



## **CITY OF ANNA AGENDA NOTICE – CITY COUNCIL WORKSHOP**

**July 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., July 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. Discussion regarding leasing R-O-W to D R Horton for sign.
4. Discussion regarding 2011-2012 Election Schedule.
5. **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); William Austin Gant and Paul Eugene Gant v. City of Anna, Cause No. 380-02370-2011 in the 380<sup>th</sup> District Court of Collin County, Texas; anticipated litigation involving street right of way over former CR 366; legal consultation regarding municipal and extraterritorial boundaries on eastern and western areas of City.

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.

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

7. 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., July 8, 2011.

*Natha Wilkison*  
Natha Wilkison, City Secretary



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## **CITY OF ANNA AGENDA NOTICE – CITY COUNCIL REGULAR MEETING**

**July 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., July 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.*
5. Presentation of a Proclamation proclaiming 2011 the year of the Vietnam Veteran.
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 June 14, 2011.
  - b. Joint City Council/Anna ISD Meeting minutes for June 7, 2011.

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.

- c. Approve a Resolution regarding authorizing execution of Interlocal Agreement with Collin County for Dispatch Services. (Kenny Jenks)
  - d. Approve a Resolution regarding authorizing execution of Interlocal Agreement, Amendment No. 5, with Collin County for Jail Services. (Kenny Jenks)
  - e. Adopt an ordinance changing Anna ISD School Zones.
7. Public Hearing:  
City Council will hear public comments on the 2010 Annual Drinking Water Quality Report (Consumer Confidence Report). (James Parkman)
  8. Consider/Discuss/Action approving a Resolution requesting that TxDOT approve the proposed design for median access in front of Bronco Manufacturing and Texas Star Bank on FM 455. (Philip Sanders)
  9. Consider/Discuss/Action approving a Resolution requesting funding for utility relocation in connection with the FM 455 reconstruction project. (Philip Sanders)
  10. Consider/Discuss/Action approving a Resolution approving and authorizing the City Manager to execute a contract for the TCBDG Water Line Project. (Philip Sanders)
  11. Consider/Discuss/Action approving a Resolution regarding the donation of phones to Anna Fire Rescue Auxillary Association. (Chief Newton)
  12. Consider/Discuss/Action approving a Resolution authorizing contingency fund allocations. (Philip Sanders)
  13. Consider/Discuss/Action Adopting an Ordinance regarding FY 2011 budget amendments. (Philip Sanders)
  14. Consider/Discuss/Action approving a Resolution authorizing purchase of tablet computers for use by the City Council. (Philip Sanders)
  15. Consider/Discuss/Action regarding appointments to the Park Board. (City Council)
  16. Consider/Discuss/Action regarding appointments to the Planning and Zoning Commission. (City Council)

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.

17. Consider/Discuss/Action regarding appointments to the Board of Adjustment/Building Standards. (City Council)

18. 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); William Austin Gant and Paul Eugene Gant v. City of Anna, Cause No. 380-02370-2011 in the 380<sup>th</sup> District Court of Collin County, Texas; anticipated litigation involving street right of way over former CR 366: legal consultation regarding municipal and extraterritorial boundaries on eastern and western areas of City.

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.

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

20. 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., July 8, 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.
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## City of Anna City Council Agenda Staff Report

Council Meeting: July 12, 2011

Staff Contact: Philip Sanders

Account Code #: N/A

Date Prepared: 7/07/11

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 Regular Meeting June 14, 2011.
- b. Joint City Council/Anna ISD Meeting minutes for June 7, 2011.
- c. Approve a Resolution regarding authorizing execution of Interlocal Agreement with Collin County for Dispatch Services. (Kenny Jenks)
- d. Approve a Resolution regarding authorizing execution of Interlocal Agreement, Amendment No. 5, with Collin County for Jail Services. (Kenny Jenks)
- e. Adopt an ordinance changing Anna ISD School Zones.

**SUMMARY:**

**RECOMMENDATION:** Staff recommends a approval of the consent items.



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

Council Meeting: July 12 , 2011

Staff Contact: Chief Jenks

Account Code #: \_\_\_\_\_

Budgeted Amount: \_\_\_\_\_

Exhibits:  Yes       No

**AGENDA SUBJECT:** Approve a Resolution extending / renewing an agreement with Collin County for Police Dispatch Services

**SUMMARY:** The Police Department utilizes, through agreement, Collin County Sheriff's Communications for all of the dispatch services for all law enforcement activities in the City of Anna. The City of Anna pays for those services.

The County bases the FY 2012 fees on the 2011 radio usage. During 2011, our radio usage was reduced by our procurement of mobile computers for patrol usage. For 2012, the fees have decreased to \$30,594, down from \$34,936 in FY 2011.

