



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

**October 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., October 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 proposed Villages of Hurricane Creek Development. (City Manager)
4. Briefing/Discussion regarding 2014 Bond Refunding. (Clayton Fulton)
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**);
  - b. discuss or deliberate the purchase, exchange, lease, or value of real property (**Tex. Gov't Code §551.072**); acquisition of right-of-way, easements, and land for municipal facilities;
  - c. 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

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.

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 residential and retail developments;

- d. discuss or deliberate personnel matters: City Secretary Annual Review and update; City Manager Annual Review; Boards and Commissions. **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.

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

*Natha Wilkison*

Natha Wilkison, City Secretary

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## City Council Agenda Staff Report

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Date: October 14, 2014

Staff Contact: Clayton Fulton

Exhibits:

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### **AGENDA SUBJECT:**

Briefing/Discussion regarding 2014 Bond Refunding

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### **SUMMARY:**

City staff and our financial advisors have been working on our long term debt management plan to ensure timely refundings for economic savings, strategic purposes, or both. As part of that plan, refundings of the 2009 Refunding Bond, the 2006 CO, and the 2011 CO are all contemplated refundings at this time. The 2009 Bond was issued to refund several debt instruments into a single issue. The 2006 CO and 2011 CO were issued for General Fund purposes.

The General Fund debt is being refunded for savings while the Utility Fund debt is being refunded for strategic purposes. Without refunding the UF debt we would see a significant spike in debt service beginning in FY 15. The refunding will smooth the spike into more manageable and gradual increases in debt service through the next planned refunding in 2017. To obtain maximum flexibility, these refundings are being proposed as a private placement rather than an open market placement.

Staff from First Southwest will present the plan to council at the meeting and review the process for refunding the proposed debt instruments. Action on the proposed refundings would occur at the October 28, 2014 regularly scheduled council meeting.

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### **STAFF RECOMMENDATION:**

None.



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

**October 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., October 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.*

1. The Council may vote and/or act upon each of the items listed in this agenda.
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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 a Resolution regarding the FY 2015 EMS Contract. (Chief Gothard)
  - b. Approve a Resolution regarding an Inter-Local Agreement for Environmental Services. (Maurice Schwanke)
  - c. Approve a Resolution regarding an Inter-Local Agreement for road and bridge improvements. (City Manager)
  - d. Approve a Resolution regarding consent for inclusion of dual certification and city limit area in the proposed North Collin Special Utility District boundary. (City Manager)
  - e. Approve a Resolution approving the Margarita Rodriguez Development Plat. (Maurice Schwanke)
  - f. Approve an Ordinance approving the 2014 Tax Roll. (Clayton Fulton)
6. Consider/Discuss/Action regarding a resolution approving the purchase of a gazebo at Natural Springs Park. (Maurice Schwanke)
7. Public Hearing: For City Council to hear public comment regarding the proposed rezoning of Villages of Hurricane Creek from “PD” – single family residential to “PD”– single family residential. (City Attorney)
8. Public Hearing: For City Council to hear public comment regarding the creation of a Public Improvement District for the Villages of Hurricane Creek.
9. (a) Public Hearing: For City Council to hear public comment regarding the proposed rezoning of the Avery Point Development from “PD” – single family residential and commercial to “PD” – single family residential. (Maurice Schwanke)
 

(b) Consider/Discuss/Action regarding an ordinance approving the rezoning of the Avery Point Development. (Maurice Schwanke)
10. Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by QJR Partnership LTD. (City Manager)
11. Consider/Discuss/Action regarding a Resolution initiating proceedings, and setting the dates, times, and places for public hearings for the annexation of a 162.12 acre tract of land located in the F.T. Daffau Survey, Abstract No. 0288; and a 64.5 acre tract of land in the John Ellet Survey, Abstract No. 0296 and extending an offer to the owners of said properties to make a Development Agreement with the City. (Maurice Schwanke)

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12. Consider/Discuss/Action regarding a Resolution setting the dates, times and places for public hearings for the voluntary annexation of a 23.19 acre tract of land located in the J.C. Brantley Survey, Abstract No. 114. (Maurice Schwanke)
13. Consider/Discuss/Action regarding approval of a Development Agreement with Troy and Floella Queen. (City Manager)
14. 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 the purchase, exchange, lease, or value of real property (**Tex. Gov't Code §551.072**); acquisition of right-of-way; easements; and land for municipal facilities;
  - c. 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 residential and retail developments;
  - d. discuss or deliberate personnel matters: City Secretary Annual Review and Update; City Manager Annual Review; Boards and Commissions. (**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.

