



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

**October 28, 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 28, 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 Hackberry elevated tower and water line project. (City Manager)
4. Briefing/Discussion regarding November and December City Council meeting dates. (City Manager)
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

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.

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.

- 6. Consider/Discuss/Action on any items listed on posted agenda for October 28 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 24, 2014.

*Natha Wilkison*

Natha Wilkison, City Secretary

- 1. The Council may vote and/or act upon each of the items listed in this agenda.
- 2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.
- 3. Persons with a disability who want to attend this meeting who may need assistance should contact the City Secretary at 972 924-3325 two working days prior to the meeting so that appropriate arrangements can be made.



## City Council Agenda Staff Report

---

Date: October 28, 2014  
Staff Contact: City Manager  
Exhibits: Yes

---

### **AGENDA SUBJECT:**

Briefing/Discussion regarding Hackberry Elevated Tower and Water Line Project.

---

### **SUMMARY:**

The consulting engineer who is designing the Hackberry elevated tower and water line project will brief the Council regarding the design considerations for the alignment of the water line to the elevated tower site.

---

### **STAFF RECOMMENDATION:**



## City Council Agenda Staff Report

---

Date: October 28, 2014  
Staff Contact: City Manager  
Exhibits: Yes

---

### **AGENDA SUBJECT:**

Discussion Regarding November and December City Council Meeting Dates.

---

### **SUMMARY:**

The first City Council meeting in November is currently schedule from November 11 which is also Veteran's Day when City offices will be closed. Staff is recommending that the Council move this meeting to Monday November 10 to avoid conflict with the holiday.

In order to avoid potential scheduling conflicts, the City has typically elected not to place items on the City Council agendas for meetings scheduled on the Tuesdays immediately prior to the Thanksgiving and Christmas holidays. The second Council meeting in November is scheduled for November 25, two days prior to Thanksgiving Day on November 29. The second regular Council meeting in December is scheduled for December 23, two days prior to Christmas Day. If no items are placed on the agenda, it will not be necessary for the Council to meet on November 25 and December 23.

In December, the first City Council meeting is scheduled for December 9. In order to meet the statutory requirements for public hearings regarding the two pending annexations, a special City Council meeting is also scheduled for the following week on December 16.

---

### **STAFF RECOMMENDATION:**



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

**October 28, 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 28, 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.
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 Regular minutes of September 23, 2014
  - b. Approve City Council Special minutes of September 30, 2014.
  - c. Approve City Council Regular minutes of October 14, 2014.
  - d. Review minutes of the Anna Economic Development Corporation from August 7, 2014 and September 4, 2014. (Jessica Perkins)
  - e. Review minutes of the Anna Community Development Corporation from August 7, 2014 and September 4, 2014. (Jessica Perkins)
  - f. Approve a Resolution approving a Rail Road Crossing License Agreement for CR 422. (City Manager)
  - g. Approve a Resolution regarding Final Plat of Anna Crossing Phase 1A. (Maurice Schwanke)
  - h. Approve a Resolution regarding Final Plat of Anna Crossing Phase 1A and 1B Right-of-way Dedication. (Maurice Schwanke)
  - i. Approve a Resolution regarding Animal Control Services Agreement with Collin County. (Chief Jenks)
  - j. Approve a Resolution regarding Animal Shelter Services Agreement with Collin County. (Chief Jenks)
  - k. Approve a Resolution regarding Oncor Street Light Settlement Agreement. (City Manager)
  - l. Approve a Resolution regarding West Crossing Phase 5 Preliminary Plat. (Maurice Schwanke)
  - m. Approve a Resolution regarding Avery Pointe preliminary plat. (Maurice Schwanke)
  - n. Review P & Z Minutes for August 8, 2014 and September 8, 2014. (Maurice Schwanke)
  
6. Consider/Discuss/Action regarding adoption of an ordinance authorizing the issuance and sale of City of Anna, Texas combination tax and revenue refunding bond, taxable Series 2014A. Providing for the payment of said bond, and enacting other provisions relating to the subject.. (Clayton Fulton)
  
7. Consider/Discuss/Action regarding adoption of an ordinance authorizing the issuance and sale of City of Anna, Texas general obligation refunding bond, Series 2014B, levying an annual ad valorem tax for the payment of said bond, and enacting other provisions relating to the subject. (Clayton Fulton)
  
8. 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. (Maurice Schwanke)

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.

