



CITY OF ANNA AGENDA NOTICE – CITY COUNCIL WORKSHOP

May 10, 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., May 10, 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. Preview of FY 2012 Budget. (Philip Sanders)
 3. **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. 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 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.
4. Discussion regarding any item on the City Council's May 10, 2011 Regular Meeting Agenda Notice, which was posted at the same date, time and place of this Workshop Agenda Notice.
 5. Adjourn.

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.

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., May 6, 2011.

Natha Wilkison
Natha Wilkison, City Secretary

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.



CITY OF ANNA AGENDA NOTICE – CITY COUNCIL REGULAR MEETING

May 10, 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., May 10, 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.*

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. Presentation of Certificate of Appreciation to Joseph Heard for the Natural Springs Park Gazebo.
6. 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 Regular Meeting April 26, 2011.
 - b. Approve "Roell Addition" final plat. The property is located at 1108 N. Powell Pkwy. (Maurice Schwanke)
 - c. Approve a replat of lots 8 and 9 Block K of the West Crossing Addition. (Maurice Schwanke)
 - d. Review P & Z Minutes for April 4, 2011.
7. Second public hearing regarding a Resolution regarding need to continue in effect current curfew for minors. (Chief Jenks)
8. Consider/Discuss/Action approving a Resolution regarding need to continue in effect current curfew for minors Ordinance No. 208-2005. (Chief Jenks)
9. Consider/ Discuss/Action approving a Resolution regarding approving and designating the City Manager as the authorized official of the Grant Application for the Active Shooter Response Project to the Office of the Governor, Criminal Justice Division. (Chief Jenks)
10. Consider/Discuss/Action approving an Operations Agreement with South Grayson Water Supply. (Philip Sanders)
11. Consider/Discuss/Action adopting an Ordinance regarding Protection of Attorney Client Privilege. (Clark McCoy)
12. Consider/Discuss/Action on a Resolution submitting nominees to serve on the Board of Directors of the North Texas Groundwater Conservation District. (Philip Sanders)

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.

13. 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. 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 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.

14. Consider/Discuss/Action on any items listed on posted agenda for May 10, 2011 City of Anna Workshop Session or any closed session occurring during this Regular Meeting, as necessary.

15. 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., May 6, 2011.

Natha Wilkison
Natha Wilkison, City Secretary

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.



City of Anna Staff Agenda Report

Council Meeting: 05/10/11

Staff Contact: Maurice Schwanke

Prepared by: Maurice Schwanke

Account Code #: N/A

Date Prepared: 05/5/11

Budgeted Amount: \$ N/A

Exhibits: Yes No

AGENDA SUBJECT: Presentation of a Certificate of Appreciation to Joseph Heard for work on a Gazebo at Natural Springs Park.

SUMMARY: Over the past several months Britain with the help of Funds from the CDC, donated labor, donations from the City of Anna, and the help of our public works staff has finished a Gazebo in Natural Springs Park project to earn his Eagle Scout Badge.

RECOMMENDED ACTION: Presentation of the Certificate of Appreciation



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

Council Meeting: May 10, 2011

Staff Contact: Maurice. Schwanke

Account Code #: N/A

Date Prepared: 05/04/11

Budgeted Amount: N/A

Exhibits: Yes No

AGENDA SUBJECT: Consider/Discuss/Action approving "Roell Addition" final plat. The property is located at 1108 N. Powell Pkwy.

SUMMARY: The "Roell Addition" is a 0.609 acre parcel of land that has not been platted in the past. The property is located at 1108 N. Powell Pkwy (State Highway Number 5). In anticipation of applying for a building permit the applicant is being required to prepare this plat so that the land will be in conformance with Section 48 of the Zoning Ordinance which deals with the creation of a building site.

PLANNING AND ZONING ACTION: The Planning and Zoning Commission recommend approval of the "Roell Addition" final plat at their meeting on May 2, 2011. The vote was unanimous.

RECOMMENDED ACTION: Approval



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

Council Meeting: May 10, 2011

Staff Contact: Maurice. Schwanke

Account Code #: N/A

Date Prepared: 05/04/11

Budgeted Amount: N/A

Exhibits: Yes No

AGENDA SUBJECT: Consider/Discuss/Action approving a replat of lots 8 and 9 Block K of the West Crossing Addition.

SUMMARY: The two lots involved on this replat have been submitted to address the side yard requirements for a house that has been sold for lot 9. Both lots exceed the 7,200 square feet minimum lot size. The smaller lot exceeds 7,400 square feet. The center lot line will not be radial to the street; however, that is not a significant issue.

PLANNING AND ZONING ACTION: The Planning and Zoning Commission recommended approval of the replat of lots 8 and 9, Block K of the West Crossing Addition at their meeting of May 2, 2011. The vote was unanimous. Of lot

RECOMMENDED ACTION: Approval



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

Council Meeting: May 10, 2011

Staff Contact: Chief Jenks

Account Code #: _____

Budgeted Amount: _____

Exhibits: Yes No

AGENDA SUBJECT: Consider/Discuss/Action approving a Resolution regarding need to continue in effect current curfew for minors Ordinance No. 208-2005.

SUMMARY: Every three (3) years, the Ordinance that established a Youth Curfew must be reviewed.

The Youth Curfew Ordinance provides our community and police officers a valuable tool to help prevent juvenile crime and curtail criminal activity. Persons of juvenile age (under 17) are prohibited from being out without parental supervision after 11 pm on school nights and midnight on all other nights. Those persons that appear to be under the age of 17 out and about during curfew hours can be stopped by officers and an inquiry made as to what they are doing and whether their parents know where they are.