15. Consider/Discuss/Action on any items listed on posted agenda for October 14, 2014 Workshop Session or any closed session occurring during this Regular Meeting, as necessary.
16. 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. October 10, 2014.

*Natha Wilkison*

Natha Wilkison, City Secretary

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## City Council Agenda Staff Report

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Date: October 8, 2014

Staff Contact: City Manager

Exhibits:

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**AGENDA SUBJECT:** Consent Items.

These items consists of non-controversial or “housekeeping” items required by law. Items may be considered individually by any Council Member making such request prior to motion and vote on the Consent Items.

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**SUMMARY:**

- a. Approve a Resolution regarding the FY 2015 EMS Contract. (Chief Gothard)
- b. Approve a Resolution regarding an Inter-Local Agreement for Environmental Services. (Maurice Schwanke)
- c. Approve a Resolution regarding an Inter-Local Agreement for road and bridge improvements. (City Manager)
- d. Approve a Resolution regarding consent for inclusion of dual certification and city limit area in the proposed North Collin Special Utility District boundary. (City Manager)
- e. Approve a Resolution approving the Margarita Rodriguez Development Plat. (Maurice Schwanke)
- f. Approve an Ordinance approving the 2014 Tax Roll. (Clayton Fulton)

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**STAFF RECOMMENDATION:**

Staff recommends approval of the consent items.



## City Council Agenda Staff Report

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Date: October 14, 2014  
Staff Contact: Chief Gothard  
Exhibits: Yes

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### **AGENDA SUBJECT:**

Approve a Resolution regarding the FY 2015 EMS contract.

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### **SUMMARY:**

This is the renewal of the Collin County – City of Anna contract for EMS service for the incorporated areas of the City of Anna. The time period for this contract is from November 1, 2014 to October 31, 2015. The total amount is \$124,154.68. This is a budgeted item.

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### **STAFF RECOMMENDATION:**

Approve the Collin County contract for EMS service to the City of Anna.



## City Council Agenda Staff Report

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Date: October 14, 2014

Staff Contact: Maurice Schwanke

Exhibits: Yes

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### **AGENDA SUBJECT:**

Resolution approving an ILA for Environmental Services with Collin County.

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### **SUMMARY:**

The City has been contracting out to Collin County our environmental review and inspection services of all of our health related issues. These inspections include HOA swimming pools, restaurants, school cafeterias, day care food preparations, and any other place where food is being prepared such as festivals and inside convenience stores. Additionally they review food preparation facility plans prior to and during construction to insure health regulation compliance. The City received reports throughout the year on each inspection made. The 2015 contract amount is \$8,200 which is an increase of \$712 from the 2014 rate. The rate is based on the population estimates for the City of 10,250 citizens x \$.80. The attached resolution approves the Interlocal agreement with the County.

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### **STAFF RECOMMENDATION:**

Approval of Resolution.



## City Council Agenda Staff Report

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Date: October 14, 2014  
Staff Contact: City Manager  
Exhibits: Yes

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### **AGENDA SUBJECT:**

Approve a Resolution regarding an Inter-local Agreement with Collin County for road and bridge improvements.

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### **SUMMARY:**

In order to save money, the City may choose (from time to time) to contract with the Collin County Public Works Department for the construction of improvements to roadways located inside the Anna city limits. These contracted services are based on an Inter-local Agreement between the City of Anna and Collin County that describes the types of work the County is willing to perform and terms of payment for any such requested work. As an example of the type of work that could be performed, the City is currently negotiating with Collin County to pave East Fork Circle. Prior to entering into a contract for this type of project, the City would first need to approve the attached Inter-local Agreement.