**STAFF RECOMMENDATION:** Approve the resolution renewing the agreement for dispatch services with Collin County.



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

Council Meeting: July 12, 2011

Staff Contact: Chief Jenks

Account Code #: \_\_\_\_\_

Budgeted Amount: \_\_\_\_\_

Exhibits:  Yes       No

**AGENDA SUBJECT:** Approve a Resolution amending and extending the agreement with Collin County for Jail Services.

**SUMMARY:** The Police Department utilizes, through agreement, Collin County Jail for all of the jail service needs that arise from the enforcement of laws by the Anna Police Department.

This resolution allows the agreement to be amended to extend the jail services agreement through September 30, 2012.

**STAFF RECOMMENDATION:** Approve the resolution amending/extending the jail services agreement with Collin County.



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

Council Meeting: July 12, 2011

Staff Contact: Chief Jenks

Account Code #: \_\_\_\_\_

Budgeted Amount: \_\_\_\_\_

Exhibits:  Yes       No

**AGENDA SUBJECT:** Adopt an Ordinance Changing Anna ISD School Zones

**SUMMARY:** As the AISD prepares to open the newest campus, Anna High School, and move the old middle school to the location of the current high school, some amendments to the Code of Ordinances are necessary to address traffic and parking issues in the areas of the schools.

Article II, Section 59, 2.03 thru 2.05 dealt with the soon to be closed middle school campus on Sherley Street. Those provisions are no longer needed and this ordinance repeals them.

Article II, Section 59, 3.05 needs to be amended to include the addition of the school speed zone at the new high school by establishing school zones on both West Crossing Blvd. and Rosamond Pkwy. This ordinance addresses that issue by replacing the language in 3.05 with new language.

**STAFF RECOMMENDATION:** Approve the ordinance amending the Code as it pertains to school campus related traffic safety.



## City of Anna City Council Agenda Staff Report

Council Meeting: July 12, 2011

Staff Contact: Philip Sanders

Account Code #: \_\_\_\_\_

Budgeted Amount: \_\_\_\_\_

Exhibits:  Yes  No

**AGENDA SUBJECT:** Consider/Discuss/Action regarding a Resolution requesting that TxDOT approve the proposed design for median access in front of Bronco Manufacturing and Texas Star Bank on FM 455.

**SUMMARY:** The City of Anna, Collin County, and the Texas Department of Transportation have been working cooperatively for several years to reconstruct FM 455 in the City from U.S. 75 to State Highway 5. The proposed design of FM 455 includes a raised median that will separate east and west bound traffic. The current proposed design for median break access provides a full median break in front of Bronco Manufacturing and a hooded left turn median break in front of the western most driveway for Texas Star Bank. This proposed design is supported and preferred by the owner's of both Bronco Manufacturing and Texas Star Bank.

We recently learned that the TxDOT District Transportation Operations Engineer has rejected the proposed design and has recommended a single median break opening that accesses only one of the two businesses. We are concerned that that the denial of the proposed design in favor of a single access in front of one of the two businesses will hurt one of the two existing businesses that is not afforded median access. The attached Resolution requests that TxDOT authorize a variance from their access management policy and approve the Proposed Design that provides a full median break in front of Bronco Manufacturing and a hooded left turn median break in front of the western most driveway for Texas Star Bank.

**RECOMMENDATION:** Staff recommends approval of the attached Resolution.



## City of Anna City Council Agenda Staff Report

Council Meeting: July 12, 2011

Staff Contact: Philip Sanders

Account Code #: \_\_\_\_\_

Budgeted Amount: \_\_\_\_\_

Exhibits:  Yes  No

**AGENDA SUBJECT:** Consider/Discuss/Action regarding a Resolution requesting funding for utility relocation in connection with the FM 455 reconstruction project.

**SUMMARY:** The City of Anna, Collin County, and the Texas Department of Transportation have been working cooperatively for several years to reconstruct FM 455 in the City from U.S. 75 to State Highway 5. Recently TxDOT advised the City that all water and sewer lines that will be in conflict with the FM 455 reconstruction project must be relocated by April 2012 so that construction can begin in the fall of 2012.

The design engineer hire by the City to develop construction plans for utility relocation has offered a preliminary estimate of \$1.6 million as the cost for the relocating water and sewer lines. The engineer has estimated that TxDOT will reimburse the City approximately \$800,000 of the total water and sewer relocation cost and that the City will need to fund the remaining \$800,000. The current economic conditions have created a significant hardship for the City to fund the water and sewer relocation project on its own, and the absence of financial assistance for the other participating public agencies to help fund the water and sewer relocation will delay the project.