31 warnings/citations have been written during the current duration of the ordinance. The parent was unaware that their child was out during many of these contacts.

STAFF RECOMMENDATION: Approve the resolution renewing the ordinance.



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

Council Meeting: May 10, 2011

Staff Contact: Chief Jenks

Account Code #: N/A

Date Prepared: 5/5/11

Budgeted Amount: N/A

Exhibits: Yes No

AGENDA SUBJECT:

Consider/ Discuss/Action approving a Resolution regarding approving and designating the City Manager as the authorized official of the Grant Application for the Active Shooter Response Project to the Office of the Governor, Criminal Justice Division.

SUMMARY:

The Police Department recently submitted an application for a federally funded grant through the Office of the Governor. The grant, totaling \$78,815.39, will enable the police department to purchase equipment necessary to quickly and safely respond to active shooter incidents. Each patrol unit will be equipped with active shooter response kits, including Level IIIA ballistic shields, Level IIIA ballistic helmets, Level IIIA ballistic leg armor, gas masks, and face shields. In addition, this grant will enable the police department to purchase a virtual training solution, which will provide reality-based training for a multitude of situations, including shoot situations, family violence, and other volatile incidents. The grant also includes \$2,500.00 for training.

The resolution authorizes the City Manager to act as the authorized official and ensures the funds are used appropriately.

RECOMMENDATION:

I recommend the city council approve the resolution.



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

Council Meeting: May 10, 2011

Staff Contact: Philip Sanders

Account Code #: _____

Budgeted Amount: _____

Exhibits: Yes No

AGENDA SUBJECT: Consider/Discuss/Action regarding a Resolution approving an Operations Agreement with the South Grayson Water Supply Corporation.

SUMMARY: In 2006, the City of Anna purchased a large portion of the South Grayson Water Supply Corporation system that was located in the Anna ETJ. In order to obtain approval of the purchase from the Texas Commission on Environmental Quality (TCEQ), the final agreement excluded certain water customers that are within South Grayson's CCN (service area) and that are outside the City's ETJ. As a result of the sale about 20 water customers located south of the Anna/Melissa ETJ boundary were cut-off from the remainder of the South Grayson water system. In order to continue to serve these customers, South Grayson buys water from the City of Anna at a wholesale rate and then charges these customers the normal South Grayson water rate.

Because these customers are located so far away from the remainder of the South Grayson system, South Grayson Water Supply Corporation has requested that the City of Anna enter into an Operations Agreement whereby we would operate the portion of their system that supports these 20 customers on behalf of South Grayson. As an operator, we would bill these customers on behalf of South Grayson but keep the revenue collected. We would also be responsible for maintaining the infrastructure that serves the new customers.

The Agreement requires South Grayson to amend their water rates for these customers so that they are equal to 1.25 times the rate charged to City of Anna customers that live inside the city limits (the same rate paid by other City of Anna customers who live outside the city limits). The term of the Agreement is for ten years and can be cancelled by either party with 90 days written notice.

RECOMMENDATION: Taking over the operation of this system will result in an estimated \$10,000 annual net increase in revenue to the City's utility fund. Staff recommends approval of this Agreement



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

Council Meeting: May 10, 2011
Account Code #: _____
Budgeted Amount: _____

Staff Contact: Clark McCoy
Exhibits: Yes No

AGENDA SUBJECT:

Consider/Discuss/Action adopting an Ordinance regarding Protection of Attorney Client Privilege. (Clark McCoy)

SUMMARY:

The City will often be in the position of receiving privileged and confidential information from its city attorney or other designated attorneys representing the City, and many of such communications are considered confidential under State law based on attorney/client privilege. Based on some recent opinions of the Texas Attorney General, there is a general concern among many municipal attorneys that there could be instances in which the attorney/client privilege could be inadvertently or unintentionally waived. This ordinance is aimed at preventing such as waiver by requiring at least a majority of the City Council to vote to waive a privilege held by the City. This is a preventative measure and is not connected with any current City business or City-related situation or issue.

RECOMMENDED ACTION:

Approval of the proposed ordinance.



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

Council Meeting: May 10, 2011

Staff Contact: Philip Sanders

Account Code #: _____

Budgeted Amount: _____

Exhibits: Yes No

AGENDA SUBJECT: Consider/Discuss/Action on a Resolution submitting nominees to serve on the Board of Directors of the North Texas Groundwater Conservation District.

SUMMARY: The North Texas Ground Water Conservation District is governed by a nine (9) member board of directors appointed by the County Commissioners from Collin, Denton, and Cook Counties. Each County appoints three directors. The State law requires one director to be selected from a slate of not more than three nominees submitted by the largest municipal groundwater producer in each county. The City of Anna is the largest municipal groundwater producer in Collin County.

In 2009 the Anna City Council nominated and the Collin County Commissioners Court appointed me to serve a two year term on the board which expires on June 1. In accordance with State law, the County has requested that the City of Anna submit a slate of three names in priority order to serve on the board of directors.

RECOMMENDATION: The ground water district board will have the power to regulate ground water production within the three counties covered by the district. Operating costs for the district will be assessed to the ground water producers of which Anna is one of the largest. Those costs will result in an added charge to all City of Anna utility customers. Because of the potential operational and financial impact on the City, Staff recommends that the City Manager or a member of the City Council serve as the City's representative on the board of directors as they would be in the best position to evaluate the impact that actions of the board will have on our utility operations. I am willing to serve an additional term at the City Council discretion.