The current Inter-local Agreement with Collin County for road and bridge work has expired, and is up for renewal this month.

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### **STAFF RECOMMENDATION:**

Staff recommends approval of the attached Resolution and Inter-local Agreement.



## City Council Agenda Staff Report

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Date: October 14, 2014  
Staff Contact: City Manager  
Exhibits: Yes

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### **AGENDA SUBJECT:**

Approve a Resolution regarding consent for inclusion of dual certification and city limit area in the proposed North Collin Special Utility District boundary.

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### **SUMMARY:**

The North Collin Water Supply Corporation (WSC) is currently pursuing conversion to a Special Utility District (SUD) to be known as the North Collin Special Utility District. The proposed SUD boundaries are proposed to be the same as the existing North Collin WSC Certificate of Convenience and Necessity (CCN) #11035 boundaries. A portion of the North Collin WSC CCN #11035 is dually certificated with the City of Anna. Additionally, a portion of the city limits of the City of Anna overlap the North Collin CCN service area. North Collin WSC is requesting the City's consent to include the dually certificated areas and the city limit overlap areas in the proposed North Collin SUD district boundaries. The consent will not change the CCN service of either utility. It will only determine voting eligibility of the SUD voters.

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### **STAFF RECOMMENDATION:**

The City Attorney and the City's water attorney have reviewed the proposed consent form and have offered not objections. Staff recommends approval of the attached Resolution.



## City Council Agenda Staff Report

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Date: 10/08/14

Staff Contact: Maurice Schwanke

Exhibits: Yes

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### **AGENDA SUBJECT:**

Approve a Resolution approving the Margarita Rodriguez development plat.

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### **SUMMARY:**

The development plat is located at Twin Creeks, an un-recorded area and within the extraterritorial jurisdiction of the City. The tract is in the Ezra Shelby Survey, Abstract A-839 and contains approximately 3.938 acres of land. The property is located at 9831 Twin Creeks Circle. The owner is proposing to build a house on the tract. The submittal meets the City of Anna development plat requirements.

The Planning and Zoning recommended approval of the development plat at their October 6, 2014 meeting. The vote was unanimous

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### **STAFF RECOMMENDATION:**

Approval of development plat



## City Council Agenda Staff Report

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Date: October 14, 2014  
Staff Contact: Clayton Fulton  
Exhibits: 2014 Tax Roll  
Summary

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**AGENDA SUBJECT:**

Approve an Ordinance approving the 2014 Tax Roll

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**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 2013 Tax Roll.

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**STAFF RECOMMENDATION:**

Staff recommends that the City Council adopt the attached Ordinance approving the 2014 Tax Roll for the City of Anna



## City Council Agenda Staff Report

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Date: October 14<sup>th</sup>, 2014

Staff Contact: Maurice Schwanke

Exhibits: Yes

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### **AGENDA SUBJECT:**

Consider/Discuss/Action regarding a Resolution approving a contract with Insite Amenities LP for the purchase and construction of a gazebo at Natural Springs Park.

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### **SUMMARY:**

Several Years ago a group of volunteers constructed a gazebo at Natural Springs Park. Some of the materials were not the best and significant deterioration has occurred. We've been extremely pleased with the facility that has been constructed at Slayter Creek Park and would like to duplicate that facility at Natural Springs Park. Insite Amenities constructed that facility. The attached resolution authorizes the City Manager to execute on the City Councils behalf an Agreement with Insite Amenities LP. Insite will be erecting a gazebo designed and manufactured by Poligon, one of the market leaders in the design and manufacture of park architecture. Insite will provide and construct the gazebo for \$54,879. The City's Financial Policy requires that all purchases above \$50,000 be purchased under formal competitive sealed bidding rules or as otherwise permitted by the Texas Local Government Code under Chapters 252 and 271. Chapter 271 Subchapter F of the Texas Local Government Code permits a local government to participate in a cooperative purchase program with another local government or a local cooperative organization. Goods or services purchased through a cooperative purchasing program satisfy the State law requirement to seek competitive bids. The Poligon gazebo that will be installed at Slayter Creek Park to can be purchased by the City through the Texas Local Government Purchasing Cooperative (commonly referred to as the "BuyBoard"). The TLGP Cooperative is an administrative agency created in accordance with Section 791.001 of the Texas Government Code. Its purpose is to obtain the benefits and efficiencies that can accrue to members of a cooperative, to comply with state bidding requirements, and to identify qualified vendors of commodities, goods, and services. The Cooperative also relieves the burdens of governmental purchasing by effectively using current technology and realizing economies of scale. The Cooperative analyzes and makes award recommendations for products and services that have been submitted for competitive procurement as outlined by state statute.

