



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

**October 11, 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., October 11, 2011, at the Anna City Hall Administration Building, located at 111 North Powell Parkway (Hwy 5), regarding the following items.

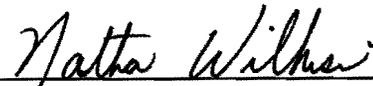
1. Call to Order
2. Roll Call and Establishment of Quorum.
3. Discussion regarding Anna promotional video (Philip Sanders)
4. **CLOSED SESSION (EXCEPTIONS):** Under Tex. Gov't Code Chapter 551, the City Council may enter into closed session to discuss any items listed or referenced on this agenda under the following exceptions:
  - a. 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); Powell v. City of Anna, Cause No. 401-03815-2009 in the 401<sup>st</sup> District Court of Collin County, Texas; 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. legal consultation regarding municipal and extraterritorial boundaries on western areas of City.
  - b. Discussion regarding Personnel Matters:
    - i. City Secretary annual review. (Tex. Gov't Code §551.074).
    - ii. City Manager. (Tex. Gov't Code §551.074).

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.

4. Discussion regarding any item on the City Council's October 11, 2011 Regular Meeting Agenda Notice, which was posted at the same date, time and place of this Workshop Agenda Notice.

5. 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., October 7, 2011.

  
Natha Wilkison, City Secretary

1. The Council may vote and/or act upon each of the items listed in this agenda.
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**CITY OF ANNA AGENDA NOTICE – CITY COUNCIL REGULAR MEETING**

**October 11, 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., October 11, 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. 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. Approve City Council Minutes for September 13, 2011 Regular Meeting.
- b. Approve a Resolution regarding the EDC and CDC 2011-2012 Fiscal Year Agreements with the GACC. (Jessica Perkins)
- c. Approve a Resolution regarding an Interlocal Agreement between the City of Melissa and the City of Anna for purchase and corresponding sale of a portion of the selling cities minimum take or pay obligation under the GTUA-City of Anna potable water supply contract. (Clayton Fulton)
- d. Adopt an Ordinance approving the 2011 Tax Roll for the City of Anna. (Clayton Fulton)

6. (a) Public Hearing:

For City Council to hear public comment regarding an ordinance amending the Anna City Code of Ordinances Part II (general ordinances), Article 57 (reserved), by establishing Article 57 to govern matters related to taxation and adding Article 57, Section 1 (taxation of goods in transit) to preserve the city's authority to continue to tax goods in transit. (Clayton Fulton)

(b) Consider/Discuss/Action regarding an ordinance amending the Anna City Code of Ordinances Part II (general ordinances), Article 57 (reserved), by establishing Article 57 to govern matters related to taxation and adding Article 57, Section 1 (taxation of goods in transit) to preserve the city's authority to continue to tax goods in transit. (Clayton Fulton)

7. Consider/Discuss/Action regarding a settlement agreement relating to litigation styled *Powell v. City of Anna*, Cause No. 401-03815-2009, filed in the 401st District Court of Collin County, Texas, and a resolution authorizing execution of settlement agreement. (Clark McCoy)

8. 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); *Powell v. City*

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.

of Anna, Cause No. 401-03815-2009 in the 401<sup>st</sup> District Court of Collin County, Texas; 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. legal consultation regarding municipal and extraterritorial boundaries on eastern and western areas of City.

(b). Discussion regarding Personnel Matters:

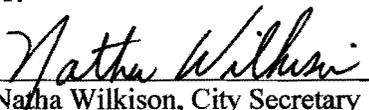
- i. City Secretary annual review. (Tex. Gov't Code §551.074).
- ii. City Manager. (Tex. Gov't Code §551.074).

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.

9. Consider/Discuss/Action on any items listed on posted agenda for October 11, 2011 City of Anna Workshop Session or any closed session occurring during this Regular Meeting, as necessary.

10. 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., October 7, 2011.

  
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: October 11, 2011

Staff Contact: Philip Sanders

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

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

Exhibits:  Yes  No

**AGENDA SUBJECT:** Discussion regarding Anna promotional video

**SUMMARY:** The City was recently contacted by one of the associate producers for a television news magazine called Today in America which airs on the Fox Business Network and the CNN Headlines News regional networks. They are considering featuring the City of Anna in a five (5) minute segment on topics, trends and issues related to "Hidden Gems to Live, Play and Work" in their "Discover America" series.

If we agree to participate and pay a scheduling fee of \$19,800, the Anna segment would air one (1) time nationally on FOX Business Network, and nineteen (19) times regionally on CNN Headline News through regional cable operators and/or Regional News Networks based on viewer demographics, interests and the distribution checklist. Today in America has no direct affiliation with the networks on which it airs. The City would have final approval of the production script.

Staff will discuss with the Council what interest the City might have in participating in this promotional video.