9. Public Hearing: For City Council to hear public comment regarding the creation of a Public Improvement District for the Villages of Hurricane Creek. (City Manager)
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 approval of a Development Agreement with Troy and Floella Queen. (City Manager)
12. Consider/Discuss/Action regarding approving a Resolution approving CDBG Sewer Grant Agreement. (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 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.

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.

14. Consider/Discuss/Action on any items listed on posted agenda for October 28, 2014 Workshop Session or any closed session occurring during this Regular Meeting, as necessary.

15. Adjourn.

This is to certify that I, Natha Wilkison, City Secretary, posted this agenda at a place readily accessible to the public at the Anna City Hall and on the City Hall bulletin board at or before 5:00 p.m. October 24, 2014.

*Natha Wilkison*

Natha Wilkison, City Secretary

1. The Council may vote and/or act upon each of the items listed in this agenda.
2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.
3. Persons with a disability who want to attend this meeting who may need assistance should contact the City Secretary at 972 924-3325 two working days prior to the meeting so that appropriate arrangements can be made.



## City Council Agenda Staff Report

---

Date: October 28, 2014

Staff Contact: City Manager

Exhibits:

---

**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.

---

**SUMMARY:**

- a. Approve City Council Regular minutes of September 23, 2014
- b. Approve City Council Special minutes of September 30, 2014.
- c. Approve City Council Regular minutes of October 14, 2014.
- d. Review minutes of the Anna Economic Development Corporation from August 7, 2014 and September 4, 2014. (Jessica Perkins)
- e. Review minutes of the Anna Community Development Corporation from August 7, 2014 and September 4, 2014. (Jessica Perkins)
- f. Approve a Resolution approving a Rail Road Crossing License Agreement for CR 422. (City Manager)
- g. Approve a Resolution regarding Final Plat of Anna Crossing Phase 1A. (Maurice Schwanke)
- h. Approve a Resolution regarding Final Plat of Anna Crossing Phase 1A and 1B Right-of-way Dedication. (Maurice Schwanke)
- i. Approve a Resolution regarding Animal Control Services Agreement with Collin County. (Chief Jenks)
- j. Approve a Resolution regarding Animal Shelter Services Agreement with Collin County. (Chief Jenks)
- k. Approve a Resolution regarding Oncor Street Light Settlement Agreement. (City Manager)
- l. Approve a Resolution regarding West Crossing Phase 5 Preliminary Plat. (Maurice Schwanke)
- m. Approve a Resolution regarding Avery Pointe preliminary plat. (Maurice Schwanke)
- n. Review P & Z Minutes for August 8, 2014 and September 8.2014. (Maurice Schwanke)

---

**STAFF RECOMMENDATION:**

Staff recommends approval of the consent items.



## City Council Agenda Staff Report

---

Date: 10/28/2014  
Staff Contact: Jessica Perkins  
Exhibits: No

---

### **CONSENT AGENDA SUBJECT:**

Review minutes of the Anna Economic Development Corporation from August 7, 2014 and September 4, 2014. (Jessica Perkins)

---

### **SUMMARY:**

n/a

---

### **STAFF RECOMMENDATION:**

n/a



## City Council Agenda Staff Report

---

Date: 10/28/2014  
Staff Contact: Jessica Perkins  
Exhibits: No

---

**CONSENT AGENDA SUBJECT:**

Review minutes of the Anna Community Development Corporation from August 7, 2014 and September 4, 2014. (Jessica Perkins)

---

**SUMMARY:**

n/a

---

**STAFF RECOMMENDATION:**

n/a



## City Council Agenda Staff Report

---

Date: October 28, 2014

Staff Contact: City Manager

Exhibits: Yes

---

### **AGENDA SUBJECT:**

Consider/Discuss/Action regarding a Resolution approving a Public Road Crossing License Agreement with Dallas Area Rapid Transit.

---

### **SUMMARY:**

As part of the Subdivision Improvement Agreement association with the Anna Crossing development located on the east side of State Highway 5, the developer (Skorburg Company) is required to make certain improvements to County Road 422 at the rail road crossing owned by Dallas Area Rapid Transit (DART). Prior to making those improvements, the City will need to execute the attached Public Road Crossing License Agreement with DART. The License Agreement outlines the terms, conditions, and construction standards that must be followed for roadway construction within the DART right-of-way. The developer is required to observe all of these requirements as part of their construction.

After construction is complete, the new CR 422 rail road crossing will be a 4-lane divided street section with active warning devices in accordance with DART's standards.

---

### **STAFF RECOMMENDATION:**

Staff recommends approval of the attached Resolution and Agreement.