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**STAFF RECOMMENDATION:**

Staff recommends approval of the attached Resolution that authorizes the purchase and construction of the Poligon gazebo through the Texas Local Government Purchasing Cooperative.



## City Council Agenda Staff Report

Date: 10/08/14

Staff Contact: Maurice Schwanke

Exhibits: Yes

### AGENDA SUBJECT:

(a) Public Hearing: Public Hearing: For City Council to hear public comment regarding the proposed rezoning of Villages of Hurricane Creek.

### SUMMARY:

This zoning submittal consists of approximately 368.2 total acres of land within the City of Anna. The uses proposed for this Property follow the intent of the City of Anna Comprehensive Plan. The proposal creates a master planned community featuring a mixture of lot sizes that should encourage sustainable neighborhoods. The following table summarizes the proposed lot sizes and densities:

LAND USE SUMMARY				
USE	ACREAGE +/-	SF LOTS	SF DENSITY (UNITS/ACRE)	PERCENTAGE
<b>SINGLE FAMILY RESIDENTIAL - 50% MAXIMUM LOT COVERAGE</b>				
70' x 120' LOTS	84.07	365	4.34	51.4%
80' x 120' LOTS	45.32	185	4.08	27.7%
90' x 120' LOTS	14.61	55	3.76	8.9%
100' x 150' LOTS	19.70	49	2.49	12.0%
<b>TOTAL</b>	<b>163.7</b>	<b>654</b>	<b>4.00</b>	<b>44.5%</b>
<b>OPEN SPACE</b>	<b>148.7</b>			<b>40.4%</b>
<b>FIRE STATION</b>	<b>2.5</b>			<b>0.7%</b>
<b>AMENITY CENTER</b>	<b>2.0</b>			<b>0.5%</b>
<b>ROW DEDICATION</b>	<b>51.3</b>			<b>13.9%</b>
<b>TOTAL</b>	<b>368.2</b>	<b>654</b>	<b>1.76 GROSS</b>	<b>100.0%</b>

This PD will replace the existing small lot entitlements with the smallest lot being 8,400 square feet. Also proposed in this PD are integrated parks and open spaces which will help to preserve areas designated within the 100-year floodplain. A fire station location is being planned for incorporation into the development as well as an amenity center.

The Planning and Zoning recommended approval of the zoning request at their September 8, 2014. The vote was unanimous.

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**STAFF RECOMMENDATION:** Continuation of Public Hearing until October 28<sup>th</sup>.



## City Council Agenda Staff Report

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Date: October 14, 2014

Staff Contact: City Manager

Exhibits: Yes

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### **AGENDA SUBJECT:**

Public Hearing: For City Council to hear public comment regarding the creation of a Public Improvement District for the Villages of Hurricane Creek.

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### **SUMMARY:**

The City received a petition signed by the owners of an undeveloped tract commonly referred to as the Villages of Hurricane Creek, which is a 368.2 acre tract generally located in the city limits north of FM 455, west of Interstate Highway 75, and east of Anna's western city limits (the "Property"). The Petition requests that the City create a public improvement district ("PID") over the Property. At its August 28, 2014 special meeting the Council set a public hearing on the advisability of creating the PID.

A PID is a district that can be created by a municipality under Chapter 372 of the Texas Local Government Code. The district includes a certain area of property for which public improvements are needed. When a City creates a PID, bonds can be issued to help finance public improvements that specifically benefit the district. The bonds generate some of the initial capital required for the public infrastructure, including but not limited to water, sewer, roadways, drainage, landscaping, sidewalks, parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and similar items located in the development as well as similar off-site projects that provide a benefit to the district.

