



CITY OF ANNA AGENDA NOTICE – CITY COUNCIL WORKSHOP

January 14, 2014

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., January 14, 2014, at the Anna City Hall Administration Building, located at 111 N. Powell Parkway (Hwy 5), regarding the following items:

1. Call to Order.
2. Roll Call and Establishment of Quorum.
3. Briefing/Discussion regarding 2014 Certificates of Obligation and Utility Rate Model. (Clayton Fulton)
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**);
 - b. discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the City is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). (**Tex. Gov't Code §551.087**); proposed retail development.

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.

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.

5. Consider/Discuss/Action on any items listed on posted agenda for January 14, 2014 City of Anna City Council Regular Meeting or any Closed Session occurring during this Workshop, as necessary.
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., January 10, 2014.

Natha Wilkison

Natha Wilkison, City Secretary

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City of Anna City Council Agenda Staff Report

Council Meeting: January 14, 2014 Staff Contact: Clayton Fulton and Rob Woods

Account Code #: N/A Date Prepared: 1/9/14

Budgeted Amount: N/A Exhibits: Yes No

AGENDA SUBJECT: Briefing/Discussion regarding 2014 Certificates of obligation and Utility Rate Model.

SUMMARY: After our last meeting on the proposed debt issuance, staff has reviewed the project cost and our utility rate model.

Our consulting engineer, Birkhoff Hendricks & Carter has determined the probable cost to be \$4,138,000. This project includes the following improvements:

- Elevated storage tank - \$2,280,000
- Water lines to tank and loop system - \$1,323,000
- Disinfection system upgrades - \$330,000
- Funds to complete blending program - \$205,000

The attached exhibit details the costs of each project.

Each of these projects is necessary to allow for current and future growth. The consequences of not moving forward will result in increased cost in the future and potentially limiting current growth opportunities in Anna. These projects will assist in meeting TCEQ requirements for water storage and system capacity, without the improvements we will fall short of meeting certain TCEQ requirements. Commitment to these projects illustrates our commitment to fostering growth in the City.

Since our last meeting to discuss these projects, we have also reviewed our utility rate model. The growth projections included in the model presented during budget preparations last year were very anemic and based upon the best information we had at the time. The model was also based upon a lower debt issue than is now presented.

We have updated the model with 3 different scenarios of 5%, 7%, and 9% growth rates. We have also updated the anticipated debt service for the proposed debt issue.

City Staff will present details of the proposed projects and results of the updated rate model. Staff from First Southwest will also be on hand to present a brief market update and the anticipated debt issuance costs.

RECOMMENDATION:



CITY OF ANNA AGENDA NOTICE – CITY COUNCIL REGULAR MEETING

January 14, 2014

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., January 14, 2014, 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. Approve City Council Minutes for December 10, 2013 Regular Meeting.
 - b. Approve City Council Minutes for December 18, 2013 Special Meeting.
 - c. Approve a Resolution approving the final plat of the CVS Addition. (Maurice Schwanke)
 - d. Approve a Resolution setting the dates and times for public hearings on the adoption of Impact Fees. (Maurice Schwanke)
 - e. Review City of Anna Racial Profile Report. (Chief Jenks)
 - f. Review Impact Advisory Committee Minutes of March 3, 2009 meeting.
 - g. Review Impact Advisory Committee Minutes of October 1, 2012 meeting.
 - h. Review Planning and Zoning Commission Minutes of November 4, 2013 Regular Meeting.
 - i. Review Planning and Zoning Commission Minutes of December 2, 2013 Regular Meeting.

6. Consider/Discuss/Action regarding a Resolution approving a Change Order No. 3 to the contract with Quality Excavation for the FM 455 Utility Relocation Project. (Rob Woods)

7. Public Hearing: (1st) For City Council to hear public comment regarding annexation of the following tract: A tract of land in the D. E. W. Babb Survey, ABS A33 generally located east of County Road 418, north of the Collin County Outer Loop and adjacent to the city limits, containing 9.97 acres of land more or less. (Maurice Schwanke)

8. Consider/Discuss/Action on an Ordinance approving the annexation of a tract of land in the Thomas Rattan Survey, ABS A0782 generally located east of County Road 286, West of U. S. 75 and adjacent to the city limits, containing thirty three acres of land more or less. (Maurice Schwanke)