The next airing of the Today in America Series is scheduled for Saturday October 8 at 3:00 p.m. Central Time. Their webpage is <http://todayinamericatv.com/>. A link to the Production Materials and requirements for producing a segment on Anna are located at <http://todayinamericatv.com/ApQt/e-package/>.



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

Council Meeting: Oct. 11, 2011

Staff Contact: Jessica Perkins

Account Code #: n/a

Budgeted Amount: n/a

Exhibits:  Yes  No

**AGENDA SUBJECT:** Consider/Discuss/Action regarding the EDC and CDC 2011-2012 Fiscal Year Agreements with the GACC. (Jessica Perkins)

**SUMMARY:** The EDC and CDC have historically supported the annual events of the GACC. For the past two years the Corporations have entered into a fiscal year agreement for sponsorship. The annual agreements have allowed for better planning and budgeting. The EDC and CDC have approved the FY 2011-2012 agreement that is attached.

**STAFF RECOMMENDATION:** Staff recommends you approve the attached Resolution and Agreements.



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

Council Meeting: October 11, 2011

Staff Contact: Clayton Fulton

Account Code #: N/A

Date Prepared: 10/5/11

Budgeted Amount: N/A

Exhibits:  Yes  No

**AGENDA SUBJECT:** Consent Item 5-C Approve a Resolution regarding an Interlocal Agreement between the City of Melissa and the City of Anna for purchase and corresponding sale of a portion of the selling cities minimum take or pay obligation under the GTUA-City of Anna potable water supply contract.

**SUMMARY:** As discussed in the regular council meeting held on September 27, 2011, the City of Anna is able to sell excess water capacity from out GTUA minimum take our pay contract from the water year ended July 31, 2011.

**RECOMMENDATION:** Staff recommends the City Council approve resolution authorizing the City Manager to execute an ILA with the City of Melissa for the sale of excess water capacity for the water year ended July 31, 2011 to the City of Melissa.



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

Council Meeting: October 11, 2011

Staff Contact: Clayton Fulton

Account Code #: N/A

Date Prepared: 10/5/11

Budgeted Amount: N/A

Exhibits:  Yes  No

**AGENDA SUBJECT:** Consent Item 5d - Adopt an Ordinance approving the 2011 Tax Roll for the City of Anna.

**SUMMARY:** The Collin County Tax Assessor Collector recently submitted the Tax Roll summary for the City of Anna. Texas Property Tax Code, section 26.09, requires cities to pass an ordinance approving the 2011 Tax Roll.

**RECOMMENDATION:** Staff recommends the City Council adopt an ordinance approving the 2011 Tax Roll for the City of Anna.



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

Council Meeting: October 11, 2011

Staff Contact: Clayton Fulton

Account Code #: N/A

Date Prepared: 10/5/11

Budgeted Amount: N/A

Exhibits:  Yes  No

**AGENDA SUBJECT:** 6a - Public Hearing For City Council to hear public comment regarding an ordinance amending the Anna City Code of Ordinances Part II (general ordinances), Article 57 (reserved), by establishing Article 57 to govern matters related to taxation and adding Article 57, Section 1 (taxation of goods in transit) to preserve the city's authority to continue to tax goods in transit.

6b – Consider/Discuss/Action regarding an ordinance amending the Anna City Code of Ordinances Part II (general ordinances), Article 57 (reserved), by establishing Article 57 to govern matters related to taxation and adding Article 57, Section 1 (taxation of goods in transit) to preserve the city's authority to continue to tax goods in transit.

**SUMMARY:** As discussed in the regular City Council meeting held on September 27, 2011, the State Legislature revised and narrowed the goods-in-transit exemption under 11.253 of the Property Tax Code. As a such the City is required to vote on a good-in-transit tax on goods, principally inventory, that are stored under a contract of bailment by a public warehouse operator at a public warehouse facility, that is in no way owned or controlled by the owner of the goods, provided such property is moved to another location in this state or out of state within 175 days after the goods were acquired in Texas or imported into Texas.

**RECOMMENDATION:** Staff recommends the City Council adopt an ordinance to preserve the city's authority to continue to tax on goods-in-transit



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

Council Meeting: October 11, 2011  
Account Code #: \_\_\_\_\_  
Budgeted Amount: \_\_\_\_\_

Staff Contact: Clark McCoy

Exhibits:  Yes       No

**AGENDA SUBJECT:**

Consider/Discuss/Action regarding a settlement agreement relating to litigation styled Powell v. City of Anna, Cause No. 401-03815-2009, filed in the 401st District Court of Collin County, Texas, and a resolution authorizing execution of settlement agreement. (Clark McCoy)

**SUMMARY:**

This matter is on the closed session agenda for discussion. The proposed settlement would fully resolve all matters pending between the City and the Plaintiff with the City paying no amounts to the Plaintiff and the City being granted a full release and discharge from the dispute.

**RECOMMENDED ACTION:**

Agreement be approved.