If created, the PID would make assessments against the owners of the Property to pay the debt service on the bonds. The assessments would initially be paid by the developer. Once the property is developed the assessments would be paid by the individual lot owners according to an assessment plan. The developer and the City's financial advisor are also in support of creating a Tax Increment Reinvestment Zone ("TIRZ") on the property as an additional means of financing public improvements.

City staff has been working with the developer as well as the City's financial advisor and bond counsel in support of this development, which would be Anna's first new residential development west of U.S. 75. Staff is supportive of a development concept that would diversify the City's housing stock by providing higher-priced homes in a master planned community with public parks and amenities that would draw new residents to Anna. Staff will recommend the creation of a PID and a TIRZ if the developer commits to delivering the type of development that staff believes would greatly benefit the City.

The subject development is slated for single-family homes and related amenities. The current owners are under contract to sell the development to an entity affiliated with Centurion American ("Centurion"). Most of Centurion's other single-family developments are in or near the Metroplex, with several being located in and/or planned for communities in Collin County including McKinney, Frisco, Prosper, Allen, and Celina. Some of Centurion's marketing materials of their single-family developments can be found here:

<http://centurionamerican.com/county/single-family/>

City Staff and the City Attorney are currently working with the developer and the current owners of the Property in drafting a subdivision improvement agreement that would govern development of the Property and the financing of the public improvements through the PID and an overlapping TIRZ. This public hearing is on the advisability of creating the PID.

Originally, it was anticipated that at this meeting the Council could consider and act on both the subdivision improvement agreement and creation of the PID. However, staff and the developer are not far enough along in the process for those action items. It is currently anticipated that the action items will be ready for one of the October Council meetings. To comply with the hearing requirements under Chapter 372, staff is recommending that the public hearing be opened tonight and that it be held over until the first meeting in October.

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**STAFF RECOMMENDATION:**

A public hearing on this issue was opened on September 23 and continued until the October 14 meeting. Staff recommends that the Council reopen the public hearing on the advisability of creating the PID. Once all interested persons have had an opportunity to comment on the PID, approve a motion to suspend the public hearing and continue the public hearing on October 28, 2014 at 7:30 p.m.