The 2007 Collin County Bond Program identified \$8.2 million in roadway construction projects in the City and authorized the County to issue bonds to fund one-half (\$4.1 million) of the cost of said projects. The projects mentioned in the bond program are:

- Mantua Rd/CR 371 (Hwy. 5 to U.S. 75 – reconstruction) \$6.6 million
- Rosamond Pkwy. (Hwy 5 to U.S. 75 – Engineering/right-of-way) \$519,750
- FM 455 (U.S. 75 to East Fork Creek – Engineering/right-of-way) \$520,000
- Ferguson Pkwy. (FM 455 to Foster Crossing Rd. – Engineering/right-of-way) \$594,000

The attached Resolution directs the City Manager to formally request assistance from the County to fund the portion of the water and sewer relocation (approximately one-half) that will not be reimbursed by TxDOT; and that such assistance may include a reallocation of funds within the \$4.1 million in the 2007 Collin County Bond Program designated for City of Anna projects.

**RECOMMENDATION:** Staff recommends approval of the attached Resolution.



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

Council Meeting: July 12, 2011

Staff Contact: Philip Sanders

Account Code #: \_\_\_\_\_

Budgeted Amount: \$350,000

Exhibits:  Yes  No

**AGENDA SUBJECT:** Consider/Discuss/Action regarding a Resolution approving and authorizing the City Manager to execute a contract for the TCBDG Water Line Project.

**SUMMARY:** In 2010 the City of Anna was awarded a \$350,000 grant from the State of Texas to help fund the replacement and construction of certain waterlines on the east side of Powell Parkway. Bids were opened on June 28 and Dickerson Construction Co., Inc. is the apparent low bidder, having submitted a base bid of \$380,372.

In addition to the base bid, Staff also requested an alternate bid to increase the size of certain waterlines from 8 inch to 12 inch. Because of a lack of consistency and clarity on the alternate bids that were submitted, Staff is only recommending approval of a contract for the base bid at this time.

Below is a comparison of the original cost estimates for the project and money spent so far.

<b>Expense Category</b>	<b>Initial Cost Estimates</b>	<b>Expenses to-date</b>	<b>Projected Total Cost</b>
Construction	\$352,716.00	\$0.00	\$380,372.00
Engineering	\$45,000.00	\$53,797.59	\$53,797.59
Acquisition	\$5,000.00	\$21,530.00	\$21,530.00
Grant Administration	\$35,000.00	\$12,750.00	\$35,000.00
<b>TOTAL</b>	<b>\$437,716.00</b>	<b>\$88,077.59</b>	<b>\$490,699.59</b>

The difference between the construction contract price and the grant reimbursement (\$30,372) and the remaining grant administration cost (\$23,250) will need to be funded in the FY 2012 utility fund budget.

**RECOMMENDATION:** Staff recommends approval of the attached Resolution and contract award.



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

Council Meeting: July 12, 2011  
Account Code #: \_\_\_\_\_  
Budgeted Amount: \_\_\_\_\_

Staff Contact: Philip Sanders

Exhibits:  Yes       No

**AGENDA SUBJECT:** Resolution regarding the donation of phones to the Anna Fire Rescue Auxiliary Association

**SUMMARY:** The Anna Fire Rescue Auxiliary Association is collecting used cell phones as a fund raising drive. The revenue from the drive will be used to pay for training for members of the Anna Fire Department. The attached Resolution and Agreement will allow the City to legally donate used cell phones owned by the city to the Association as part of the fund raising effort.

**RECOMMENDATION:** Staff recommends approval of the attached Resolution.



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

Council Meeting: July 12, 2011  
Account Code #: \_\_\_\_\_  
Budgeted Amount: \_\_\_\_\_

Staff Contact: Philip Sanders

Exhibits:  Yes       No

**AGENDA SUBJECT:** Resolution authorizing contingency fund allocations. (Philip Sanders)

**SUMMARY:** The current fiscal year budget includes a contingency allocation of \$97,983. During the June 14 City Council meeting, Staff recommended using a portion of the contingency allocation to cover some unexpected expenses that have occurred this fiscal year. The proposal described in the attached Resolution and Exhibit would authorize spending \$41,600 of the FY 2011 General Fund contingency allocation.

**RECOMMENDATION:** Staff recommends approval of the attached Resolution.



## City of Anna City Council Agenda Staff Report

Council Meeting: July 12, 2011  
Account Code #: \_\_\_\_\_  
Budgeted Amount: \_\_\_\_\_

Staff Contact: Philip Sanders

Exhibits:  Yes       No

**AGENDA SUBJECT:** Resolution approving an Ordinance amending the FY 2011 budget.

**SUMMARY:** During the June 14 City Council meeting, Staff discussed with the Council a recommendation to amend the FY 2011 budget to pay for some unanticipated expenses that have or will occur this fiscal year. The amendments described in the attached Resolution and Exhibit would increase the General Fund budget to purchase two Chevy Tahoe police vehicles and associated equipment that will replace two Dodge Chargers. The Dodge Chargers are scheduled for replacement in FY 12 and have had numerous mechanical problems. The other General Fund adjustment will fund the expenses associated with the Economic Development Grant to Bloomfield Properties approved by the City Council last fall. The grant is being paid for by a corresponding increase in sales tax revenue.