9. Consider/Discuss/Action regarding an Ordinance amending the Anna City Code of Ordinances by amending Part II, Article 8 (Building Regulations), by adding Section 22 establishing times when construction is restricted. (Maurice Schwanke)

10. (a) Public Hearing: To consider public comments on a request by Joe Greer, owner of property, requesting a Specific Use Permit to allow the operation of a re-sale shop service with no outside storage at 505 N Powell Pkwy, the

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subject property. The property is currently zoned as C-1 Restricted Commercial. (Maurice Schwanke)

(b) Consider/Discuss/Action regarding an ordinance for a Specific Use Permit to allow the operation of a re-sale shop service with no outside storage located at 505 N Powell Pkwy. (Maurice Schwanke)

11. Consider/Discuss/Action regarding a Resolution authorizing an Agreement with the Greater Texoma Utility Authority to fund a water line relocation project. (City Manager)

12. Consider/Discuss/Action regarding and Ordinance amending Section 7.04(f) of the Personal Policy Manual. (City Manager)

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**);

b. discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the City is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). (**Tex. Gov't Code §551.087**); proposed retail development.

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 January 14, 2014 Workshop Session or any closed session occurring during this Regular Meeting, as necessary.

15. Adjourn.

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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. January 10, 2014.

Natha Wilkison

Natha Wilkison, City Secretary

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City of Anna City Council Agenda Staff Report

Council Meeting: January 14, 2014

Staff Contact: Philip Sanders

Account Code #: N/A

Date Prepared: 1-9-14

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. Approve City Council Minutes for November 12, 2013 Regular Meeting.
- b. Approve a Resolution approving the Quarterly Investment Report. (Clayton Fulton)
- c. Approve a Resolution approving An Agreement for the Annual Audit. (Clayton Fulton)
- d. Approve a Resolution approving ILA with Collin County for Animal Control Services amendment. (Chief Jenks)
- e. Approve a Resolution approving ILA with Collin County for Animal Shelter Services amendment. (Chief Jenks)
- f. Approve a Resolution regarding approval of "Dickschat Addition" Development Plat. (Maurice Schwanke)
- g. Approve a Resolution regarding approval of "Martinez Addition" Final Plat. (Maurice Schwanke)
- h. Approve a Resolution regarding approval of "Anna Crossing PH 1A & 1B" Preliminary Plat. (Maurice Schwanke)
- i. Review P & Z Minutes of October 7, 2013 Regular Meeting.
- j. Approve a Resolution authorizing approval of an Agreement with the Greater Anna Chamber of Commerce for the Anna Centennial Celebration. (City Manager)

RECOMMENDATION: Staff recommends approval of the consent items.



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

Council Meeting: January 14, 2014

Staff Contact: Maurice Schwanke

Account Code #: N/A

Date Prepared: 01/08/14

Budgeted Amount: N/A

Exhibits: Yes No

AGENDA SUBJECT: Approve a Resolution approving the final plat of the CVS Addition.

SUMMARY: The CVS final plat has been reviewed and approved by the City Engineer and City Staff. All of the comments have been addressed.

PLANNING AND ZONING ACTION: The Planning and Zoning Commission Recommended Approval of the CVS final plat at their January 6th meeting.

RECOMMENDED ACTION: Approval of the Resolution approving the Final Plat of the CVS Addition.



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

Council Meeting: January 14, 2014

Staff Contact: Maurice Schwanke

Account Code #: N/A

Date Prepared: 01/08/14

Budgeted Amount: N/A

Exhibits: Yes No

AGENDA SUBJECT: Approve a Resolution setting the dates and times for public hearings on the adoption of Impact Fees.

SUMMARY: As part of the requirements of Section 395 of the Local Government Code concerning the adoption of Impact Fees the City Council is required to hold a public hearing. The City is anticipating holding the public hearing on February 25th of 2014. The Cities Impact Fee Advisory Committee is currently reviewing the Land Use Assumptions for Roadway Impact Fees, Land Use Assumptions for Water and Sewer Fee Update, Roadway Impact Fee Capital Improvement Plan, Water and Sewer Impact Fee Capital Improvements Plan as part of the process. They will be providing the Council their results and recommendations. This process established by the Local Government Code is required every 5 years if a city has impact fees or is planning on adopting impact fees.