## City Council Agenda Staff Report

---

Date: 10/28/14

Staff Contact: Maurice Schwanke

Exhibits: Yes

---

### **AGENDA SUBJECT:**

Approve a Resolution regarding Final Plat of Anna Crossing Phase 1A.

---

### **SUMMARY:**

This property is part of the Skorborg ATC property located south of County Road 422 and east of South Powell Parkway. Phase 1A contains 106 lots. The construction plans have been reviewed by our Consulting City Engineer. The final plat has also been reviewed by city staff and our consultant engineers. The staff recommends approval of the final plat subject to the following conditions:

1. Owner shall complete and receive City approval of the construction plans for all off-site utilities and infrastructure that are required to serve the subdivision within thirty (30) days of the approval date of this Resolution. Approval of this final plat shall be void if said construction plans are not approved by the City Manager within thirty (30) days of the approval date of this Resolution.
2. Owner shall not commence construction on off-site public utilities and infrastructure required to serve the property until the easements upon which said utilities and infrastructure are located have been properly dedicated.
3. Owner shall comply with all applicable requirements outlined in the Subdivision Improvement Agreement.

The Planning and Zoning Commission recommend approval of the final plat at their meeting on September 8, 2014. The vote was unanimous.

---

**STAFF RECOMMENDATION:** Conditional Approval of Plat.



## City Council Agenda Staff Report

---

Date: October 28, 2014

Staff Contact: Chief Jenks

Exhibits: Contract amendments

---

**AGENDA SUBJECT:** Approve Resolutions amending/extending the agreements with Collin County for Animal Control and Animal Sheltering Services for FY 2015

---

**SUMMARY:**

The City's Animal Control and Sheltering Services occur through agreements with Collin County. It is currently the most cost effective means of providing Animal Services.

The FY 2015 costs being levied by Collin County for Animal Control services is \$32,682.00 (an increase of \$1,609) and for Animal Sheltering services is \$23,554.00 (a decrease of \$1,536). Overall, the City will see a \$73 increase in fees for both services.

This resolution allows the agreements to be amended to extend the Animal Control and Animal Sheltering agreements through September 30, 2015.

---

**STAFF RECOMMENDATION:**

Approve the Resolution amending/extending the Animal Services/Shelter agreements with Collin County.



## City Council Agenda Staff Report

---

Date: 10/28/14

Staff Contact: Maurice Schwanke

Exhibits: Yes

---

### **AGENDA SUBJECT:**

Approve a Resolution regarding Final Plat of Anna Crossing PH 1A & 1B Right-Of-Way Dedication.

---

### **SUMMARY:**

The final plat contains 5.048 acres of land that will provide the access for Anna Crossing Phase 1A and beyond. The construction plans have been reviewed by our consulting City Engineer. With the exception of some drainage information the construction plans are acceptable. The Planning and Zoning Commission recommend approval of the Anna Crossing PH 1A & 1B Right-of Way Dedication final plat at their meeting on September 8, 2014. The vote was unanimous.

---

**STAFF RECOMMENDATION:** Conditional approval of the plat.



## City Council Agenda Staff Report

---

Date: October 28, 2014

Staff Contact: Chief Jenks

Exhibits: Contract amendments

---

**AGENDA SUBJECT:** Approve Resolutions amending/extending the agreements with Collin County for Animal Control and Animal Sheltering Services for FY 2015

---

**SUMMARY:**

The City's Animal Control and Sheltering Services occur through agreements with Collin County. It is currently the most cost effective means of providing Animal Services.

The FY 2015 costs being levied by Collin County for Animal Control services is \$32,682.00 (an increase of \$1,609) and for Animal Sheltering services is \$23,554.00 (a decrease of \$1,536). Overall, the City will see a \$73 increase in fees for both services.

This resolution allows the agreements to be amended to extend the Animal Control and Animal Sheltering agreements through September 30, 2015.

---

**STAFF RECOMMENDATION:**

Approve the Resolution amending/extending the Animal Services/Shelter agreements with Collin County.



## City Council Agenda Staff Report

---

Date: October 28, 2014  
Staff Contact: City Manager  
Exhibits: Yes

---

### **AGENDA SUBJECT:**

Consider/Discuss/Action regarding a Resolution approving a Settlement and Release Agreement with Oncor Electric Delivery Company LLC.