The other budget amendments in the Capital Projects Fund will cover costs that have been incurred to complete the interior finish out of the new public works building.

**RECOMMENDATION:** Staff recommends approval of the attached Resolution.



## City of Anna City Council Agenda Staff Report

Council Meeting: July 12, 2011  
Account Code #: \_\_\_\_\_  
Budgeted Amount: \_\_\_\_\_

Staff Contact: Philip Sanders

Exhibits:  Yes  No

**AGENDA SUBJECT:** Consider/Discuss/Action approving a Resolution authorizing purchase of tablet computers for use by the City Council.

**SUMMARY:** For the past several months the City has converted to a paperless agenda system whereby all agenda packets are provided to members of the City Council in an electronic format. Several members of the City Council have expressed an interest in purchasing tablet computers that can be used by the City Council in the performance of their official duties including accessing and viewing documents during City Council and other meetings of the City. The Apple iPad 2 costs \$499 and is one of the most widely used tablet computers. We estimate that accessories including protective cases will cost an additional \$100 per tablet.

The attached Resolution will authorize the City Manager to purchase tablet computers not exceeding \$500 per tablet, and accessories not exceeding \$100 per tablet to be used by members of the City Council in performance of their official duties. All computers and accessories would remain property of the City that would need to be returned upon leaving office.



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

Council Meeting: July 12, 2011

Staff Contact: Philip Sanders

Account Code #: N/A

Date Prepared: 7/07/11

Budgeted Amount: N/A

Exhibits:  Yes  No

**AGENDA SUBJECT:** Consider/Discuss/Action regarding appointments to the Park Board. (City Council)

**SUMMARY:** Place 1 – Jon Hendricks

Place 2 – Michael Watkins – Has Resigned

Place 3 – Kelly Bailey

Place 4 – Rachel Lyon

Place 5 – Erin Cogar

At your June 14<sup>th</sup> meeting you appointed the current members to the Park Board. Since then I have received a letter of resignation from Michael Watkins. Place 2 is now vacant and needs to be filled. Current applications on file are in your packet for review. Applicants have been contacted and requested to attend the council meeting.

**RECOMMENDATION:** Staff recommends making an appointment to fill the vacancy in Place 2 to the Park Board.



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

Council Meeting: July 12, 2011

Staff Contact: Philip Sanders

Account Code #: N/A

Date Prepared: 7/07/11

Budgeted Amount: N/A

Exhibits:  Yes  No

**AGENDA SUBJECT:** Consider/Discuss/Action regarding appointments to the Planning and Zoning Commission. (City Council)

**SUMMARY:**

- Place 1 – Anthony Halsell
- Place 2 – Michael Watkins – has resigned
- Place 3 – Joe Osborn – has resigned
- Place 4 – Justin Burr
- Place 5 – Rick Skotzke – appointed 6-14
- Place 6 – Darren Colombo
- Place 7 – Aaron Towner – wishes to remain

At your June 14<sup>th</sup> meeting you reappointed Anthony Halsell to Place 1 and appointed Rick Skotzke to Place 5. Places 3 & 7 were tabled because we had not heard from Joe Osborn or Aaron Towner. I have heard from Michael Watkins, and Joe Osborn and they have resigned from their positions. Aaron Towner resigned but now wishes to remain on P & Z. Current applications on file are in your packet for review. Applicants have been contacted and requested to attend the council meeting.

**RECOMMENDATION:** Staff recommends making appointments to Places 2, 3 and 7 of the Planning and Zoning Commission.



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

Council Meeting: July 12, 2011

Staff Contact: Philip Sanders

Account Code #: N/A

Date Prepared: 7/07/11

Budgeted Amount: N/A

Exhibits:  Yes  No

**AGENDA SUBJECT:** Consider/Discuss/Action regarding appointments to the Board of Adjustment/Building Standards Commission. (City Council)

**SUMMARY:** Place 1 – Jon Hendricks  
Place 2 – Robert Simonsen  
Place 3 – Vacant  
Place 4 – Vacant  
Place 5 – Lauren Lovato  
Place 1A (alternate) - Vacant  
Place 2A (alternate) - Vacant

At the June 14<sup>th</sup> meeting you reappointed Jon Hendricks and Lauren Lovato to Places 1 & 5. You tabled the rest of the appointments till your next meeting. Current applications on file are in your packet for review. Applicants have been contacted and requested to attend the council meeting.

**RECOMMENDATION:** Staff recommends making appointments to the Board of Adjustment/Building Standards Commission.