their resources meaningful projects such as tourism and retail would be of benefit in growing and enhancing our community.

STAFF RECOMMENDATION: Staff recommends you pass the resolution and submit the letter of support.



City of Anna City Council Agenda Staff Report

Council Meeting: April 12, 2011

Staff Contact: Philip Sanders

Account Code #: 50-626 626

Budgeted Amount: \$30,000

Exhibits: Yes No

AGENDA SUBJECT: Consider/Discuss/Action regarding a approving and authorizing execution of purchase agreements For Bid No. 11-03 PW, purchase of interior warehouse lights; Bid No. 11-04 PW, finish and paint interior drywall; Bid No. 11-05 PW, purchase and installation of flooring; and Bid No. 11-06 PW, purchase and installation of propane tank

SUMMARY: Staff has recently solicited bids for the purchase of interior warehouse lights, finish and paint of interior drywall, purchase and installation of flooring, and purchase and installation of a propane tank for the new Public Works office/warehouse. Sealed bids were opened on Tuesday March 29.

RECOMMENDATION: Staff recommends that the Council approve the attached Resolution which authorizes the execution of purchase agreements to the bidders that submitted the lowest bid or the bid that offers the best value to the City as follows:

Bid No. 11-03 PW: Lowe's Home Improvement - \$3,299.00

Bid No. 11-04 PW: A&E Construction - \$6,350.00

Bid No. 11-05 PW: Lowe's Home Improvement - \$2,588.29

Bid No. 11-06 PW: Heritage Operating L.P. – Tank lease; no cost for installation, \$8 per month base fee plus propane metered at \$1.75 per gallon.



City of Anna City Council Agenda Staff Report

Council Meeting: April 12, 2011

Staff Contact: Maurice. Schwanke

Account Code #: N/A

Date Prepared: 04/07/11

Budgeted Amount: N/A

Exhibits: Yes No

AGENDA SUBJECT: (a) Public Hearing

To consider public comment regarding an ordinance amending the City's comprehensive plan, zoning map, and zoning ordinance and changing the zoning of certain properties. The current zoning is Restricted Commercial (C1) zoning. The City of Anna has initiated a zoning change to Planned Development zoning to include Restricted Commercial (C1) zoning with additional uses on the tract. The property is located on the north side of West White Street (Hwy 455) and west of South Powell Pkwy. and generally known as 402 W. White Street and 516 South Powell Pkwy. (Maurice Schwanke)

In 2009 this property was rezoning from "C-2" and "LI" to "C-1". The owners took exception to this change and desired more clarification of allowed uses and wanted some additional uses to be allowed. As such, after negotiation, both the owners of the property and Staff are proposing the attached "PD" Ordinance. This zoning request initiated by the City allows for the additional uses and clarifications. Some of these uses will be allowed by right while several are allowed as conditional uses requiring Special Use permit approval. The Staff is recommending approval of this request as shown.

(b) Consider/Discuss/Action regarding adopting an ordinance amending the City's comprehensive plan, zoning map, and zoning ordinance and changing the zoning of certain property. The current zoning is Restricted Commercial (C1) zoning. The City of Anna has initiated a zoning change to Planned Development zoning to include Restricted Commercial (C1) zoning with additional uses on the tract. The properties are located on the north side of West White Street (Hwy 455) and west of South Powell Pkwy. and generally known as 402 W. White Street and 516 South Powell Pkwy. (Maurice Schwanke)

PLANNING AND ZONING ACTION: The Planning and Zoning Commission recommended approval of the proposed ordinance at their meeting on April 4, 2011 meeting. The vote was unanimous.

RECOMMENDED ACTION: Approval of Ordinance.



City of Anna City Council Agenda Staff Report

Council Meeting: April 12, 2011
Account Code #: _____
Budgeted Amount: _____

Staff Contact: Clark McCoy

Exhibits: Yes No

AGENDA SUBJECT:

Consider/Discuss/Action regarding resolution of public necessity for the public welfare and convenience to acquire certain easements necessary for the construction and maintenance of facilities and improvements related to the Texas Community Development Block Grant Program project for utility lines to service areas on and near Cunningham Blvd., Powell Parkway (HWY 5), Interurban Street, Riggins Street, 5th Street, and 7th Street in the City of Anna. (Clark McCoy)

SUMMARY:

Condemnation of certain easements may become necessary for the next phase of the above-referenced property to commence. This is an initial resolution that will authorize such condemnation and other actions related thereto.

RECOMMENDED ACTION:

Resolution be approved.



City of Anna City Council Agenda Staff Report

Council Meeting: April 12, 2011

Staff Contact: Philip Sanders

Account Code #:

Budgeted Amount: _____

Exhibits: Yes No

AGENDA SUBJECT: Consider/Discuss/Action regarding a Resolution approving the sale of land to the Texas Department of Transportation. (Philip Sanders)

SUMMARY The Texas Department of Transportation (“TxDOT”) plans to widen and reconstruct FM 455 from U.S. 75 to S.H. 5. In order to construct the project, TxDOT needs to acquire two small strips of land in front of Natural Springs Park. One is owned by the City of Anna (see EXHIBIT 1 in the attached Resolution) and the other is owned jointly by the City and the Anna Community Development Corporation (see EXHIBIT 2 in the attached Resolution). TxDOT has offered to purchase the property described in EXHIBIT 1 for \$5,603 and the property described in EXHIBIT 2 for \$1,000. The offers are based on an appraisal performed by Real Estates Solutions on behalf of TxDOT. The attached Resolution would authorize the Mayor execute deeds transferring ownership of the two parcels to TxDOT for the FM 455 project.

RECOMMENDATION: Staff recommends approval of the attached Resolution.



City of Anna City Council Agenda Staff Report

Council Meeting: April 12, 2011

Staff Contact: Philip Sanders

Account Code #:

Budgeted Amount: _____

Exhibits: Yes No

AGENDA SUBJECT: Consider/Discuss/Action regarding a Resolution approving the sale of right-of-way to Collin County. (Philip Sanders)

SUMMARY: The Collin County Toll Authority is currently constructing a portion of the Collin County Outer Loop between S.H. 121 and U.S.75. In order to complete the project, the County needs to acquire some right-of-way that the City of Anna previously acquired for CR 366 near the intersection of U.S. 75. Per the attached County Resolution, the Collin County Toll Authority Board of Directors has authorized the purchase of the right-of-way in exchange for services to be provided by the County. The services involve paving the portions of CR 290 and CR 372 that are currently inside the Anna city limits. The value of these services is \$38,500.

The attached Resolution would authorize the Mayor execute a Deed transferring ownership of a portion of the CR 366 right-of-way to Collin County in exchange for the previously described services.

RECOMMENDATION: Staff recommends approval of the attached Resolution.



City of Anna City Council Agenda Staff Report

Council Meeting: April 12, 2011

Staff Contact: Philip Sanders

Account Code #:

Budgeted Amount: _____

Exhibits: Yes No

AGENDA SUBJECT: Resolution regarding the appointment of a Charter Review Commission.

SUMMARY: In accordance with Section 11.07, the City Council must appoint a Charter Review Commission at least once every six years. The Commission must consist of at least ten citizens of the City. All Commission members must be qualified voters in the City. The attached Resolution appoints the Commission members, and outlines the roles and responsibilities of the Commission. In adopting the Resolution, the Council will need to specifically name the ten persons appointed to serve on the Commission, and name a Chair and Vice Chair to serve as presiding officers.

RECOMMENDATION: Staff recommends approval of the attached Resolution.