## City Council Agenda Staff Report

Date: 10/08/14

Staff Contact: Maurice Schwanke

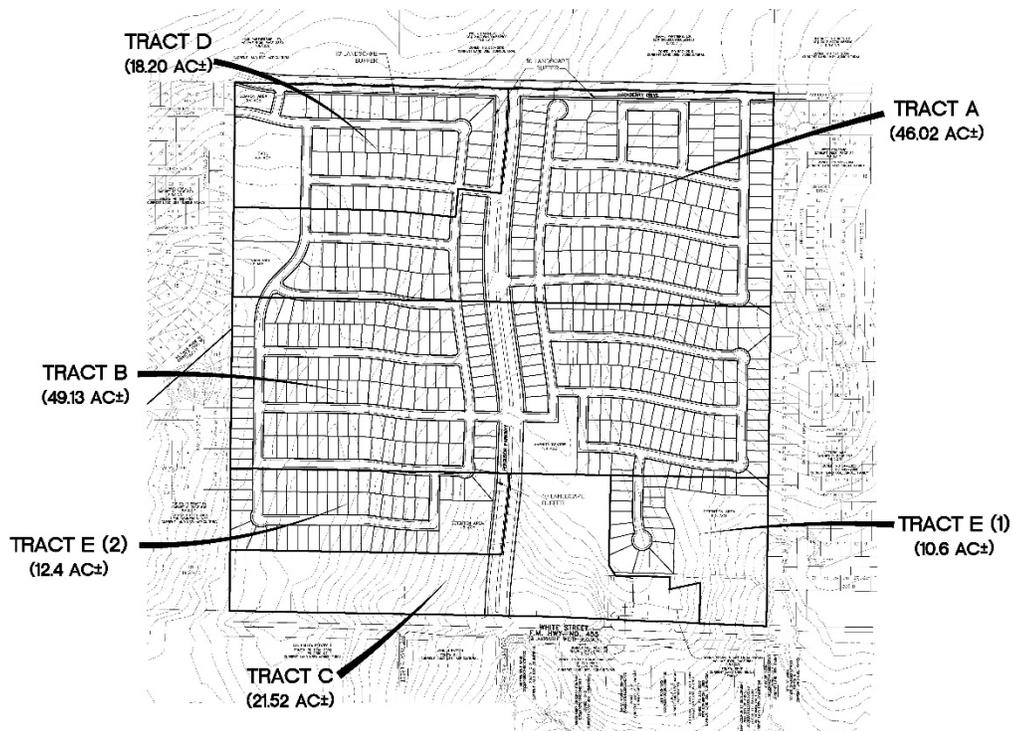
Exhibits: Yes

### AGENDA SUBJECT:

(a) Public Hearing: For City Council to hear public comment regarding the proposed rezoning of the "Rudman 455 Property".

### SUMMARY:

This request is to rezone approximately 41.2 acres of land located north of West White Street between the Fall subdivision to the west and West Crossing and Settlers Way to the East. This property is presently governed by a Planned Development zoning district which was approved by Council February, 2005. The current zoning on these three parcels allows for both single family and commercial development. The exhibit that follows shows the proposed Tract configuration.



The re-zoning would require larger lot sizes (7,200 sq. ft. minimum versus 6,200 sq. ft. minimum) on a portion of the property and convert a portion of the commercial property to single family residential at the same standards approved for residential by the previous zoning that has currently exists on the property. The following chart shows the resulting lot sizes by tract. This development includes 3 different lot sizes for the area which addresses a goal of the Council to provide a mixture of housing options within a neighborhood.

DEVELOPMENT CRITERIA

	MINIMUM LOT SIZE	MINIMUM LOT AREA	MINIMUM DWELLING SIZE
<b>TRACT A</b>	55' X 100'	6,200 SF	1,400 SF
<b>TRACT B</b>	50' X 100'	5,400 SF	1,300 SF
<b>TRACT D</b>	60' X 100'	7,200 SF	1,400 SF
<b>TRACT E(1)</b>	50' X 100'	5,400 SF	1,300 SF
<b>TRACT E(2)</b>	50' X 100'	5,400 SF	1,300 SF

The building materials part of the requested ordinance included the reference to allow Stucco by approval by City Council. This language was recommended to be removed by the Staff since this procedure is already prescribed with the residential standards of the City's Ordinances.

The Planning and Zoning recommended approval of the zoning request at their September 8, 2014 meeting with the conditions that the stucco be removed from the zoning request. The vote was unanimous.

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**STAFF RECOMMENDATION:**

The Staff is recommending approval of this request subject the Stucco Removal. This is the way the attached ordinance has been drafted.



## City Council Agenda Staff Report

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Date: October 14, 2014

Staff Contact: City Manager

Exhibits: Yes

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### **AGENDA SUBJECT:**

Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by QJR Partnership LTD.

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### **SUMMARY:**

The City is working on the design and construction of a new elevated water tower and associated water lines that are necessary to accommodate the current and future growth of our city. In order to construct these improvements, the City will need to acquire an easement across property owned by QJR Partnership LTD. The attached resolution authorizes Staff to commence negotiations, and, if necessary, initiate the use of eminent domain to acquire the needed water easement.

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### **STAFF RECOMMENDATION:**

Staff recommends approval of the attached Resolution. Any motion to approve the resolution should be made precisely as follows as prescribed by law:

"I move that the City of Anna, Texas authorize the use of the power of eminent domain to acquire 1.92 acres of land, more or less, in the F.T. Daffau Survey, Abstract No. 0288, City of Anna, Collin County, Texas, said tract described in a deed to QJR Partnership LTD, recorded in Instrument Number 20020214000237330 and Volume 5106, Page 2380 of the Deed Records of Collin County, Texas (D.R.C.C.T.), said 1.92 acres of land being more particularly described by the metes and bounds description set forth in Exhibit "A" to this resolution, which I incorporate in full into my motion, for a water easement."