RECOMMENDED ACTION: Set the Public Hearing for Impact Fees.



City of Anna City Council Agenda Staff Report

Council Meeting: January 14, 2014
Account Code # FM 455 Utility Relocation Project
Amount: \$76,115.00

Staff Contact: Rob Woods

Exhibits: X Yes No

AGENDA SUBJECT: Consider/Discuss/Action regarding a Resolution approving Change Order No. 3 to the contract with Quality Excavation for the FM 455 Utility Relocation Project.

SUMMARY: On April 25th the City Council approved Change Order No. 1 and Change Order No. 2 on the FM 455 Utility Relocation Project. Change Order No. 3 covers the work associated Slayter Creek Crossing and connections located in multiple locations which will assist in minimizing the roadway closures.

The original contract amount was \$1,226,676.00 upon the approval of Change Orders No. 1 and 2 the total contract amount was adjusted to \$1,453,770.75. The proposed Change Order No. 3 will increase the contract by \$76,115.00 and if approved the overall contract amount will be adjusted to \$1,529,885.75. The contract was increased by 18.7% with the approval of change orders No. 1 & 2. If approval of Change Order No. 3 is received by council the total increase from the original contract amount will be 24.7%.

RECOMMENDATION: Staff recommends approval of the attached Resolution which amends the contract amount to reflect the amount of Change Order No. 3 at \$76,115.00.



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

Council Meeting: January 14, 2014

Staff Contact: Maurice Schwanke

Account Code #: N/A

Date Prepared: 01/08/14

Budgeted Amount: N/A

Exhibits: Yes No

AGENDA SUBJECT: Public Hearing: (1st) For City Council to hear public comment regarding annexation of the following tract: A tract of land in the D. E. W. Babb Survey, ABS A33 generally located east of County Road 418, north of the Collin County Outer Loop and adjacent to the city limits, containing 9.97 acres of land more or less.

SUMMARY: The Nelson Concrete Development is located outside the City Limits in the Extra Territorial Jurisdiction adjacent to the Collin County Outer Loop. A major thoroughfare shown on the City's Comprehensive Plan is planned to traverse the site as shown on the attached development plat. The Collin County Outer Loop will be a major Gateway through the City; as such the Land Uses adjacent to the thoroughfare need to be monitored.

RECOMMENDED ACTION: Hold Public Hearing.



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

Council Meeting: January 14, 2014

Staff Contact: Maurice Schwanke

Account Code #: N/A

Date Prepared: 01/08/14

Budgeted Amount: N/A

Exhibits: Yes No

AGENDA SUBJECT: Consider/Discuss/Action on an Ordinance approving the annexation of a tract of land in the Thomas Rattan Survey, ABS A0782 generally located east of County Road 286, West of U. S. 75 and adjacent to the city limits, containing thirty three acres of land more or less.

SUMMARY: The City has held its required public hearings on this proposed annexation. This annexation is voluntary as per the December 8th of 2010 three year 43.035/212 development agreement with Mixon Realty Company. A service plan for this area is attached.

PLANNING AND ZONING ACTION: The Planning and Zoning recommended approval of the annexation at their meeting on November 4, 2013 meeting. The vote was unanimous.

RECOMMENDED ACTION: Approval of the annexation.



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

Council Meeting: January 14, 2014

Staff Contact: Maurice Schwanke

Account Code #: N/A

Date Prepared: 01/08/14

Budgeted Amount: N/A

Exhibits: Yes No

AGENDA SUBJECT: Consider/Discuss/Action regarding an Ordinance amending the Anna City Code of Ordinances by amending Part II, Article 8 (Building Regulations), by adding Section 22 establishing times when construction is restricted.

SUMMARY: This proposed ordinance sets forth standards for construction starting times and ending times and the days of the week that construction can occur. Currently for infrastructure construction such as the installation of water, wastewater, streets and drainage we have standards. However, our ordinances do not adequately address the building of structures such as houses and commercial buildings. In order to facilitate evening outside enjoyment by residents without the sound of hammering, compressors, cement trucks etc. time limits need to be enacted. The ordinance before you will set the times to be not after 7 pm or before 7 am Monday through Saturday. No construction is allowed on Sunday.