---

### **SUMMARY:**

Currently, there are about 414,000 streetlights throughout Oncor's service area, 315,000 of which are Oncor owned streetlights. Under the Energy Policy Act passed in 2005, manufacturers could not make mercury vapor lights after January 1, 2008. Therefore, beginning in January 2008, Oncor began replacing all of its 175-watt mercury vapor streetlights with 100-watt high pressure sodium lights. Under Oncor's tariff, the mercury vapor bulbs were charged at \$10.47 per month; however, the replacement high pressure sodium bulbs are charged at \$10.19 per month. Additionally, while the mercury vapor bulbs were calculated at 70 kWh per month, the high pressure sodium bulbs are only calculated at 40 kWh per month. Therefore, cities should have seen a savings in streetlight charges as the bulbs were replaced.

Due to an error on Oncor's part, many of the changes to the streetlight inventory were not changed in Oncor's Distribution Information System which is used to bill for streetlights. As a result, Oncor recognized that some of its streetlights were billed incorrectly by charging for the higher cost mercury vapor bulbs after the high pressure sodium bulbs had been installed. Additionally, Oncor has become aware that it was charging for streetlights that had been removed from service due to situations such as construction or accidents. Overall, Oncor estimates that approximately 5% of its streetlights fall into one of these categories of error. Of this 5% error rate, 78% of those errors are lights affected by the database updating error and 19% of those errors are associated with cities being charged for nonexistent lights.

To remedy these errors, Oncor has hired a contractor to verify its inventory of streetlights in the field and update the database accordingly. As this contractor updates the inventory, Oncor is providing refunds for any discrepancies in streetlight charges, dating back to January 1, 2008, with interest at the Public Utility Commission approved interest rate. Oncor anticipates that this process will take two and a half to three years

to complete. As of the end of June 2014, Oncor had verified 42,860 lights in 58 cities. Of the cities that have been reviewed, Oncor estimates 10% contained no errors, and 90% had some errors.

In the audit of the City of Anna street lights, Oncor identified a few errors in the numbers of certain types of street lights, and is offering the City \$11,017.85 to settle the billing error.

---

**STAFF RECOMMENDATION:**

Staff recommends approval of the attached Resolution and Settlement Agreement.



## City Council Agenda Staff Report

---

Date: 10/28/14

Staff Contact: Maurice Schwanke

Exhibits: Yes

---

### **AGENDA SUBJECT:**

Approve a Resolution regarding West Crossing Phase 5 preliminary plat.

---

### **SUMMARY:**

The West Crossing preliminary plat contains 17.937 acres located in the Henry Brantley Survey, Abstract No. 71. Within this project 63 residential lots are proposed. With the develop of this area the adjacent thoroughfares will be constructed which includes two lanes of Hackberry Drive as well as 2 lanes of West Crossing Blvd. The plat layout is in conformance with the existing zoning. The proponent is requesting a variance to the double frontage setback requirement. The Planning and Zoning Commission recommend approval of the preliminary plat at their meeting on October 6, 2014. The vote was unanimous.

---

**STAFF RECOMMENDATION:** Approval of the Plat Subject to the recommended variance



## City Council Agenda Staff Report

---

Date: 10/28/14

Staff Contact: Maurice Schwanke

Exhibits: Yes

---

### **AGENDA SUBJECT:**

Approve a Resolution regarding Avery Pointe preliminary plat.

---

### **SUMMARY:**

The Avery Pointe preliminary plat contains 138.848 acres located in the Francis T Duffau Survey, Abstract No. 228. Within this project 556 residential lots and 13 common areas are proposed. One of the common areas is a potential 4.4 acre park site in the northwest quadrant of the plat where a significant stand of mature trees exist. The other common areas are along the major thoroughfares, an amenity center, and detention ponds. The plat layout is in conformance with the proposed zoning that has been approved by the Planning and Zoning Commission and will be before the City Council on October 14<sup>th</sup>. Phases 1 and 2 of this proposal can sewer to the southeast while phases 3 and 4 sewer to the southwest. Adequate sewer capacity is currently not available downstream. The City does not foresee problems with phase 1 and 2, however, improvements sewer improvements downstream will need to occur prior to the submittal of a final plat for phase 3 and 4.

---

### **STAFF RECOMMENDATION:**

The Planning and Zoning Commission recommend approval of the preliminary plat at their meeting on October 6, 2014. The vote was unanimous.



## City Council Agenda Staff Report

---

Date: October 28, 2014

Staff Contact: Clayton Fulton

Exhibits:

---

### **AGENDA SUBJECT:**

Consider adoption of an ordinance authorizing the issuance and sale of City of Anna, Texas combination tax and revenue refunding bond, taxable series 2014A, providing for the payment of said bond, and enacting other provisions relating to the subject.