## City Council Agenda Staff Report

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Date: 10/808/14

Staff Contact: Maurice Schwanke

Exhibits: Yes

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### AGENDA SUBJECT:

Consider/Discuss/Action regarding a Resolution initiating proceedings, and setting the dates, times, and places for public hearings for the annexation of a 162.12 acre tract of land located in the F.T. Daffau Survey, Abstract No. 0288; and a 64.5 acre tract of land located in the John Ellett Survey, Abstract No. 0296; and extending an offer to the owners of said properties to make a Development Agreement with the City.

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### SUMMARY:

This proposed involuntary annexation involves approximately 226.62 acres of land located immediately north of the Falls and Creekside subdivisions on both sides of County Road 370. The land is currently used for agricultural purposes and is surrounded on all four sides by properties that are inside the city limits. The Resolution (if approved) would initiate or begin the annexation process for the area shown on the attached Exhibit A. If the Resolution is adopted, the City will schedule two public hearings that will (if necessary) be held during City Council Meetings on December 9, 2014 and December 16, 2014. If necessary, a final vote on the annexation will occur during the January 13<sup>th</sup> Council Meeting. **Please note that the December 16<sup>th</sup> meeting will be a special called meeting.**

Prior to annexing properties that are appraised for property tax purposes as land for agricultural, wildlife management use, or as timber land (*as defined in Subchapter C, D, or E Chapter 23, Tax Code*) the City is required to offer to make a development agreement with the landowner. Such a development agreement would:

- 1) guarantee the continuation of the extraterritorial (outside the city limits) status of the property for a period of time; and
- 2) authorize the enforcement of all regulations and planning authority of the city that do not interfere with the use of the property for agriculture, wildlife management, or timber.

The City could elect to proceed with annexation of property with a qualifying tax exemption if the owner declines a development agreement offer extended by the City.

The attached Resolution directs the City Manager to offer the Development Agreement referenced in the Resolution as Exhibit B to owners of property located within the area proposed for annexation. The proposed Development Agreement (if executed by the property owner & approved by the Council) would guarantee that the property would remain outside the city limits for one (1) year. Prior to adopting the Resolution, the Council may adjust the term of the agreement (Exhibit B, Section 5) as it deems appropriate. At the conclusion of the term of the agreement, the property owners would consent to voluntary annexation.

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**STAFF RECOMMENDATION:**

Staff recommends approval of the attached Resolution.



## City Council Agenda Staff Report

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Date: 10/08/14

Staff Contact: Maurice Schwanke

Exhibits: Yes

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### **AGENDA SUBJECT:**

Consider/Discuss/Action regarding a Resolution setting the dates, times and places for public hearings for the voluntary annexation of a 23.19 acre tract of land located in the J. C. Brantley survey, Abstract No. 114.

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### **SUMMARY:**

This tract being requested for annexation is within the City of Anna extraterritorial jurisdiction and contiguous with the existing City Limits. This is a voluntary request with the owner being Leonard O P JR Investment. The tract is in the J. C. Brantley Survey, Abstract A0114 and is approximately 23.190 acres of land more or less. The tract is located south of County Road 376 and east of County Road 427.

Prior to the establishment of zoning the property needs to be annexed. If the Resolution is adopted, the City will schedule two public hearings that will be held during City Council Meetings on December 9, 2014 and December 16, 2014. A final vote on the annexation is anticipated during the January 13<sup>th</sup> Council Meeting. **Please note that the December 16<sup>th</sup> meeting will be a special called meeting.**

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### **STAFF RECOMMENDATION:**

Approval of Resolution setting public hearing dates.



## City Council Agenda Staff Report

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Date: October 14, 2014  
Staff Contact: City Manager  
Exhibits: Yes

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### **AGENDA SUBJECT:**

Consider/Discuss/Action regarding approval of a Development Agreement with Troy and Floella Queen.

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### **SUMMARY:**

The City has negotiated a Development Agreement with Troy and Floella Queen regarding the future development and eventual annexation property located in the City's extra-territorial jurisdiction.

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### **STAFF RECOMMENDATION:**

Staff recommends approval of the attached Resolution and Agreement.