Additionally, this ordinance provides for exceptions if approved in writing by the City Manager or his/her designee. A common example of such activity occurs during the summer hours when day time pouring of concrete sometimes does not work well because of the heat. These occurrences are reviewed on a case by case basis.

RECOMMENDED ACTION: Approval of the Ordinance



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

Council Meeting: January 14, 2014

Staff Contact: Maurice Schwanke

Account Code #: N/A

Date Prepared: 01/08/14

Budgeted Amount: N/A

Exhibits: Yes No

AGENDA SUBJECT: a) Public Hearing: To consider public comments on a request by Joe Greer, owner of property, requesting a Specific Use Permit to allow the operation of a re-sale shop service with no outside storage at 505 N. Powell Pkwy, the subject property. The property is currently zoned as C-1 Restricted Commercial.

(b) Consider/Discuss/Action regarding an ordinance for a Specific Use Permit to allow the operation of a re-sale shop service with no outside storage located at 505 N Powell Pkwy.

SUMMARY: The Specific Use Permit request is to allow the operation of a re-sale shop with no outside storage. Ms. Nora Sue Weatherford, the proposed tenant, intends that the facility be used to house used home furnishing, clothing, shoes, antiques, etc. for re-sale. No responses have been received from property owners, located in the affected area.

The staff recommends that any approval of this facility should have no outside storage and no outside display.

PLANNING AND ZONING ACTION: The Planning and Zoning Commission recommended approval of the SUP zoning request at their meeting December 2, 2013 with the conditions that there will be no outside storage or display. The vote was unanimous.

RECOMMENDED ACTION: Approval of Ordinance



City of Anna City Council Agenda Staff Report

Council Meeting: January 14, 2014
Account Code # _____
Amount: _____

Staff Contact: City Manager

Exhibits: X Yes No

AGENDA SUBJECT: Consider/Discuss/Action regarding a Resolution authorizing execution of an Agreement with the Greater Texoma Utility Authority to fund a water line relocation project.

SUMMARY: The surface water supply lined owned by the Greater Texoma Utility Authority (GTUA) and the Collin-Grayson Municipal Alliance (CGMA) supplies treated surface water to the City of Anna during the peak water consumption months of summer. The water line passes under SH 121 in Melissa and will need to be relocated to accommodate the expansion of SH 121 later this year. GTUA has estimated the cost of the relocation at just over \$328,000.

TxDOT has indicated that 100% of the water line relocation costs will be reimbursed to GTUA after the project is complete. In order to fund the project pending TxDOT reimbursement, GTUA has applied for a bridge loan from the Texas Infrastructure Fund (TIF). The TIF loan will not be approved until the end of March.

In order to reduce the potential for water service interruptions during the summer months, GTUA would like to bid the project now and start construction as soon as possible. In order to do that, they need to have funds available to pay the contractor for the work. GTUA is asking the Cities of Anna and Melissa approve a temporary loan of one-half each of the estimated construction price until their TIF loan is approved by the state or until they receive final reimbursement from TxDOT at the conclusion of the project, at which time the cities would be paid back. The City of Anna's share would be \$164,094.75. The attached Agreement authorizes the City to loan GTUA one half of the cost of the water line relocation project.

RECOMMENDATION: Staff believes that it is important to get this project under construction as soon as possible in order to reduce the potential for water service interruptions during the summer months. Staff recommends approval of the attached Agreement and Resolution.



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

Council Meeting: January 14, 2014
Account Code # _____
Amount: _____

Staff Contact: City Manager

Exhibits: X Yes No

AGENDA SUBJECT: Consider/Discuss/Action regarding and Ordinance amending Section 7.04(f) of the Personal Policy Manual.

SUMMARY: In accordance with Section 4.06 of the Anna Home Rule Charter, I am recommending a minor change to the City's Personnel Policy Manual regarding the assignment of un-used sick leave. This change is recommended pending a more comprehensive review of the City's personnel policies.

RECOMMENDATION: Staff recommends approval of the attached Ordinance.