---

### **SUMMARY:**

During the October 14, 2014 City Council meeting our financial advisors presented the plan of finance to refund certain outstanding debt instruments. The refundings are being pursued for financial and strategic purposes.

The 2014A refunding will provide for the refunding of debt issued to construct water and sewer facilities. The refunding bonds are being placed privately through a placement agent. This agent will market our refunding bond to potential investors and rather than place on the open market.

The bonds will be priced on Monday October 27 and results from the pricing will be presented at the council meeting. It is anticipated that the 2014A refunding will result in a long term loss to the City. The debt is being refunded for strategic purposes to avoid a significant spike in debt service that would have an adverse effect upon water rates in the short run and provide savings through 2019.

---

### **STAFF RECOMMENDATION:**

Approve the attached ordinance.



## City Council Agenda Staff Report

---

Date: October 28, 2014

Staff Contact: Clayton Fulton

Exhibits:

---

### **AGENDA SUBJECT:**

Consider adoption of an ordinance authorizing the issuance and sale of City of Anna, Texas general obligation bond, series 2014B, levying an annual ad valorem tax for the payment of said bond, and enacting other provisions relating to the subject.

---

### **SUMMARY:**

During the October 14, 2014 City Council meeting our financial advisors presented the plan of finance to refund certain outstanding debt instruments. The refundings are being pursued for financial and strategic purposes.

The 2014B refunding will provide for the refunding of debt issued general fund purposes. The refunding bonds are being placed privately through a placement agent. This agent will market our refunding bond to potential investors and rather than place on the open market.

The bonds will be priced on Monday October 27 and results from the pricing will be presented at the council meeting. It is anticipated that the 2014B refunding will result in a long term savings to the City. The debt is being refunded for economic purposes to reduce debt service obligations by refunding at more favorable rates without extending the maturity

---

### **STAFF RECOMMENDATION:**

Approve the attached ordinance.



## City Council Agenda Staff Report

Date: 10/28/14

Staff Contact: Maurice Schwanke

Exhibits: Yes

### AGENDA SUBJECT:

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.

### 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.

A public hearing was opened and continued at the City Council on October 14.

---

**STAFF RECOMMENDATION:** Continuation of Public Hearing until a later date.



## City Council Agenda Staff Report

---

Date: October 28, 2014

Staff Contact: City Manager

Exhibits: Yes

---

### **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.

---

### **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.

---

**STAFF RECOMMENDATION:**

A public hearing on this issue was opened on September 23 and continued until the current 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 continue the public hearing on November            at 7:30 p.m.



## City Council Agenda Staff Report

---

Date: October 28, 2014

Staff Contact: City Manager

Exhibits: Yes

---

### **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.

---

### **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.

---

### **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

---

Date: October 28, 2014  
Staff Contact: City Manager  
Exhibits: Yes

---

### **AGENDA SUBJECT:**

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

---

### **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.

---

### **STAFF RECOMMENDATION:**

Staff recommends approval of the attached Resolution and Agreement.



## City Council Agenda Staff Report

---

Date: October 28, 2014  
Staff Contact: City Manager  
Exhibits: Yes

---

### **AGENDA SUBJECT:**

Consider/Discuss/Action regarding a Resolution approving an Agreement between the Texas Department of Agriculture and the City Of Anna, Texas, Contract No. 7214349 for the Community Development Fund.

---

### **SUMMARY:**

In 2012, the City submitted an application for a grant from the Texas Department of Agriculture to fund improvements to the city's sewer collection system. The project consists of the replacement of certain sewer lines on Geneva, Cunningham, South Interurban, South Riggins, and Edwards Streets (see attached project map). In August of this year, we were notified that we have been awarded a grant in the amount of \$275,000 for this project.

When the grant application was submitted, the total project costs were estimated at \$424,220.

Construction:	\$306,990
Engineering:	\$59,900
Easement Acquisition:	\$22,330
<u>General Grant Administration:</u>	<u>\$35,000</u>
<b>TOTALS</b>	<b>\$424,220</b>

The City will need to fund the difference between the grant and the total project cost, (currently estimated at \$149,220) from working capital in the Water & Sewer Fund. We would propose to use a portion of the current funds available in our wastewater impact fee and capital improvement fee accounts to pay existing debt obligations, thereby making available an additional \$150,000 to pay for the local contribution.

---

### **STAFF RECOMMENDATION:**

Staff recommends approval of the attached Resolution and Agreement.